

SEPTEMBER 9, 2010

215 E 18TH ST

ZONE CHANGE

From: B-4 General Business	
To: I-1 Light Industrial	
Proposed Use: Heating/AC Wholesale Supply	
Acreage: 0.57+/-	
Applicant: Universal Service Supply, III, Inc.; D'Four, LLC (1009.1789)	
Surrounding Zoning Classifications:	
North: B-4	South: B-4
East: I-1, B-4	West: B-4, R-4DT

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Business Plan Area, where light industrial uses are appropriate in 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 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 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 sewers, are available to the site.

Development Patterns

The subject property is located in an area surrounded by I-1 Light Industrial, B-4 General Business, and R-4DT Inner-City Residential zonings. The subject property was zoned B-4

General Business in February 1992, when a zoning change was approved from I-1 Light Industrial to B-4 General Business. The subject property is currently vacant.

Access to the subject property is provided by an access point to E 18th Street and continuous access along a frontage street parallel to J.R. Miller Boulevard. In the vicinity of the subject property, E 18th Street is classified as a minor arterial roadway with a 500 foot driveway spacing standard, a 75 foot building setback and a 40 foot roadway buffer. J.R. Miller Boulevard is also classified as a minor arterial roadway but the site only has indirect access to J.R. Miller Boulevard via the frontage road. The GRADD Transportation Policy Committee adopted special access control policies for J.R. Miller Boulevard in October 1985, which would prohibit direct access from the subject property to the roadway. The existing access on E 18th Street is located approximately 55 feet from the back of curb on J.R. Miller Boulevard. Due to the proximity of the access point to the intersection, it shall be closed as part of the redevelopment process. The pavement shall be removed and replaced with curb and gutter, grass strip and sidewalk and vehicular use area screening shall be placed on private property beyond the required roadway buffer.

When the subject property was rezoned in 1992, a condition on the rezoning required submittal of a landscaping plan and surety posted prior to occupancy of the building. Bushes were planted along the east side of the frontage road to meet the screening requirement; however, some of the bushes have died and gaps are present in the landscaping. The gaps in the landscaping along J.R. Miller Boulevard should be filled and landscaping shall be installed along E 18th Street as required by ordinance on private property between the vehicular use area and the road right-of-way.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. Existing I-1 Light Industrial zoning is located to the east across J.R. Miller Boulevard. The increase of I-1 Light Industrial zoning by approximately 0.57 acres will not significantly increase the extent of industrial uses in the vicinity. With the closure of access to E 18th Street and indirect access only to J.R. Miller Boulevard, the expansion 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: The existing access to E 18th Street shall be closed and replaced with curb and gutter, grass strip and sidewalk. Access to J.R. Miller Boulevard shall be limited to the existing indirect access via frontage road.

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 Plan Area, where light industrial uses are appropriate in limited locations;
3. The use of the property for a heating and air wholesale supply company is nonresidential in use;
4. The proposal is a logical expansion of existing I-1 Light Industrial zoning located across J.R. Miller Boulevard to the east;
5. At approximately 0.57 acres, the expansion of I-1 Light Industrial zoning will not significantly increase the extent of industrial uses in the vicinity, and,
6. With the closure of access to E 18th Street and indirect access only to J.R. Miller Boulevard, the expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.