

JUNE 8, 2017

**901, 933, 1001, 1003, 1005, 1007 & 1015
LEITCHFIELD RD; 1619-1625 & 1642 E. 10TH ST;
1621, 1631 & 1661 E. 11TH ST**

ZONE CHANGE

From: I-1 Light Industrial & I-2 Heavy Industrial	
To: I-1 Light Industrial	
Proposed Use: Industrial	
Acreage: 4.798	
Applicant: Clark Properties, LLC (1706.2005)	
Surrounding Zoning Classifications:	
North: I-2	South: I-1
East: R-4DT	West: B-4 & I-1

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Business/Industrial Plan Area where Light Industrial uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage areas – 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 21059CO139D.
- It appears that the subject property is located 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 sewer, are available to the site.

Development Patterns

The subject properties are 10 parcels totaling 4.798 acres that have been used collectively as a single industrial use for many years. The applicant desires to consolidate the parcels into one large parcel, but since the area is split zoned, I-1 & I-2, this rezoning is necessary prior to the lot consolidation.

This area includes a mixture of industrial, commercial and residential land uses. Across the railroad to the north is an industrial property, zoned I-2. There are several commercial and industrial properties to the west across Leitchfield Road, zoned B-4 and I-1. The property to the south across E. 11th Street is zoned I-1. To the southeast across E. 11th Street is a single-family residential subdivision, zoned R-4DT.

E. 10th Street and E. 11th Street 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. Leitchfield Road is classified as a minor arterial in this location with a 75' building setback line, a 40' roadway buffer and a 500' driveway spacing requirement. Access to this property shall be limited to the existing access points on E. 10th Street and E. 11th Street. No access to Leitchfield Road shall be permitted.

Since the property is located within the Owensboro Wellhead Protection Area, according to OMU, if the property will have or produce anything that can contaminate the soil then they must have a groundwater protection plan. OMU, the Kentucky Division of Water and the EPA have been made aware of this rezoning request.

Due to the proximity to existing residential zones, all lighting for the subject property shall be directed away from the residential property to reduce the glare and impact of the lighting on the residential uses.

Prior to any construction activity on the property the applicant must obtain approval of a site plan or development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed light industrial use conforms to the criteria for nonresidential development. The proposed I-1 Light Industrial zoning is a logical expansion of I-1 Light Industrial zoning to the southeast. At 4.798 acres, the proposal should not overburden the capacity of roadways and other necessary urban services in the area.

Planning Staff Recommendations

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

Condition:

1. No access to Leitchfield Road shall be allowed. Access to E. 10th Street and E. 11th Street shall comply with the zoning ordinance.

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 a Business/Industrial Plan Area where light industrial uses are appropriate in general locations;
3. The proposed light industrial use conforms to the criteria for nonresidential development;
4. The proposal is an expansion of existing I-1 Light Industrial zoning to the southeast; and
5. At 4.798 acres, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.