

**SEPTEMBER 9, 2021**

**2225 – 2231 BLOCK OF WEST 1<sup>ST</sup> STREET**

**ZONE CHANGE**

<b>From:</b> R-4DT Inner-City Residential	
<b>To:</b> I-2 Heavy Industrial	
<b>Proposed Use:</b> Self-Storage Facility	
<b>Acreage:</b> 0.554	
<b>Applicant:</b> Owensboro Self Storage, LLC (2109.2185)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> R-4DT	<b>South:</b> I-2 & B-5
<b>East:</b> B-4, R-4DT	<b>West:</b> R-4DT

**Proposed Zone & Land Use Plan**

The applicant is seeking an I-2 Heavy Industrial zone. The subject properties are located in a Central Residential Plan Area, where heavy industrial uses are not generally recommended.

**Planning Staff Review**

**GENERAL LAND USE CRITERIA**

**Environment**

- It appears that the subject properties are not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject properties are not located in a special flood hazard area per FIRM Map 21059CO119D.
- It appears that the subject properties are not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

**Urban Services**

All urban services, including sanitary sewer, are available to the subject properties.

**Development Patterns**

According to PVA records, the subject properties consist of four parcels of land totaling 0.554 acres in size. Three of which are all addressed as 2225 W. 1<sup>st</sup> Street, each approximately 46-feet wide and 130-feet deep. The fourth, located at the terminus of W. 1<sup>st</sup> Street and adjoining the Texas Avenue railroad tracks, is addressed as 2231 W. 1<sup>st</sup> Street. All four parcels are zoned R-4DT Inner-City Residential.

The four subject properties take up the majority of this block of W. 1<sup>st</sup> Street. The only other property within this block (2207 W. 1<sup>st</sup> Street) is located at the intersection of W. 1<sup>st</sup> Street and River Road and contains an existing single family residence with a detached garage.

All of the surrounding properties to the north, east, and west are also zoned R-4DT Inner-City Residential and appear to be utilized for single family residential uses. The homes to

the west are separated from the subject properties by Texas Avenue and the existing railroad tracks. The homes to the north, which face Herr Avenue, are separated from the subject properties by an existing alley.

To the south, across W. 1<sup>st</sup> Street, is an industrial self-storage development that is owned by the applicant and is split-zoned, I-2 Heavy Industrial along W. 1<sup>st</sup> Street and B-5 Business/Industrial along W. 2<sup>nd</sup> Street.

The applicant intends to:

- Close the W. 1<sup>st</sup> Street right-of-way between River Road and the Texas Avenue right-of-way, which currently separates the industrial development from the subject properties;
- Rezone the subject properties from R-4DT Inner-City Residential to I-2 Heavy Industrial in order to expand the existing self-storage operation; and,
- Consolidate the subject properties into the same tract of land as the existing self-storage operation.

At the time of this report, this portion of W. 1<sup>st</sup> Street has not yet been closed; however, the proposed road closure was heard for 1<sup>st</sup> reading at the August 17, 2021 Owensboro City Commission Meeting and is scheduled for 2<sup>nd</sup> reading at the September 7, 2021 Owensboro City Commission Meeting. According to the City Engineering Office, the application for the road closure was completed following a Public Facility Review which gathered input from the OMPC Planning Staff, necessary utilities, and other involved entities. As such, the City Engineering Office does not foresee any issues with the proposed road closure.

The closure of W. 1<sup>st</sup> Street is a significant physical change in the area that the most recently adopted Comprehensive Plan did not anticipate and, as a result, the OMPC Planning Staff recommends approval of this request even though it is located within a Central Residential Plan Area where heavy industrial uses are not generally recommended.

With the closure of the W. 1<sup>st</sup> Street right-of-way, the proposal is a logical expansion of the existing I-2 Heavy Industrial zoning to the south and at 0.554 acres in size, the proposal will not significantly increase the extent of the industrial zoning nor will the proposal overburden existing roadways or other necessary urban services within the affected area.

