

JUNE 8, 2017

110 & 234 CARLTON DRIVE**ZONE CHANGE**

From: B-4 General Business	
To: B-5 Business/Industrial	
Proposed Use: Business/Industrial	
Acreage: 7.46	
Applicant: Mary Roby SPOA Trust c/o Mary Sky Fortune (1706.2004)	
Surrounding Zoning Classifications:	
North: B-4	South: I-1 & A-R
East: A-R	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking a B-5 Business/Industrial zone. The subject properties are 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 partially located in a special flood hazard area per FIRM Map 21059CO276D.
- It appears that the subject property is not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- It appears that the subject property may be designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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 properties are two vacant B-4 zoned parcels of 3.48 and 3.98 acres. The properties are located in a Business/Industrial Plan Area and are surrounded by a mix of industrial, commercial and agricultural uses. To the north across Carlton Drive is a large residential parcel and The Next Level sports facility, both zoned B-4. To the west is a bowling alley, zoned B-4. To the south is Lowe's, zoned I-1, and a vacant agricultural parcel, zoned A-R. To the east across JR Miller Boulevard is a large agricultural parcel, zoned A-R.

The applicant proposes to rezone the subject parcels from B-4 to B-5. The B-5 zone will offer the property owner additional flexibility in marketing the property in the future by allowing both general business uses as well as light industrial uses.

Carlton Drive and Best Way are both classified as local streets, which require a 25' building setback line, and access to these streets from the subject properties must comply with the requirements of the zoning ordinance. JR Miller Boulevard is classified as a minor arterial in this location with a 75' building setback line and a 50' roadway buffer. No driveway access shall be permitted to JR Miller Boulevard since it is designated as a restricted access roadway.

Prior to any development of the property, the applicant must obtain approval of a site plan or final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage.

SPECIFIC LAND USE CRITERIA

The subject properties are appropriate for the B-5 Business/Industrial zoning because they are 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:

- Approval of a site plan or final development plan.
- No access to JR Miller Boulevard shall be allowed. Access to Carlton Drive and Best Way shall comply with the zoning ordinance.

Findings of Fact:

- Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
- The subject properties are located within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;
- The subject properties lie 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 properties is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.