

**DECEMBER 8, 2022**

**1512 JACKSON STREET**

**ZONE CHANGE**

<b>From:</b> B-4 General Business	
<b>To:</b> B-5 Business/Industrial	
<b>Proposed Use:</b> Personal Storage	
<b>Acreage:</b> 0.155	
<b>Applicant:</b> Joseph H. Simmons (2212.2239)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> B-4	<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 21059C0138D.
- 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 0.155 acre vacant piece of land located on Jackson Street. The property is surrounded by B-4 General Business zoning to the north and south which are existing residential homes, R-4DT Inner-City

Residential zoning to the east, and I-1 Light Industrial zoning to the west.

The subject property is currently zoned B-4 General Business. The applicant intends to construct a storage building on the lot and, as a result, has proposed to rezone the property to B-5 Business/Industrial.

Jackson Street, in this vicinity, is classified as a local roadway with a 25-foot building setback. If approved, any vehicular use areas shall be screened with a 3-foot tall continuous element and 1 tree per 40-linear-feet where the vehicular use area adjoins public right-of-way. Additionally, any outdoor storage shall be screened with a 6-foot tall solid wall or fence.

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