

FEBRUARY 8, 2007

2610 W 2ND ST

ZONE CHANGE

From: B-4 General Business

To: B-5 Business/Industrial

Proposed Use: Farm Machinery Sales and Service

Acreage: 1.38

Applicant: Johnny and Janice Goodman
(0702.1676)

Property Zone <i>Existing Use</i>	to North I-1 Farming operation	
to West I-1 Flea market, beauty shop, vehicle repair	Subject B-4 → B-5 Vacant	to East B-4 Furniture store, rental building
	to South I-1 Rental Storage	

**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 business/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 accordance with the Comprehensive Plan in that it is in a Business/Industrial plan area where B-5 zoning is appropriate.

Planning Staff Review

The subject property is located in the 2600 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 located in a special flood hazard area per FIRM Map 21059CO120C. 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 not in the vicinity of 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 mixed commercial and industrial activities. The property to the north, south and west is zoned I-1 and consists of a farming operation, rental storage, a flea market, beauty

shop and an automotive repair shop. A furniture store and rental building are located east of the subject property and zoned B-4.

In their application, the applicant states the proposed use of the property for sales and service of farm machinery. There is an existing building on site that will be utilized for this purpose.

The site location map submitted with the rezoning indicated two separate parcels that comprise the total acreage of this tract. The two tracts should be consolidated as part of the redevelopment of the site.

The site currently has one curb cut to W 2nd Street. In the vicinity of the subject property, W 2nd Street is classified as a principal arterial roadway with a driveway spacing standard of 500 feet. The building setback line will either be 60 feet from the road centerline or 25 feet from the property line, whichever is greater. A roadway buffer of 40 feet from the road centerline is also applicable. Due to the roadway classification, access to the subject property shall be limited to the existing curb cut only, with no additional access to W 2nd Street permitted. If used for commercial purposes the drive width shall be a maximum of 40 feet. However, for industrial purposes the access may be widened to a maximum of 50 feet.

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 conditions and findings of fact that support this recommendation include the following:

Conditions:

1. Access shall be limited to the existing access point with no additional access to W 2nd Street permitted; and,
2. A consolidation plat shall be submitted and approved by the OMPC;

Findings of Fact:

1. The subject property is located in a Business/Industrial Plan Area, where

business/industrial uses are appropriate in general locations;

2. The subject property lies within an existing area of mixed commercial and 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.