

JANUARY 10, 2013**607 CRABTREE AVE****ZONE CHANGE**

From: I-1 Light Industrial	
To: B-5 Business/Industrial	
Proposed Use: Storage	
Acreage: 0.240+/-	
Applicant: James Phillip Edge, Sr. (1301.1861)	
Surrounding Zoning Classifications:	
North: R-4DT	South: B-5
East: R-4DT	West: B-4

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 general business uses and light industrial uses are appropriate in general 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).

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 dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO119 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- 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 site.

Development Patterns

The subject property is located in a Business/Industrial Plan Area and is surrounded by a mix of residential, commercial and industrial uses. There is an existing building on the subject property that is currently vacant and the applicant proposes to add an industrial storage use to the site which is acceptable in a B-5 zone. Although industrial storage is a permitted use in the I-1 zone, the applicant is seeking a rezoning to B-5 in order to

consolidate the subject property with an adjacent property zoned B-5. Properties need to be similarly zoned in order to be consolidated.

A division and consolidation plat was approved for the subject property in October 2005. A note on the plat stated that future changes to the site would require modifications to both access and landscaping on-site in accordance with current regulations.

To satisfy the access notes from the plat approved in 2005, access to the subject property shall be limited to the single 40 foot access and truck traffic utilizing the site shall be prohibited from backing to or from Crabtree Avenue.

Vehicular use area landscaping shall be installed in accordance with the zoning ordinance requirements, consisting of a 3 foot wide landscaping easement with 1 tree every 40 linear feet and a 3 foot high continuous planning, hedge, fence, wall or earth mound.

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. Access shall be limited to a single 40 foot access and truck traffic utilizing the site shall be prohibited from backing to or from Crabtree Avenue; and,
2. Vehicular use area landscaping shall be installed consisting of a three foot wide landscape easement with a three foot high continuous element and one tree every 40 linear feet.

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 general business and light 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 land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.