

DECEMBER 11, 2014**A PORTION OF 416 E. 11TH ST
ZONE CHANGE**

From: I-1 Light Industrial	
To: B-4 General Business	
Proposed Use:	Commercial Development
Acreage:	0.008 acre
Applicant:	Hayden Development and Terry & Mary Schrecker (1412.1916)
Surrounding Zoning Classifications:	
North: I-1	South: B-4
East: I-1	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in an Industrial Plan Area where General Business uses are appropriate in very limited 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).

(b) Logical zoning expansions of proportional scope – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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 21059CO138 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 sewer, are available to the site.

Development Patterns

The subject property in this rezoning application is a very small 0.008 acre area that was previously a part of a public alley. The area is currently a portion of 416 E. 11th Street. The alley has been officially closed and the applicant proposes to consolidate this area with the adjacent property to the west, 1121 Moseley Street, which was recently rezoned from I-1 to B-4 at the 11/13/14 Owensboro Metropolitan Planning Commission meeting.

The rezoning of the subject property from I-1 to B-4 is necessary in order for the property to be consolidated with 1121 Moseley Street, which is also zoned B-4. The minor subdivision plat showing the lot consolidation has already been submitted by the applicant, but the rezoning must take place prior to approval of the plat.

Uses directly adjacent to the subject property are Light Industrial and General Business.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as a commercial development conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of the recently rezoned B-4 General Business property to the west, as well as existing B-4 General Business zoning nearby the site to the east and the south, and the existing B-5 Business/Industrial zoning to the southwest of the subject property. The proposal is not a significant increase in general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

The planning staff recommends approval subject to the condition and findings of fact that follow:

Condition:

1. Approval of the minor subdivision plat consolidating the 0.008 acre portion with 1121 Moseley Street.

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 in an Industrial Plan Area where general business uses are appropriate in very limited locations;
3. The proposed use as a commercial development conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of the recently rezoned B-4 General Business property to the west, as well as existing B-4 General Business zoning in the vicinity to the east and south of the subject property, as well as the existing B-5 Business/Industrial zoning to the southwest; and,
5. At 0.008 acre, the proposal does not significantly increase the extent of general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.