It should be noted that because the subject properties adjoin the Texas Avenue right-of-way, as well as residential zoning to the north and east, the zoning ordinance requires the following building setbacks:

- 25-feet from the property line along the Texas Avenue right-of-way;
- 20-feet from the rear property line, along the alley, where the subject properties adjoin residential zoning; and,
- 20-feet from the eastern, interior property line where the subject properties adjoin the existing residential home at the intersection of River Road and W. 1<sup>st</sup> Street (2207 W. 1<sup>st</sup> Street).

However, in conjunction with this rezoning, the applicant has submitted variance requests to reduce the setbacks along Texas Avenue and along the alley.

In addition to building setbacks, the development shall install and maintain a 10-foot wide landscape easement consisting of a 6-foot tall solid element and 1 tree per 40-linear-foot where the subject properties adjoin the residential zoning to the east.

The applicant should be aware that with the closure of W. 1<sup>st</sup> Street, the existing storage facility at 2211 W. 2<sup>nd</sup> Street will now immediately adjoin the residential property located at the intersection of River Road and W. 1<sup>st</sup> Street (2207 W. 1<sup>st</sup> Street), as the previous separation (W. 1<sup>st</sup> Street) will no longer exist. As this complex expands to include the subject properties, the existing facility will also be required to maintain a 20-foot building setback and install the necessary landscape elements along what-is-currently W. 1<sup>st</sup> Street where the complex will immediately adjoin the existing residential zoning located at the intersection.

In order to further protect the existing residential properties in the area, all lighting associated with the development shall be oriented away from adjoining residentially zoned properties located across the alley, as well as away from the residential zoning on the neighboring property at 2207 W. 1<sup>st</sup> Street.

Lastly, if approved and consolidated into the existing self-storage facilities to the south, this storage complex will have frontage along W. 2<sup>nd</sup> Street, River Road, and Texas Avenue. W. 2<sup>nd</sup> Street, in this vicinity is classified as a Minor Arterial roadway with a 500-foot spacing standard. River Road and Texas Avenue are both local roadways without specific access management regulations. As such, access to this complex shall be limited to River Road and Texas Avenue; none of which shall encroach into the required landscape easements where the development immediately adjoins residential zoning. No access to W. 2<sup>nd</sup> Street shall be permitted.

Prior to any activity on the property the applicant shall obtain approval of an amended final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

#### **SPECIFIC LAND USE CRITERIA**

Although the subject properties are located in a central residential plan area where heavy industrial uses are not generally recommended, the closure of W. 1<sup>st</sup> Street is a physical change within the area that was not anticipated in the most recent adoption of the Comprehensive Plan. The proposal is a logical expansion of existing I-2 Heavy Industrial zoning to the south and, at 0.554 acres, the proposal is not a significant increase of the I-2 zoning nor should the request overburden the capacity of existing roadways and other necessary urban services within the affected area.

#### **Planning Staff Recommendations**

With the closure of this portion of W. 1<sup>st</sup> Street, the planning staff recommends approval subject to the conditions and findings of fact that follow:

#### **Conditions:**

1. Obtain approval of a Minor Subdivision Plat consolidating the subject properties with the existing storage complex located at 2211 W. 2<sup>nd</sup> Street;
2. Obtain approval of an Amended Final Development Plan for the entire self-storage facility; and,
3. All lighting associated with the development shall be oriented away from adjoining residentially zoned properties located across the alley, as well as away from the residential zoning on the neighboring property at 2207 W. 1<sup>st</sup> Street.

#### **Findings of Fact:**

1. Staff recommends approval because, although the proposal is located in a central residential plan area where heavy industrial uses are not generally recommended, the closure of W. 1<sup>st</sup> Street is a physical change to the area that the most recent adoption of the Comprehensive Plan did not anticipate;
2. The proposal is a logical expansion of existing I-2 Heavy Industrial zoning located to the south;
3. At 0.554 acres in size, the proposal should not significantly increase the extent of the I-2 Heavy Industrial zoning in the general vicinity; and,
4. The proposal should not overburden the capacity of roadways and other urban services that are available in the affected area.