

JANUARY 10, 2013**2201 OLD HENDERSON RD****ZONE CHANGE**

From: R-4DT Inner City Residential	
To: B-5 Business/Industrial	
Proposed Use: Body Shop & Storage	
Acreage: 0.667	
Applicant: Johnny Goodman (1301.1863)	
Surrounding Zoning Classifications:	
North: R-4DT	South: R-4DT
East: R-4DT	West: R-4DT

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. The property has been used as an auto body shop for many years as a legally non-forming use. The applicant proposes to continue the use of the auto body shop and possibly other business and industrial uses in the future and is seeking to bring the property into compliance with the zoning ordinance. Access to the property shall be limited to a maximum of 40% of the total lot width, and each access point shall not

exceed 50 feet in width. The current access shall be brought into compliance with these standards as per Article 13 of the zoning ordinance.

Perimeter screening shall be required along all boundaries adjoining residentially zoned property in accordance with Article 17 of the zoning ordinance, consisting of a 10 foot landscaping easement with 1 tree every 40 linear feet plus a continuous 6 foot high wall or fence. The screening elements will need to be installed along the north and east property boundaries. There is an existing fence along the west boundary.

All vehicular use areas shall be paved with vehicular use area landscaping 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 maximum of 40% of the total lot width and each access point shall not exceed 50 feet in width; and,
2. Perimeter screening shall be installed along the north and east property boundaries consisting of a 10 foot landscape easement with a six foot high wall or fence 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.