

SEPTEMBER 14, 2006

309 E 16TH ST

ZONE CHANGE

From: I-1 Light Industrial		
To: B-5 Business/Industrial		
Proposed Use: Automotive Repair		
Acreage: 0.147		
Applicant: AMJ Properties, LLC (0609.1658)		
Property Zone Existing Use	to North I-1 Landscape Supply	
to West I-1 Landscape Supply	Subject I-1 ⇄ B-5 Automotive Repair	to East I-1 Roofing Supply
	to South I-1 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 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 proposed zoning map amendment is in compliance with the Comprehensive Plan. The B-5 Business/Industrial Zone is allowed within Business/Industrial Plan Areas in general locations as recommended by the Comprehensive Plan Land Use Plan. The site is located in the mid-block of E 16th Street between J.R. Miller Boulevard and Moseley Street and on Guenther Alley.

Planning Staff Review

The subject property is located in the 301 block of E 16th 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 located in a special flood hazard area and partially located in a floodway per FIRM Map 21059CO140C. 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 of primarily industrial uses. Land uses in the vicinity include landscape supply, roofing supply, carpet sales and storage, and undeveloped property. Although not contiguous to the subject property, various B-4 and B-5 zonings are present in the vicinity of the subject property. Most recently, the property on the southeast corner of the J.R. Miller and E 14th Street intersection was rezoned to B-5 in late 2005.

The site is currently occupied by a small automobile repair garage and the proposed use for the property is the same. The use of the property for automobile repair is permitted in both an I-1 and B-5 zoning classification. The B-5 zone requested by the applicant would allow general business or light industrial uses to occur, as long as sufficient on-site parking is provided for the intended use.

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 findings of fact that support this recommendation include the following:

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.