

**APRIL 14, 2016**

**620 SALEM DRIVE**

## ZONE CHANGE

<b>From:</b> B-4 General Business
<b>To:</b> B-5 Business/Industrial
<b>Proposed Use:</b> Commercial/Industrial
<b>Acreage:</b> 2.015
<b>Applicant:</b> Chris & Lisa Hyland (1604.1955)
<b>Surrounding Zoning Classifications:</b>
<b>North:</b> B-4 <b>South:</b> I-1
<b>East:</b> B-4 <b>West:</b> 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 may be 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 21059CO276 D.
- It appears that the subject property is not 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 site.

#### Development Patterns

The subject property is a 2.015 acre parcel located in a Business/Industrial Plan Area and is surrounded by a mix of commercial and industrial uses. The property to the north across Salem Drive is a B-4 zoned hotel. The property to the west is a B-4 zoned carpet sales business. The property to the east is also zoned B-4 and includes a church and a skating rink. The property to the south is zoned I-1 and includes an insurance agency and Dismas Charities.

The property includes two buildings, built in 1990 and 1992 according to PVA records. The structures have been used by multiple businesses since they were constructed. The applicant believes designating the property as B-5 Business/Industrial will make it more marketable for future

tenants since the B-5 zone allows permitted uses from both the B-4 General Business zone and the I-1 Light Industrial zone.

Salem Drive is classified as a major collector in this location with a 250 foot spacing standard and a 30' roadway buffer requirement. This property has a previously platted 110' building setback from the front property line. The property has two existing access points to Salem Drive. This property was developed prior to the adoption of the Access Management Manual. Staff feels that the existing two access points may remain as is as long as the property is used in a similar manner as it has been used since its conception. If the property is ever redeveloped or the land use changes significantly staff may recommend one of the two access points be removed.

Required parking areas must be paved. Any outdoor storage areas are required to be screened by a minimum six foot tall solid wall or fence.

Once the tenants for this property have been identified, it may be necessary for the applicant to submit a site plan to determine compliance with zoning ordinance requirements such as parking, landscaping, screening, landscaping and access.

### 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:

- Outdoor storage shall be screened by a minimum six foot tall solid wall or fence.
- Any gravel that is not located within an outdoor storage area that is screened by a six foot tall solid wall or fence must either be removed or paved over with concrete or asphalt.

#### 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.