

MAY 11, 2023

3004 & 3018 E 8TH STREET

ZONE CHANGE

From: I-1 Light Industrial	
To: B-4 General Business	
Proposed Use: Church Campus	
Acreage: 0.546	
Applicant: Pleasant Valley Community Church, Inc; Auto Truck and Trailer Rentals, LLC (2305.2261)	
Surrounding Zoning Classifications:	
North: B-4	South: B-4
East: B-4	West: R-1A

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject properties are located in an Industrial Plan Area where General Business uses are appropriate in very-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 properties are not located in a 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 21059CO139D.
- It appears that the subject properties are 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 or other state and federal agencies as may be applicable.

Urban Services

All urban services, including sanitary sewers, are available to the subject properties.

Development Patterns

The subject properties are zoned I-1 Light Industrial and are currently owned by Auto Truck and Trailer Rentals, LLC. The properties immediately adjoin the Pleasant Valley Community Church campus, which is zoned B-4 General Business. The church also owns several properties located across E 8th Street. The two owners intend to swap properties, allowing the church to obtain the two subject properties, and then move the existing truck/trailer repair business across E 8th Street. To accomplish this, the two owners have proposed to:

- Rezone the subject properties to B-4 General Business to be added to the existing church campus; and,
- On a separate application to be heard at the same OMPC meeting, rezone two properties located across E 8th Street from B-4 General Business to I-1 Industrial, in order to relocate the truck/trailer operation.

The adjoining properties to the west are residential lots along E Glenn Court. As the subject properties and the church campus redevelop, the zoning ordinance requires the sites to maintain a 10-foot wide landscaping easement consisting of a 6-foot tall continuous element and 1-tree per 40-linear-feet when adjoining residential zoning. A site visit noted a main gas line running along this property line. As such, input from Atmos shall be obtained throughout review of a Final Development Plan to ensure that the required screening elements will not adversely affect the buried lines. The easement width may exceed 10-feet if necessary to accommodate the existing gas line and required screening elements. No such screening element is required when adjoining the industrial zoning to the south.

As the sites redevelop, the church campus will have frontage along E 8th Street and along Pleasant Valley Road. E 8th Street is a local roadway with a 25-foot building setback (measured from the property line) and without spacing standards. Meanwhile, this portion of Pleasant Valley Road is a minor arterial roadway with a 75-foot building setback and a 40-foot roadway buffer (each measured from the centerline of Pleasant Valley Road), and a 500-foot spacing standard. As such, access to Pleasant Valley Road shall be limited to the existing single access point. Any modifications to the access point may require it to be relocated further north to align with the terminus of E 8th Street, located across Pleasant Valley Road.

Prior to any construction activity at the subject properties, the applicant must obtain approval of 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 and electrical division should be contacted prior to any construction activity or changes at 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 applicant's proposal is in compliance with the Comprehensive Plan. The proposed use, a church campus, is nonresidential in nature and the campus shall comply with the criteria for buffers for outdoor storage yards. The proposal is a logical expansion of existing B-4 General Business zoning to the east, and at 0.546 acres the proposal is not a significant increase in the B-4 zoning, nor should the proposal 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 conditions and findings of fact that follow:

Conditions:

1. Obtain approval of a Final Development Plan; and,
2. Redevelopment of the subject properties shall require a 10-foot wide landscaping easement consisting of a 6-foot tall continuous element and 1-tree per 40-linear-feet where the B-4 General Business zoning adjoins residential zoning to the west.

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 an Industrial Plan Area where general business uses are appropriate in very-limited locations;
3. The proposed use, a church campus, conforms to the criteria for nonresidential development and by consolidating into the existing church campus, the development shall be large enough to ensure compliance with the criteria associated with buffers for outdoor storage yards;
4. The proposal is a logical expansion of existing B-4 General Business zoning to the east; and,
5. At 0.546 acres, the proposal does not significantly increase the extent of the B-4 zoning in the general vicinity, and will not overburden the capacity of roadways and other necessary urban services that are available in the affected area.