

DECEMBER 11, 2025

420 E. 17TH STREET

ZONE CHANGE

From: I-1 Light Industrial	
To: B-5 Business/Industrial	
Proposed Use: Business/Industrial	
Acreage: 0.567	
Applicant: Hyland Enterprises, LLC; Transit-Mix Concrete Company, Inc. (2512.2328)	
Surrounding Zoning Classifications:	
North: I-1	South: B-5
East: B-5 & I-1	West: R-4DT & I-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-5 Business/Industrial zone. The subject property is 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 property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059C0138E.
- It appears that the subject property is 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, 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 property is a 0.567-acre tract that is located at the southeast intersection of JR Miller Blvd & E 17th Street. This site is currently undeveloped and zoned I-1 Light Industrial; however, the applicant has proposed to rezone the subject property to B-5 Business/Industrial. Existing B-5 Business/Industrial zoning can be found on the adjoining property to the south. Additionally, to the east (across Guenther Alley) is I-1 Light Industrial zoning which appears to be a legally non-conforming single-family residence, as

well as B-5 zoning at the corner of Moseley Street and E 17th Street. To the north (across E 17th Street) is additional I-1 zoning on a currently undeveloped parcel. To the west (across JR Miller Blvd) is R-4DT Inner-City Residential zoning as well as I-1 zoning; however, all such properties appear to be residential in nature.

JR Miller Blvd is classified as a minor arterial roadway with a 75-foot building setback and 50-foot roadway buffer, each measured from the centerline of the road. Additionally, the subject property shall comply with the special access control policy for JR Miller Blvd adopted by the Green River Area Development District (GRADD) Transportation Advisory Committee (TAC), which includes the provision that no lot of record will be permitted direct access to the boulevard where marginal access may be provided by a frontage street along the boulevard. As a result, access to the site shall be limited to E 17th Street, a local roadway with a 25-foot building setback. Additional access may be permitted from Guenther Alley, as well.

Prior to any changes to the property 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 property.

SPECIFIC LAND USE CRITERIA

The subject property is 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 shall be limited to E 17th Street and/or Guenther Alley. No direct access to JR Miller Blvd 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 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 conforms to the criteria for non-residential development, and approval of a Final Development Plan ensures compliance with the criteria associated with buffers for outdoor storage yards.