

MAY 9, 2024

707, 709 & 711 CRABTREE AVENUE

ZONE CHANGE

From: I-2 Heavy Industrial	
To: B-5 Business/Industrial	
Proposed Use: Bow and Arrow Sales (Parking)	
Acreage: 0.317	
Applicant: J K L M Investments, LLC (2405.2289)	
Surrounding Zoning Classifications:	
North: B-4	South: I-2
East: R-4DT & I-2	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking a B-5 Business/Industrial zone. 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

- 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 21059CO119 D.
- It appears that the subject properties are not 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 sewers, are available to the subject properties.

Development Patterns

As described in the previous rezoning at 629 Crabtree Avenue, the three subject properties are located across the street from a proposed retail sales business and are intended to be used as paved parking for the proposed use. As a result, the applicant has proposed to rezone the three subject properties from I-2 Heavy Industrial to B-5 Business/Industrial to match the intended zone across the street. Other zonings in the area include B-4 General Business to the west (appear residential in nature) and I-2 zoning to the south and east (those across the alley also appear to be residential uses).

Also as described in the previous rezoning, the applicant’s plan is for all four properties (including 629 Crabtree Avenue) to be tied together on a shared Final Development Plan and redevelopment of the sites will honor the required 250-foot access spacing standard, as well as the 60-foot building setback and 30-foot roadway buffer measured from the centerline of Crabtree Avenue. As a result, access to the subject properties shall be limited to W. 7th Street and no direct access to Crabtree Avenue shall be permitted.

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

SPECIFIC LAND USE CRITERIA

The subject properties are 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 conditions and findings of fact that follow:

Conditions:

1. Obtain approval of a Final Development Plan.
2. Direct access to the subject properties shall be limited to W. 7th Street. No direct access to Crabtree Avenue shall be permitted.

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 within a Business/Industrial Plan Area, where business/industrial uses are appropriate in general locations;
3. The subject properties lie within an existing area of mixed general business and light industrial uses;
4. The Comprehensive Plan provides for the continuance of mixed-use areas; and,
5. The proposed use, parking, conforms to the criteria for non-residential development, and approval of a Final Development Plan shall ensure compliance with the criteria associated with buffers for outdoor storage yards.