

FEBRUARY 10, 2011

PORTION OF 3300 HIGHLAND POINTE DR

ZONE CHANGE

From: B-4 General Business	
To: I-1 Light Industrial	
Proposed Use: Auto Body Shop	
Acreage: 2.30 acres	
Applicant: Highland Pointe, LLC (1102.1797)	
Surrounding Zoning Classifications:	
North: B-4, I-1	South: B-4
East: B-4	West: B-4

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 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).

(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 partially located in a special flood hazard area per FIRM Map 21059CO277 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 a portion of a large tract located at the terminus of Highland Pointe Drive in the Highland Pointe commercial development. The subject property is surrounded by undeveloped B-4 General Business zoning on three sides while the Atmos Energy facility is located to the north and is split zoned B-4 General Business and I-1 Light Industrial. The subject property is also in the vicinity of the mixed commercial and industrial development along Alvey Park Drive and industrial development on Green River Drive.

The Atmos Energy facility to the north of the subject property is a regional service center, maintenance building and warehouse. The property to the east along Alvey Park Drive and Green River Drive was included in the Business/Industrial Plan Area in the last revision to the Comprehensive Plan due to the mix of commercial and industrial uses in the vicinity and the history of zoning changes. The proposal is a logical expansion of the existing I-1 Light Industrial zoning north of the subject property.

Any outdoor storage is required to be screened in compliance with Article 17 of the zoning ordinance to include a six foot tall solid wall or fence around the entire perimeter of the storage yard. Automobile repair and body work is permitted in an I-1 Light Industrial zoning classification but uses such as vehicle impound or salvage yards are not permitted. All vehicular use areas are required to be paved, with the exception of outdoor storage yards which may be gravel provided that the required screening is installed. Vehicular use area landscaping is required in accordance with Article 17 of the zoning ordinance.

The proposal will require an extension of Highland Pointe Drive to provide access to the site. An amended preliminary plat is required to show the road construction details and an amended final plat is required to create the tract and plat the right-of-way.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The proposal is a logical expansion of existing I-1 Light Industrial zoning located immediately north of the subject property. At 2.30 acres, the proposal is not a significant increase in the extent of industrial zoning 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: Submission and approval of amended preliminary and final plats.

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 proposed use as an automobile body shop will be nonresidential in nature;
4. The proposal is a logical expansion of existing I-1 Light Industrial zoning located north of the subject property; and,
5. At 2.30 acres, the expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.