

DECEMBER 8, 2022

1111 FEDERICA STREET

ZONE CHANGE

From: I-1 Light Industrial	
To: B-4 General Business	
Proposed Use:	Rehabilitation Services
Acreage:	0.440
Applicant:	Volunteers of America Mid-States, Inc. & Kenneth Stodghill Rentals, LLC (2212.2238)
Surrounding Zoning Classifications:	
North: I-1	South: B-4
East: I-1	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Business Plan Area where General Business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – 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 zoning expansions of proportional scope – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and 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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Maps 21059CO138D.
- 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 sewers, are available to the subject property.

Development Patterns

The subject property is a 0.44-acre parcel that was previously a muffler shop and is located at the intersection of W 12th Street and Frederica Street, just south of the railroad tracks which are privately owned and zoned I-1 Light Industrial. The property also adjoins a 1.59-acre industrial operation to the east, B-4 General Business zoning to the south (across W. 12th Street), and B-4 zoning the west (across Frederica Street).

The applicant proposes to rezone the subject property to B-4 General Business in order for it to work in conjunction with the existing B-4 zoning across W. 12th Street. The intent is for the adjoining property to function as an addiction rehabilitation facility, meanwhile the subject property will serve as parking and offices for the institution. A Conditional Use Permit for the proposal has been submitted in conjunction with this proposed zone change.

Frederica Street, in this vicinity, is classified as a Minor Arterial roadway with a 500-foot spacing standard, and a 75-foot building setback with a 50-foot roadway buffer, each measured from the centerline of Frederica Street. Due to the spacing standard along Frederica Street, direct access to the property shall be limited to W. 12th Street.

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 applicant's proposal is in compliance with the Comprehensive Plan. The proposal is a logical expansion of existing B-4 General Business zoning and conforms to the criteria for nonresidential development. At 0.44-acres in size, the proposed B-4 zoning shall not significantly increase the extent of the B-4 General Business zoning in the vicinity, and the proposal shall not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

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

Condition:

1. Direct access shall be limited to W. 12th Street. No direct access to Frederica Street 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 Plan Area where general business uses are appropriate in limited locations;
3. The proposed use, rehabilitation services, conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-4 General Business zoning to the south and west; and,
5. At 0.44-acres, the proposal shall not significantly increase the extent of the B-4 General Business zoning in the vicinity, and the proposal shall not overburden the capacity of roadways and other necessary urban services that are available in the affected area.