

MAY 9, 2024

618 & 622 E 4TH STREET & 408 TRIPLETT STREET

ZONE CHANGE

From:	B-4 General Business & B-2 Central Business	
To:	B-5 Business/Industrial	
Proposed Use:	Car Lot	
Acreage:	0.496	
Applicant:	Owensboro Warehouse Leasing, LLC (2405.2294)	
Surrounding Zoning Classifications:		
North:	B-2	South: B-2
East: B-4		West: B-5 & R-4DT/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 21059CO138 D.
- 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 sewers, are available to the subject property.

Development Patterns

The subject properties consist of three lots at the southwest intersection of E. 4th Street and Triplett Street and are split-zoned B-2 Central Business and B-4 General Business. At this time, the applicant proposes to rezone the properties to B-5 Business/Industrial to allow for a vehicle sales business, a use not permitted in the B-2 zone.

The sites are immediately adjoined to the west by B-5 zoning, as well as a residential property zoned R-4DT Inner-City Residential and B-4 General Business. The adjoining property to the south is zoned B-2, as is the church parking lot to the north (across E. 4th Street). To the east is B-4 zoning located across Triplett Street.

The subject properties currently have two access points along Triplett Street that are approximately 50-feet apart. Triplett Street, in this vicinity, is a Principal Arterial roadway with a 500-foot access spacing standard. As a result, in conjunction with this redevelopment of the properties, direct access to Triplett Street shall be limited to a single access point.

The properties also have an existing single access point on E. 4th Street, a Minor Arterial roadway with a 500-foot spacing standard. As such, much like Triplett Street, direct access to E. 4th Street shall be limited to a single access point. That said, the existing point appears to be greater than 40-feet in width and may need to be reduced to comply with other site requirements. Such a requirement will be reviewed in conjunction with a submitted Final Development Plan.

In addition to the described access management policies, redevelopment of the site shall also maintain compliance with a 60-foot building setback and 40-foot roadway buffer along Triplett Street (both measured from the centerline of the road), and a 60-foot building setback and 30-foot roadway buffer along E. 4th Street (both measured from the centerline of the road). No parking, required landscaping, or desired display areas shall encroach into the required roadway buffers.

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.

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 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; and,
2. Direct access to Triplett Street and direct access to E. 4th Street shall each be limited to a single access point.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located within a Business/Industrial Plan Area, where business/industrial uses are appropriate in general locations;
3. The subject property lies 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, a car lot, 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.