

**NOVEMBER 10, 2022**

**165 & 183 EWING ROAD**

**ZONE CHANGE**

<b>From:</b> R-4DT Inner-City Residential
<b>To:</b> B-5 Business/Industrial
<b>Proposed Use:</b> Self-Storage
<b>Acreage:</b> 1.139
<b>Applicant:</b> Jeremy Smith (2211.2233)
<b>Surrounding Zoning Classifications:</b>
<b>North:</b> R-4DT <b>South:</b> B-4
<b>East:</b> R-4DT <b>West:</b> I-1

**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**

- The subject property does not appear to be 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.
- 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 two subject properties consist of 1.139 acres of land located near the intersection of Ewing Road and W. 2<sup>nd</sup> Street. The property is surrounded by B-4 General

Business zoning to the south (along W 2<sup>nd</sup> Street), R-4DT Inner-City Residential zoning to the north and east, and I-1 Light Industrial zoning to the west (across Ewing Road).

The subject properties are currently vacant and zoned R-4DT Inner-City Residential. The applicant intends to consolidate the two properties and construct a self-storage facility on the resulting lot and, as a result, has proposed to rezone both lots to B-5 Business/Industrial.

If approved, the development shall include a 10-foot wide landscaping easement consisting of a 6-foot tall continuous element and 1 tree per 40-linear-feet where the subject property adjoins residential zoning to the north. Due to the alley, the landscaping easement and screening elements are not required where the development adjoins the residential zoning to the east; however, a 20-foot rear yard building setback will be enforced along this eastern property line. Additionally, vehicular use area consisting of a 3-foot tall continuous element and 1 tree per 40-linear-feet shall be installed where the vehicular use area adjoins Ewing Road.

Ewing Road, 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 30-foot roadway buffer, each measured from the centerline of Ewing Road. Due to the location of the existing alley to the south and the residential driveway to the north, full compliance with the spacing standards is not possible.

At this time, direct access to Ewing Road is limited to a single access easement (Plat Book 43 Page 37) that is located along the shared property line. With the aforementioned consolidation plat, the allowed access point can be relocated if progressing closer to compliance with spacing standards. In any event, direct access to Ewing Road shall be limited to a single access point.

The properties also adjoin the terminus of Pardon Avenue; a residential street spanning two blocks of existing homes. Due to the character of the area, no direct access to Pardon Avenue shall be permitted.

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 conditions and findings of fact that follow:

**Conditions:**

1. Direct access to Ewing Road shall be in compliance with the access management manual; and,
2. No direct access to Pardon Avenue shall be permitted.

**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, self-storage, conforms to the criteria for Nonresidential Development; and,
4. With the installation of all required screening elements, the proposed development shall comply with the criteria for Buffers for Outdoor Storage Yards.