

APRIL 11, 2019**1121 MOSELEY ST****ZONE CHANGE**

From: B-4 General Business	
To: I-1 Light Industrial	
Proposed Use:	Heating and Air Contractor Sales
Acreage:	1.546
Applicant:	Hayden Development Co, LLC (1904.2078)
Surrounding Zoning Classifications:	
North: I-1	South: I-1
East: I-1	West: I-2
Southwest: B-5	

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in an Industrial Plan Area where 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).

(b) Logical expansions outside of Industrial Parks – Existing areas of Light Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such an expansion 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 OMU map dated 2015.
- 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 was rezoned from I-1 Light Industrial to B-4 General Business in 2014 for a commercial development,

however that development has never taken place. The new proposed use of heating and air contractor sales is not permitted in the B-4 zone so the applicant is requesting to rezone the property back to the original zone of I-1 Light Industrial for this development.

Properties directly adjacent to the subject property are Light and Heavy Industrial and are similar uses as what is proposed for the subject property. The property to the southwest across the intersection of Moseley Street and E. Parrish Avenue is B-5 Business/Industrial.

E. Parrish Avenue in this location is designated as a principal arterial roadway with a 75 foot building setback and 50 foot roadway buffer. Access to E. Parrish Avenue shall be limited to the location of the previously closed alley, as shown on the minor subdivision plat approved by OMPC on 10/30/14. No additional access points to E. Parrish Avenue shall be permitted.

Prior to any construction activity on 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. 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 use as a shop for contractor sales is nonresidential in nature. The proposed I-1 Light Industrial zoning is a logical expansion of the existing I-1 zoning to the north, south and east. At 1.546 acres, the proposal is not a significant increase in I-1 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:

Access to E. Parrish Avenue shall be limited the location of the previously closed alley, as shown on the minor subdivision plat approved 10/30/14. No additional access points to E. Parrish Avenue shall be permitted.

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 light industrial uses are appropriate in general locations;
3. The proposed use as a shop for contractor sales conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing I-1 Light Industrial zoning to the north, south and east; and,
5. At 1.546 acres, the proposal will not significantly increase the extent of I-1 zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.