

FEBRUARY 9, 2023

4143, 4157, 4171 VINCENT STATION DRIVE

ZONE CHANGE

From:	B-4 General Business
To:	B-5 Business/Industrial
Proposed Use:	Business/Industrial Uses
Acreage:	2.428
Applicant:	Hayden Development Co., LLC (2302.2251)
Surrounding Zoning Classifications:	
North: I-1	South: I-1
East: B-4	West: I-1, P-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-5 Business/Industrial zoning classification. The subject properties are 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 properties appear to be located in a prior converted wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- The subject properties are not located in a special flood hazard area per FIRM Map 21059C0141D.
- The subject properties are 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 subject properties.

Development Patterns

The subject properties sit at the southeast intersection of Daniels Lane and Vincent Station Drive and are currently undeveloped. The adjoining properties to the north,

south, and part of the west are zoned I-1 Light Industrial and are used accordingly. Also to the west, across Daniels Lane, is Owensboro Health Regional Hospital, zoned P-1 Professional/Service. Charlotte's Web Preschool and Nursery adjoins the property to the east and is zoned B-4 General Business.

The subject properties consist of three tracts that are currently zoned B-4 General Business. The applicant anticipates to construct a mixture of business/industrial establishments on the three tracts and has proposed to rezone the properties to B-5 Business/Industrial.

Vincent Station Drive is classified as a local street, which requires a 25' building setback line measured from the centerline of Vincent Station Drive. Daniels Lane is classified as a major collector roadway with a 250' access spacing standard, a 60' building setback, and a 30' roadway buffer each measured from the centerline of Daniels Lane. Access to the subject properties shall be limited to Vincent Station Drive only; no access shall be permitted to Daniels Lane. 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 properties 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 properties.

Lastly, because the subject properties are located within the Owensboro Wellhead Protection area, according to OMU, if the properties 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 subject properties are appropriate for the B-5 Business/Industrial zoning because they are within an area identified as appropriate for mixed business and light industrial uses and lie 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. Access shall be limited to Vincent Station Drive only; no access shall be permitted to Daniels Lane.
2. Obtain approval of a site plan or final development plan.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject properties are located in a Business/Industrial Plan Area, where Business/Industrial uses are appropriate in general locations;
3. The proposed uses, Business/Industrial, conforms to the criteria for Nonresidential Development; and,
4. With the installation of any required screening elements, the proposed developments shall comply with the criteria for Buffers for Outdoor Storage Yards.