

OCTOBER 5, 2023

515, 519 & 525 BRECKENRIDGE STREET

ZONE CHANGE

From:	R-4DT Inner-City Residential & B-4 General Business
To:	B-5 Business/Industrial
Proposed Use:	Fenced-in Gravel Storage Yard
Acreage:	0.382
Applicant:	Carl Holton & Danny Sanders (2310.2272)
Surrounding Zoning Classifications:	
North: B-4	South: R-4DT
East: R-4DT	West: B-4 & I-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 do 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 properties are not located in a special flood hazard area per FIRM Map 21059C0138D.
- 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 consist of three lots, each vacant properties that front along Breckenridge Street. The northern-most lot, 515 Breckenridge is currently zoned R-4DT Inner-City Residential while the other two lots, 519 & 525 Breckenridge Street are zoned B-4 General Business.

The applicant and owner intend to rezone all three properties to B-5 Business/Industrial. The intended use at 515 Breckenridge Street is currently unknown but, per conversations with the applicant, the owner wishes to eliminate the existing residential zoning on the property. At 519 & 525 Breckenridge Street, the applicant intends to construct a fenced-in gravel storage yard for licensed and operable vehicles for an automobile repossession business; a conditionally permitted use within the B-5 zone. The applicant has been made aware that a Conditional Use Permit will be necessary prior to the approval of a site plan or final development plan.

Zonings in the immediate vicinity include B-4 General Business zoning to the north and R-4DT Inner-City Residential zoning to the east and south. The property to the west, located across Breckenridge Street, is split-zoned B-4 and I-1 Light Industrial.

If approved, the development shall consist of a 10-foot wide landscaping easement with a 6-foot tall continuous element and 1 tree per 40-linear-feet where adjoining the residential zoning to the south. If developed as a gravel storage yard, the required landscaping easement and screening elements will be also be required when adjoining the residential zoning located across the alley. Lastly, all gravel storage areas shall be fully enclosed by a 6-foot tall solid wall or fence.

Breckenridge Street, in this vicinity, is classified as a minor arterial roadway with a 250-foot spacing standard; as well as a 60-foot building setback and a 30-foot roadway buffer, each measured from the centerline of Breckenridge Street. Due to the spacing standard, direct access shall be limited to a single access point in alignment with the existing driveway located across Breckenridge Street. Access shall also be permitted along the rear alley.

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, if the properties will have or produce anything that can contaminate the soil then they shall 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. Obtain approval of a Site Plan or Final Development Plan; and,
2. Direct access to Breckenridge Street shall be limited to a single access point in alignment with the existing driveway located across Breckenridge Street.

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 use, storage yard, 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 associated with Buffers for Outdoor Storage Yards.