

NOVEMBER 10, 2005

PORTION OF 2211 W 2ND ST

ZONE CHANGE

From: I-2 Heavy Industrial		
To: B-5 Business/Industrial		
Acreage: 0.815 acres		
Applicant: Henry E. O'Bryan, Owensboro Warehouse Co. (0511.1613)		
Property Zone Existing Use	to North R-4DT Residential	
to West R-4DT, B-4 Vehicle Repair & Residential	Subject A-R ↔ R-1A Single-Family Residential	to East R-4DT, B-4 Residential & Service Station
	to South B-4 Commercial	

**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 a B-5 Business/Industrial zone. The subject property is located in a Business/Industrial Plan Area where general business uses and light industrial uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

- (a) Building and lot patterns; outdoor storage yards**
Building and lot patterns should conform to the criteria for "Nonresidential Development" (D7), and outdoor storage yards, with "Buffers for Outdoor Storage Yards" (D1).

Applicant's Findings

The rezoning proposal is in complete conformity with the community's Comprehensive Plan and the Land Use Plan element of the Plan. The Plan recommends a "Business/Industrial" (i.e. B-5) use for the site as the generally accepted land use. Specific Plan Criteria which apply are:

- Lot patterns should conform to Non-residential lot patterns. The 0.815-acre site exhibits approximately 228 feet of frontage on West Second Street and is approximately 146 feet deep. Obviously the site is much larger and non-characteristic of the existing residential lots in the surrounding neighborhood.
- Outdoor storage areas for "high-intensity" land use shall be buffered from the lower intensity surroundings. Applicant proposes an auto/vehicle sales establishment for the site. The site itself will serve as a buffer between the more intense industrial zone situated to the north and the highway facility and general business land use situated to the south.

The applicant proposes to construct a building, paved parking and appropriate infrastructure for an auto sales lot at the site. Auto sales lots are allowed in General Business zones as well as the recently established Business/Industrial Zone (i.e. B-5 zone) as principally permitted. The B-5 zone will be a logical buffer and provide a transition between the existing mini-storage (Heavy Industrial) units situated immediately northward and the General Business zones situated immediately southwardly across West Second Street.

The general neighborhood area extending from Fielden Avenue westward to the CSX railroad is a very mixed use area with a dominance of business uses. The neighborhood activities consist of residential, business, commercial and light industrial land uses which include but are not limited to:

- Stovall's Barber Shop (barber shops)
- Southern Wine & Spirits (wholesale supply establishment)
- Residential brick and/or frame homes (residential)
- Mobile homes (residential)
- Progress Printing (printing, publishing or lithographing)
- Purity Ice Company (ice plant)
- Smitty's lawn mower repair (equipment repair shop)
- Brite-Way Sign Co. (manufacturing and assembly)
- Checks, Etc. (business/financial)
- Automatic Fueling Station (fuel station)
- Pedley's Garage (truck repair and service)
- Nick's Detail Shop (auto service)
- Owensboro Body Shop corporate offices (business)
- Owensboro Body Shop mechanical shop and body shop (auto/truck repair, auto/truck body shop)
- Shell Service Station (auto/truck repair, service and fuel services)
- Christian Outreach Mission (church-type)
- U-Haul rental (truck rental)
- Mini-storage units (mini-warehouses)
- Lanham Brothers Construction (general contractor)
- Wilkerson Plastering Company (shops for special trades)
- Lambo's Club (lounge/night club)

Applicant proposes auto sales and related preparation services. No outdoor storage of building materials or building supplies is anticipated. The applicant's current mini-storage facilities are neat, well kept, landscaped and well maintained; possibly some of the best kept storage units in the City.

The site is major street-oriented along West Second Street (U.S. 60 westbound), typical of a business land use. The site is situated immediately eastward of a major railroad mainline, typical of an industrial land use. All urban services are available to the site.

The site is located at the northwest corner of the West Second St/River Road intersection. During the recent past the City of Owensboro has made an intersection improvement in order to provide adequate traffic flow to the business/industrial uses within the area.

Planning Staff Review

The subject property is located in the 2201 block of W 2nd 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 located in a wetlands area. The subject property is not located in a special flood hazard area per FIRM Map 21059CO120 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, including sanitary sewers, are available to the site.

Development Patterns

The subject property is located in an area with existing mixed business, industrial and residential uses. A portion of the subject property is developed with mini-storage buildings while the portion to be zoned to B-5 is currently vacant. The applicant proposes to operate a automobile vehicle sales lot on the remaining portion of the subject property.

Various residential uses are located to the north, east, and west of the subject property. The subject property is also located adjacent to a service station, vehicle repair facility, and vacant commercial uses.

Intersection and Driveway Spacing

In the vicinity of the subject property, W 2nd Street is classified as a principal arterial roadway with a 500 foot spacing standard. Since the spacing requirement cannot be met on the subject property, no direct access shall be permitted to W 2nd Street. Access shall be limited to River Road only.

Roadway Buffer Standards

As a one-way minor arterial roadway, the roadway buffer along this portion of W 2nd Street is 40 feet from the centerline of the roadway. The roadway buffer must

remain free of parking, landscaping, and any other improvements associated with the site development.

SPECIFIC LAND USE CRITERIA

The subject property is appropriate for the B-5 Business/Industrial zoning because it is within an area identified as appropriate for mixed business and light industrial uses and lies within the Business/Industrial Plan Area as identified by the Land Use element of the Comprehensive Plan.

Planning Staff Recommendations

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

Condition: Access to the subject property shall be limited to River Road only. No direct access shall be permitted to W 2nd Street.

Findings of Fact:

1. The subject property is located within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;
2. The subject property lies within an existing area of mixed general business and light industrial uses;
3. The Comprehensive plan provides for the continuance of mixed use areas; and,
4. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.