

**MAY 9, 2024**

**1927, 2001, 2003, 2005, 2007 &  
2011 MCFARLAND AVENUE**

**ZONE CHANGE**

<b>From:</b> R-4DT Inner-City Residential	
<b>To:</b> I-1 Light Industrial	
<b>Proposed Use:</b> Light Industrial Uses	
<b>Acreage:</b> 0.821	
<b>Applicant:</b> Raange Investments, LLC c/o Doug McFadden (2405.2292)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> I-1	<b>South:</b> R-4DT
<b>East:</b> I-1	<b>West:</b> R-4DT

**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.

**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.
- 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**

As described in the previous rezoning: In November 2023, the applicant rezoned 4.518-acres of land to I-1 Light Industrial. This primarily rezoned the rear of several residential lots along McFarland Avenue and included 100-foot of road frontage providing access to the I-1 zoned property behind the residential homes.

This application is the second of the two current proposals. On this application, the owner intends to rezone six of the previously described lots (0.821-acres) from R-4DT Inner-City Residential to I-1 Light Industrial in order to remove the existing homes and consolidate the lots with the adjoining I-1 zoned property. If approved, this will increase the amount of industrial road frontage along this portion of McFarland Avenue from 100-feet to 420-feet; however, consolidating the six subject properties with the existing 4.5-acre site will ensure that the expansion does not significantly increase the extent of industrial uses in the vicinity.

The previous rezoning limited direct access to McFarland Avenue to a single access point in alignment with the existing I-2 Heavy Industrial zoning located across the street (roughly 200-feet from the Girvin Court intersection). However, McFarland Avenue is a Major Collector Roadway with a 250-foot access spacing standard. If approved, this proposal will provide the development with more road frontage and, as such, the allowed access point shall be located a minimum of 250-feet from the Girvin Court intersection to maintain compliance with the Access Management Manual.

As previously described, the subject properties adjoin existing I-1 Light Industrial zoning to the north and east. All other adjoining properties are zoned R-4DT Inner-City Residential and appear to be utilized appropriately. As such, the developer 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 immediately adjoining residential zoning;
- Ensure that all outdoor storage areas (including any gravel areas) shall be fully enclosed by a 6-foot tall solid wall or fence. If adjoining residential zoning, including those located across McFarland Avenue, 1-tree per 40-linear-feet shall also be installed;
- Maintain a 20-foot building setback where adjoining residential zoning; and,
- Maintain a 60-foot building setback and a 30-foot roadway buffer (both measured from the centerline of the road) where adjoining McFarland Avenue, a Major Collector roadway.

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 east. By consolidating the subject properties with the I-1 Light Industrial zoned property to the north and east, the proposal will not significantly increase the extent of industrial uses in the vicinity. Lastly, compliance with the Access Management Manual ensures that 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 consolidating the subject properties to the existing I-1 Light Industrial zoning to the north and east;
2. Obtain approval of a Final Development Plan; and,
3. Direct access to McFarland Avenue shall be in compliance with the Access Management Manual.

##### **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 comply with the criteria associated with nonresidential development;
4. By consolidating the subject properties to the existing 4.518-acre industrial site, the development will be large enough to ensure compliance with the criteria associated with buffers for outdoor storage yards;
5. The I-1 Light Industrial zoning is a logical expansion of existing industrial zoning to the north and east;
6. At 0.821-acres, which will be consolidated to the adjoining industrial zoning, the proposal will not create a significant increase of industrial uses within the vicinity; and,
7. Compliance with the Access Management Manual ensures that the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.