

SEPTEMBER 9, 2004

**1016 E 6TH ST, 521 HATHAWAY ST,
PORTION OF 525, 529 HATHAWAY ST,
PORTION OF 518, 522, 526
BRECKENRIDGE ST
ZONE CHANGE**

From: B-4 – General Business R-4DT – Inner-city Residential	
To: I-1 – Light Industrial	
Acreage: 0.38 acres	
Applicant: James Gregory Wiimsatt (0409.1568)	
Property Zone Existing Use	to North B-4 Residential
to West R-4DT & B-4 Residential	Subject B-4 & R-4DT ⇌ I-1 <i>Body Shop, Auto Sales</i>
	to East B-4 & R-4DT Commercial, Residential
	to South I-1 Warehouse


**GENERAL LAND USE CRITERIA
Apply, if marked below:**

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ⌘

- U1** Roadway Capacity 
- ⌘ **U2** Electricity Supply
- ⌘ **U3** Water Supply
- ⌘ **U4** Stormwater Disposal
- ⌘ **U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ❖ **D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Central Residential Plan Area, where light industrial uses are appropriate in very-limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage areas - Building and lot patterns should conform with the criteria for “**Nonresidential Development**” and outdoor storage yards, with “**Buffers for Outdoor Storage Yards.**”

(b) Logical expansions outside of Industrial Parks - Existing areas of Light Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Applicant's Findings

The requested rezoning is in compliance with the Comprehensive plan.

The applicant has operated a body shop and car sales lot at this site for 19 years and has plans to expand the business. This area is a mixed-use area of residential, commercial and industrial. The Comprehensive Plan supports the requested rezoning and is allowed in general locations with a mixed-use area and is allowed in very limited locations within a central residential plan area. The majority of this property shown on the Comprehensive Land Use Map to be within a central residential area currently has a general business zone.

A development plan for this site has been submitted to the OMPC for approval showing the proposed building expansion, parking and require landscaping.

All services exist at the site.

Planning Staff Review

The subject property is located in the 1000 Block of E 6th Street and the 500 Block of Breckenridge Street. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not in a wetlands area. The subject property does not appear to be in a special flood hazard area per FIRM Map 21059CO140 C. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

All urban services are available to the site.

Development Patterns

The subject property is located in an area of mixed uses and zoning classifications. I-1, B-4 and R-4DT zoning classifications are all adjacent to the property to be rezoned. Adjacent property to the proposed rezoning is currently zoned I-1 Light Industrial. The applicant proposes to consolidate the subject property to existing property owned by the applicant zoned I-1 Light Industrial and B-4 General Business.

The proposed use of the property will provide for the expansion of the existing Auto Body Shop and Auto Sales. There is a single existing curb cut on Breckenridge Street and a single existing curb cut on E 5th Street that currently serve the property. A new access point on E 6th Street, a local street, is proposed with this zoning.

A final development plan has been submitted in conjunction with this proposal. Landscaping requirements shall be installed per ordinance requirements.

SPECIFIC LAND USE CRITERIA

The subject property is located in a Central Residential Plan Area, where light industrial uses are appropriate in very-limited locations.

The zoning to I-1 Light Industrial will not significantly increase the I-1 zoning in the vicinity and will not overburden the existing transportation network because it

is an expansion of an existing light industrial use already existing in the immediate vicinity.

The subject property will be non-residential in accord with the Comprehensive Plan.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The findings of fact that support this recommendation include the following:

Findings of Fact:

1. The subject property is located in a Central Residential Plan Area, where light industrial uses are appropriate in very-limited locations;
2. The subject property is immediately adjacent to I-1 zoning to the north; and
3. The applicant's request is a logical expansion of the I-1 Light Industrial zone that will not significantly increase the extent of the zone in the vicinity and will not overburden the capacity of roadways and other necessary urban services that are available in the affected area