

**NOVEMBER 9, 2023**

**PORTIONS OF 1921, 1927, 2001, 2003, & 2011  
MCFARLAND AVE; ENTIRETY OF 1923  
MCFARLAND AVE & 1201, 1209 OMEGA ST**

**ZONE CHANGE**

<b>From:</b>	I-2 Heavy Industrial & R-4DT Inner-City Residential
<b>To:</b>	<b>I-1 Light Industrial</b>
<b>Proposed Use:</b>	Light Industrial Uses
<b>Acreage:</b>	4.518
<b>Applicant:</b>	Raange Investments, LLC c/o Doug McFadden (2311.2276)
<b>Surrounding Zoning Classifications:</b>	
<b>North: P-1 &amp; I-2</b>	<b>South: R-4DT &amp; I-2</b>
<b>East: R-4DT</b>	<b>West: R-4DT</b>

**Proposed Zone & Land Use Plan**

The applicant is seeking an I-1 Light Industrial zone. The subject properties are located in a Central Residential Plan Area where light industrial 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 expansions outside of Industrial Parks** - Existing areas of Light Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street. Such an expansion should not significantly increase the extent of industrial use in the vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.
- (c) **Expansions across streets in residential areas** – In Central Residential, Urban Residential, and Future Urban plan areas, the expansion of Light Industrial uses that are located outside of Industrial Parks and across an intervening street should be at least one-and-one-half (1.5) acres in size, but should not occur if this would significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks.

**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 21059CO119D.
- The subject properties are 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 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 include nine lots along McFarland Avenue and Omega Street. Of which, the two along Omega Street are currently zoned I-2 Heavy Industrial; meanwhile the remaining seven are residential lots along McFarland Avenue (one is land-locked and is located to the rear of the others).

As shown on the submitted rezoning map, the applicant intends to rezone portions (4.518-acres) of the subject properties to I-1 Light Industrial and then consolidate the properties to one lot. If approved, the development will be located to the rear of existing homes located along McFarland Avenue and Omega Street, with 99-feet of access along Omega Street and 100-feet of road frontage along McFarland Avenue.

As mentioned, the subject properties are adjoined by residential lots that are located along McFarland Avenue and Omega Street (zoned R-4DT); however, the properties are also adjoined by a large amount of industrial zoning. Such industrial zoning includes:

- Approximately 12-acres of contiguous I-2 Heavy Industrial zoning to the north, spanning from the adjoining property to W 10<sup>th</sup> Street as well as Crabtree Avenue; and,
- Approximately 2-acres of I-2 Heavy Industrial zoning to the south, across McFarland Avenue from the aforementioned road frontage. Although this property is the only adjoining industrial zoning to the south, and the only adjoining industrial zoning along McFarland Avenue, this 2-acres is part of a 13+ acre area of contiguous industrial zoned properties.

As a result, approval of this proposal will increase the industrial acreage in the immediate vicinity from +/- 25-acres to +/- 29-acres, and will connect the two described industrial areas. In addition to the neighboring residential and industrial zoning, the subject properties are also adjoined to the north by the Dugan Best facility, zoned P-1 Professional/Service.

In regards to landscaping requirements and setbacks, the proposed development shall:

- Install and maintain a 10-foot wide landscape buffer consisting of a 6-foot tall continuous element and 1-tree per 40-linear-feet where adjoining residential zoning to the south, east, and west;
- Ensure that all outdoor storage areas shall be fully enclosed by a 6-foot tall solid wall or fence. If adjoining residential zoning, 1-tree per 40-linear-feet shall also be installed; and,
- Maintain a 20-foot building setback when adjoining residential zoning, and when adjoining P-1 Professional/Service zoning to the north.

Additionally, McFarland Avenue is classified as a Major Collector 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 center of McFarland Avenue. Per dimensions shown on the submitted zoning map and past plats, the site does not appear capable of compliance with the required spacing standard, measured from the Girvin Court/McFarland Avenue intersection.

As a result, access to McFarland Avenue shall be limited to a single access point, which shall align with the existing industrial zoning located across McFarland Avenue. Additional access to the proposed development may come through Omega Street in alignment with the terminus of Westwood Avenue. Doing so would require the access to cross a 0.030 acre parcel owned by the City of Owensboro and utilized for drainage features associated with Omega Street. Development of this access point shall not adversely affect said drainage features.

Prior to any construction activity on the properties the applicant shall 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, Electrical & HVAC department shall be contacted before any construction activity takes place on the properties.

#### **SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the community's adopted Comprehensive Plan. The proposed use is non-residential in nature and shall comply with the criteria for buffers for outdoor storage yards. Additionally, the proposal is a logical expansion of existing industrial zoning to the north and south and, at 4.518-acres is not a significant increase of the industrial zoning within the vicinity. Additionally, with

access limited to Omega Street and to a single access point along McFarland Avenue, the proposal should 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 conditions and findings of fact that follow:

#### **Conditions:**

1. Obtain approval of a Minor Subdivision Plat eliminating any split-zoning created by this proposal;
2. Obtain approval of a Final Development Plan; and,
3. Direct access to McFarland Avenue shall be limited to a single access point, which shall be in alignment with the existing industrial zoning located across McFarland Avenue.

#### **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 Central Residential Plan Area where light industrial uses are appropriate in very-limited locations;
3. The proposed light industrial uses conform to the criteria for nonresidential development and, at 4.518-acres in size, the site is large enough to ensure compliance with the criteria associated with buffers for outdoor storage yards;
4. The I-1 Light Industrial zoning is a logical expansion of existing industrial zoning to the north and south;
5. At 4.518-acres, the proposal is not a significant increase of the industrial zoning within the vicinity; and,
6. With access limited to Omega Street and a single access point along McFarland Avenue, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.