

FEBRUARY 14, 2013**5955 HIGHWAY 56****ZONE CHANGE**

From: B-4 General Business	
To: I-1 Light Industrial	
Proposed Use: Storage Buildings	
Acreage: 1.495	
Applicant: Hadson, LLC (1302.1866)	
Surrounding Zoning Classifications:	
North: A-R	South: A-R
East: B-4	West: A-U

Proposed Zone & Land Use Plan

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

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns – Building and lot patterns should conform to the criteria for “**Non-Residential Development**” (D7), and outdoor storage yards, with “**Buffers for Outdoor Storage Yards**” (D1).

(e) New Locations in Rural Communities – In Rural Community plan areas, new locations of Light Industrial use should be “**major-street oriented**” (D2) and should be sited at corners of intersecting streets if located in close proximity to existing dwellings.

Planning Staff Review**GENERAL LAND USE CRITERIA****Environment**

- It appears that a portion of the subject property may be 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 21059CO115 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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 is accomplished by an on-site septic system.

Development Patterns

The subject property is currently vacant, previously a house and detached garage were on the property, but have been torn down in the last few years. The subject property was originally part of the property to the east, 5931 Highway 56, the old Tennis House. A property division plat was submitted in 2004 creating a 1 acre tract but was never recorded; the plat was reapproved in August 2011. In January 2013 the applicant submitted a minor subdivision plat enlarging the subject property to 1.495 acres.

The applicant would like to construct individual storage buildings on the subject property. If there is more than one building on the subject property, a Development Plan must be submitted for approval.

Since the subject property adjoins residential use to the north, perimeter screening and landscaping shall be required in accordance with the zoning ordinance. A 10 foot wide landscaping easement with 1 tree every 40 linear feet plus a 6 foot high wall or fence is required. All vehicular use areas are required to be paved and vehicular use area screening is required where adjacent to the road right-of-way

The subject property is located outside of the urban service area and access spacing standards do not apply. However, Highway 56 is a major road and the subject property only has 200 feet of frontage on Highway 56. Within the urban service area, an access is required to be 500 feet from an intersection. Given the location of the property and the limited amount of road frontage the subject property has on Highway 56, staff would recommend that access be limited to Lyddane Bridge Road.

SPECIFIC LAND USE CRITERIA

The subject property is in the rural community of Sorgho, where Light Industrial uses are appropriate in limited locations. The subject property is located at the intersection of the Highway 56, a minor arterial street, and Lyddane Bridge Road, meeting the criteria of the Comprehensive Plan for new locations of light industrial zoning. The proposed use of the property for individual storage units also conforms to the non-residential development criteria of the Comprehensive Plan.

Planning Staff Recommendations

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

Conditions:

1. Install a 10 foot wide landscape easement with a six foot tall solid wall or fence and one tree every 40 linear feet along the north property line; and,
2. Access shall be limited to Lyddane Bridge 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 Rural Community Plan Area, where light industrial uses are appropriate in limited locations;
3. The proposed use meets the criteria of the Comprehensive Plan for non-residential development in an industrial Zone;
4. The subject property is major-street oriented and located the corner of intersecting streets; and,
5. With access limited to Lyddane Bridge Road, the proposal should not overburden the capacity of roadways in the affected area.