

AUGUST 11, 2022

901 LEITCHFIELD ROAD	
ZONE CHANGE	
From:	I-1 Light Industrial with Conditions
To:	I-1 Light Industrial with Amended Conditions
Proposed Use:	Light Industrial Facility
Acreage:	5.160
Applicant:	1661 Real Estate Hold Co LLC (2208.2223)
Surrounding Zoning Classifications:	
North: B-5 & I-2	South: I-1 & R-4DT
East: R-4DT	West: B-4 & I-1

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Business/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).

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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO139D.
- 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 located at the intersection of E. 11th Street and Leitchfield Road. This property, which was previously 10 lots, was rezoned in 2017 from I-2 Heavy Industrial and I-1 Light Industrial to I-1 Light Industrial. The elimination of all split-zoning and the closure of what was E. 10th Street allowed for all 10 lots to be consolidated into one 5.160 acre parcel hosting the entire development.

This development is surrounded by B-4 General Business and I-1 Light Industrial zoning to the west, across Leitchfield Road; as well as to the south, across E. 11th Street.

B-5 Business/Industrial zoning and I-2 Heavy Industrial zoning is located to the north, across the CSX Railroad. Also to the south, across E. 11th Street, is a series of homes zoned R-4DT Inner-City Residential.

Leitchfield Road, in this vicinity, is classified as a minor arterial roadway with a 75-foot building setback line and a 40-foot roadway buffer, each measured from the centerline of Leitchfield Road.

In addition to these setbacks, Leitchfield Road has a 500-foot spacing requirement. Because of this spacing standard, the previous rezoning required that access to Leitchfield Road shall be limited to the existing access point (which was E. 10th Street at the time of the rezoning). Per the previous rezoning and the corresponding subdivision plat, no additional access to Leitchfield Road was to be permitted.

However, as the operation has continued at the subject property, the owner has found that the operation’s truck-traffic is having difficulties maneuvering throughout E. 11th Street to enter/exit the site. As a result, the City Engineer’s Office has received multiple complaints regarding truck-traffic on E. 11th Street, citing both traffic volumes as well as the frequency of trucks swinging onto the street shoulders – often into the grass right-of-way along the roadway. To resolve this issue, the applicant has been working with the City Engineer’s Office to find a solution, which includes the construction of an additional access point along Leitchfield Road.

As a result, the applicant has submitted the proposed rezoning to amend the previous condition to permit an additional access point to be located on Leitchfield Road, allowing for truck traffic to enter the site with less difficulties. Doing so will create an opportunity for the trucks to maneuver in a circular pattern as they enter the site from Leitchfield Road and exit onto E. 11th Street.

The City Engineering Office has reviewed the conceptual plans and has provided verbal approval under the conditions that the proposed access point along Leitchfield Road is an entrance-only and designated for truck traffic only. Also, due to the 500-foot spacing standard, full compliance with the access management manual is not possible on this 568-foot-wide lot, and so the applicant has also submitted a variance request to reduce the spacing standard, which will be heard as a related item if this rezoning is approved.

Additionally, as stated on the previous rezoning, due to the proximity to existing residential zones, all lighting for the subject property shall be directed away from the adjoining residential properties to reduce the glare and impact of the lighting on the residential uses.

It shall also be noted that prior to any construction activity at the property the applicant shall obtain approval of an amended site 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.

Lastly, 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 Comprehensive Plan. The proposed light industrial use conforms to the criteria for nonresidential development and buffers for outdoor storage yards. By limiting the proposed access point to ingress only and designated for truck-traffic only, the proposal should not overburden the capacity of roadways and other necessary urban services in the area.

Planning Staff Recommendations

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

Conditions:

1. Direct access to Leitchfield Road shall be limited to the existing access point (formerly E. 10th Street) and the proposed additional access point;
2. The proposed access point shall only be permitted if a dimensional variance to reduce the 500-foot spacing standard is also approved;
3. Obtain approval an amended Minor Subdivision Plat illustrating the proposed access point;
4. Prior to performing any related work, the applicant shall obtain approval of an amended Site Plan illustrating the proposed access point; and,
5. The proposed access point along Leitchfield Road shall be an entrance-only that is designated exclusively for truck-traffic;

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 a Business/Industrial Plan Area where light industrial uses are appropriate in general locations;
3. The proposed light industrial use conforms to the criteria for Nonresidential Development and the criteria associated with Buffers for Outdoor Storage Yards;
4. By limiting the proposed access point to an entrance only that is exclusively for truck-traffic, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.