



SEPTEMBER 9, 2004

817, 827 W 9TH ST

ZONE CHANGE

From: B-4 – General Business

To: I-1 – Light Industrial

Acreage: 0.583 acres

Applicant: Image Builders (0409.1569)

Property Zone Existing Use	to North R-4DT Single-Family Residential	
to West P-1 City Park	Subject B-4 ➔ I-1 <i>Undeveloped Mill Site</i>	to East B-4 Vacant
	to South I-1 & R-4DT Warehouse, Vacant	

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 Business Plan Area, where light industrial uses are appropriate in 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 expansion 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

Property is located in a Business/Industrial Plan Area where light industrial uses are appropriate in general locations.

Applicant proposes to develop the site as a bakery products distribution center and retail sales outlet. A 102' x 40' building will contain approximately 2725 square feet of warehouse/loading area with an 1214 foot retail sales facility at the front of the building. Bakery products will be shipped in by truck and reloaded onto delivery trucks for distribution to stores throughout the area. Products will also be sold to the general public.

An existing truck loading dock fronting on Poplar Street will be retained and modified to allow tractor trailer trucks to enter the site from Poplar Street and back into the loading dock from the proposed vehicle use area. The vehicle use area included provision for off street parking and loading of delivery vehicles. A shared access is proposed on West 9th Street at the southeast corner of the property.

Specific land use criteria that apply to this proposal are as follows:

- (a) Building and lot patterns.

Building and lot patterns should conform with the criteria “Non-Residential Development”.

The subject property is located in a mixed use/mixed zoning area with a mix of Light Industrial, General Business and Single Family Residential uses. This area has experienced significant redevelopment in recent years and the proposed project is consistent with uses along West 9th Street.

Planning Staff Review

The subject property is in the 800 Block of W. 9th 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

According to the Comprehensive Plan, the subject property is located in a Business Plan Area. The applicant has identified incorrectly the land use plan area and has cited criteria not pertaining to the applicant's request. The subject property is located in an area of mixed residential, commercial and industrial development. The intended use for the property is a bakery products distribution center with accessory retail sales of baked good on-site.

Based on the intended use, the site should be designed to accommodate the intended truck traffic on-site. Trucks shall not use the public right of way to back into the loading dock and shall do all maneuvering on-site. The site will be served by two access points, one on Poplar Street and a shared access point on 9th Street serving the adjacent property at 807 W 9th Street as well as the subject property.

At this location, 9th Street is classified as a minor arterial roadway. The minimum building setback is 75' from the roadway centerline and the roadway buffer is 40'. All landscaping and buffer requirements shall be installed per ordinance requirements.

There is some existing sidewalk on site. Due to the mixed nature of the surrounding area, sidewalks should be improved on the site to provide adequate pedestrian walkways.

SPECIFIC LAND USE CRITERIA

The subject property will be non-residential in use. There is existing I-1 Light Industrial zoning across 9th Street and the applicant's proposal would be a logical expansion of that I-1 Light Industrial zone. Due to the size and location of the development, it will not significantly increase the amount of I-1 zoning within the area and should not overburden roadway capacities or other public infrastructure.

Planning Staff Recommendations

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

Conditions:

1. Improve/repair existing sidewalks that currently serve the site;
2. The access point on W. 9th Street shall be a shared access point with the adjacent property at 807 W. 9th Street; and,
3. Truck traffic serving the subject property shall maneuver on-site.

Findings of Fact:

1. The subject property is located in a Business Plan Area, where light industrial uses are appropriate in limited locations;
2. The subject property will be non-residential in use; and,
3. The subject is a logical expansion of an existing I-1 Light Industrial zone that will not significantly increase the amount of I-1 Light Industrial zoning with in the area and will not overburden the capacity of roadways or other necessary urban services.