

OCTOBER 6, 2022

2107 OLD HENDERSON ROAD

ZONE CHANGE

From: R-4DT Inner-City Residential	
To: B-5 Business/Industrial	
Proposed Use: Business	
Acreage: 0.207	
Applicant: SJL Properties, LLC c/o Steven Lee (2210.2231)	
Surrounding Zoning Classifications:	
North: R-4DT	South: R-4DT, I-1
East: B-5	West: R-4DT

Proposed Zone & Land Use Plan

The applicant is seeking a B-5 Business/Industrial zoning classification. 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 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 21059C0119D.
- It appears that the subject property is 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 site.

Development Patterns

The subject property is a 0.207 acre parcel of land located near the intersection of Old Henderson Road and Washington Avenue. The applicant owns the adjoining property to the east, zoned B-5 Business/Industrial, and intends to consolidate the two properties if the proposed zoning change is approved.

In addition to the B-5 property to the east, other adjoining properties include R-4DT Inner-City Residential zoning and uses located to the north (along McFarland Avenue), to the west, and to the south (across Old Henderson Road). Also across Old Henderson Road is existing I-1 Light Industrial zoning.

Old Henderson Road is classified as a local roadway without spacing standards and with a building setback of 25-feet from the property line along the roadway. Other pertinent setbacks include a 20-foot rear yard building setback and 10-foot wide landscaping easement, each where the subject property adjoins residential zoning. The 10-foot wide landscaping easement shall consist of a 6-foot tall solid wall or fence and 1-tree per 40-linear-feet.

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.

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

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

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 Business/Industrial uses are appropriate in general locations;
3. The proposed use, business, conforms to the criteria for Nonresidential Development and with the criteria for Buffers for Outdoor Storage Yards; and,
4. The proposal is a logical expansion of existing B-5 Business/Industrial zoning to the east.