

NOVEMBER 12, 2009

PORTION OF 2318 AND 2328 HIGHWAY 81

ZONE CHANGE

From: A-R Rural Agriculture	
To: I-1 Light Industrial	
Proposed Use: Cabinet making and related activity	
Acreage: 1.478	
Applicant: Phillip C. Crabtree (0911.1764)	
Surrounding Zoning Classifications:	
North: A-R	South: I-1
East: B-4	West: A-R

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Rural Preference 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 21059CO256 D.
- It appears that the subject property is outside 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

Electricity, water and gas are available to the subject property. Sanitary sewage disposal will be accomplished by an on-site septic system.

Development Patterns

The subject property is located in an area of mixed industrial, commercial, and agricultural zoning although the predominate land uses in the vicinity are the existing industrial use and residential/agriculture.

There is an existing cabinet manufacturer on the subject property which is proposing to expand their operation. Based on the proposed expansion, an existing split zoning will be eliminated and the entire area of light industrial zoning is proposed to be consolidated into a single tract. The proposal leaves a 50’ strip of road frontage to Highway 81 that will be a part of the existing residence to the rear of the industrial operation. However, the industrial use and existing residence will all use the existing drive access to KY 81 which will serve as an ingress/egress easement for the entire property.

In the vicinity of the subject property, Highway 81 is classified as a minor arterial roadway with a 500’ drive spacing standard. The applicant proposes to maintain the existing drive to Highway 81 as access for the entire tract and the 50’ strip to the north that will serve as road frontage to the existing residence will not be use for access.

As part of the rezoning request, the applicant has proposed two variances that will allow the applicant to more efficiently develop the property. They have requested a side yard setback variance from 20’ to 0’ feet and a waiver of landscape easement and improvements where adjoining agricultural zoning. If the variance to waive landscape screening requirements is not approved, the applicant will be required to install appropriate screening as stipulated in Article 17 of the zoning ordinance.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The existing and proposed use of the property is nonresidential in character. The proposal is a logical expansion of the existing cabinet manufacturing operation. By utilizing the current access point to KY 81 to serve the expanded business and the existing residence, the expansion of the industrial zoning 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 Highway 81 shall be limited to the existing access point only.

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 Rural Preference Plan Area, where light industrial uses are appropriate in limited locations;
3. The proposed use of the property for cabinet manufacturing and related uses meets the requirements of the comprehensive plan in regards to nonresidential development;
4. The proposal is a logical expansion of existing I-1 zoning on the subject property; and,
5. The use of the existing access point to serve the expanded cabinet manufacturing operation and residence, the expansion of the I-1 zoning should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.