

JULY 14, 2022

2120 E 4TH STREET

ZONE CHANGE

From: B-4 General Business
To: I-1 Light Industrial
Proposed Use: Trailer Storage
Acreage: 6.548
Applicant: John Phil Roberts, Jr.; Parr Trucking Services, Inc. (2207.2217)
Surrounding Zoning Classifications:
North: I-2 & R-1A South: I-2
East: B-4 West: R-1C

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zoning classification. The subject property is located in an Industrial Plan Area, where Light Industrial uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns; outdoor storage areas** - Building and lot patterns should conform to the criteria for “**Nonresidential Development**” (D7) and outdoor storage yards with “**Buffers for Outdoor Storage Yards**” (D1).
- (b) **Logical expansions 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. Such an expansion should not significantly increase the extent of industrial use 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.

Planning Staff Review

GENERAL LAND USE CRITERIA

Environment

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059C0139D.
- It appears that the subject property is 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 site.

Development Patterns

The subject property is a 6.548 acre parcel of land located at the intersection of E 4th Street and Highway 603. This property is currently zoned B-4 General Business and the applicant is proposing to rezone the property to I-1 Light Industrial to allow for Trailer Storage. The subject property adjoins a similar use, located to the rear and zoned I-2 Heavy Industrial. I-2 zoning can also be found across E. 4th Street at the Glenmore facilities. R-1A and R-1C Single Family Residential zonings can be found on immediately adjoining homes to the west, as well as those across E 4th Street (next to the Glenmore facilities). Adjoining properties to the east, across Highway 603, are zoned B-4 General Business.

Because of the adjoining residential zoning, it should be noted that the development shall be required to install and maintain a 10-foot wide landscaping easement consisting of a 6-foot tall solid element and 1 tree per 40-linear-feet where the subject property adjoins residential zoning, and shall also maintain a 20-foot building setback where adjoining residential zoning. Additionally, all outdoor storage areas shall be fully enclosed by a 6-foot tall solid wall or fence.

E 4th Street, in this vicinity, is classified as a minor arterial roadway with a 500-foot spacing standard, as well as a 75-foot building setback and a 50-foot roadway buffer; each measured from the centerline of E 4th Street. The subject property totals only 322.59-feet of road frontage, and so full compliance with the spacing standard is not possible. As a result, direct access to E. 4th Street shall be limited to the existing single access point located on the subject property.

This property also fronts along Highway 603 which, in this vicinity, is classified as a major collector roadway with a 250-foot spacing standard, as well as a 60-foot building setback and a 30-foot roadway buffer each measured from the centerline of Highway 603. Due to the nature of this roadway, any access to Highway 603 shall also be approved by the Kentucky Transportation Cabinet.

Prior to any activity on the property the applicant shall obtain approval of a site plan or a 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.

Additionally, because the subject property is located within the Owensboro Wellhead Protection area, according to OMU, if the property will have or produce anything that can contaminate the soil then they must have a wellhead protection plan. OMU should be contacted regarding such a plan.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the community's adopted Comprehensive Plan. The proposal is a logical expansion of the I-1 Light Industrial zone and shall not significantly increase the extent of industrial uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. The proposed use, Trailer Storage, conforms to the criteria for Nonresidential Development and for Buffers for Outdoor Storage Yards.

Planning Staff Recommendations

The planning staff recommends approval subject to the conditions and findings of fact that follow:

Conditions:

1. Direct access to E 4th Street shall be limited to the existing single access point;
2. Direct access to Highway 603 shall be in compliance with the Access Management Manual and shall be approved by the Kentucky Transportation Cabinet;
3. The subject property shall maintain a 10-foot wide landscaping easement consisting of a 6-foot tall solid element and 1 tree per 40-linear-feet where the subject property adjoins the residential zoning; and,
4. All outdoor storage areas shall be fully enclosed by a 6-foot tall solid wall or fence.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Industrial Plan Area, where Light Industrial uses are appropriate in general locations;
3. The proposed use, Trailer Storage, conforms to the criteria for Nonresidential Development;
4. At 6.548 acres in size, the property is large enough in size to comply with the criteria for Buffers for Outdoor Storage Yards;
5. The proposal is a logical expansion of existing Industrial zoning to the north and south; and,
6. At 6.548 acres in size, the proposed expansion of the I-1 Light Industrial zone will not significantly increase the extent of industrial uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.