

APRIL 11, 2013

1430 BOSLEY RD

ZONE CHANGE

From: I-1 Light Industrial
To: B-5 Business/Industrial
Proposed Use: Retail/Major Indoor Recreation
Acreage: 0.761
Applicant: Ice Makers, Inc. (1304.1870)
Surrounding Zoning Classifications:
North: I-1 South: I-1
East: I-1, B-4 West: 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 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 commercial and industrial uses. There is an existing building on the subject property that is currently vacant. Retail sales/major indoor recreation is the proposed use for the property which is permitted in a B-5 Business/Industrial zone.

The subject property has a single access to Bosley Road as approved on a minor subdivision plat in 2006. In the vicinity of the property, Bosley Road is classified as a minor arterial roadway with a 500’ access spacing standard, a 75’ building setback and a 40’ roadway buffer. No additional access to Bosley Road shall be permitted based on the requirements of the Access Management Manual.

All vehicular use areas are required to be paved and vehicular use area landscaping is required 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. The existing landscaping appears to conform to the requirements but modifications may be required with a change in use and will be reviewed at the time of site plan submission.

Changes or alterations to the structures or uses on site may require building, electrical, or HVAC permits. The OMPC building and electrical division should be contacted prior to any construction activity or changes.

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 condition and findings of fact that follow:

Condition: Access to Bosley Road shall be limited to the single, existing access point only.

Findings of Fact:

- Staff recommends approval because the proposal is in compliance with the community’s adopted Comprehensive Plan;
- The subject property is located within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;
- The subject property lies within an existing area of mixed general business and light industrial uses;
- The Comprehensive Plan provides for the continuance of mixed use areas; and,
- 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.