



DECEMBER 8, 2016

5270 HIGHWAY 54

ZONE CHANGE

From: A-R Rural Agricultural
To: I-1 Light Industrial
Proposed Use: Storage Buildings
Acreage: 5.845
Applicant: Floyd G. Tapp (1612.1982)
Surrounding Zoning Classifications:
North: A-R South: A-R
East: A-U 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 Community 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.

(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 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 located in a special flood hazard area per FIRM Maps 21059CO285 D.
- It appears that 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, the EPA, the OMPC building/electrical/HVAC division 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 either a new on-site private septic system or the extension of sewer to the site.

Development Patterns

The subject property in this rezoning application is a vacant 5.845 acre A-R zoned parcel. The applicant proposes to rezone the

property to I-1 Light Industrial in order to construct a storage building facility.

The subject property is located in an area that is primarily zoned and used agriculturally with the nearest industrial zoning located more than 600 feet to the east and on the north side of Highway 54. To the west and south of the subject property is a golf driving range facility, zoned A-R. To the east is a large agricultural property, zoned A-U. To the north across Highway 54 is a large agricultural property, zoned A-R and A-U.

Highway 54 in this location is classified as a principal arterial with a 75 foot building setback line and a 60 foot roadway buffer. Since this property is outside the urban service area the access spacing standards do not apply. If approved, access to the property should be limited to a single access point.

If the rezoning is approved, the applicant will be required to provide vehicle use area screening where any proposed parking areas are adjacent to the street right-of-way. All vehicular use areas are to be paved; any area of the site proposed to be gravel will be required to comply with the outdoor screening requirements of the zoning ordinance including the installation of a 6' tall solid wall or fence around the entire perimeter of the storage yard.

If approved, a development plan will be required demonstrating compliance with the zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The plan must be approved before any construction activity can take place on the property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is not in compliance with the Comprehensive Plan. The proposed use conforms to the criteria for non-residential development. This proposal is a not a logical expansion of adjacent industrial zoning since the nearest industrial zoning is located more the 600 feet away and on the opposite side of Highway 54. At 5.845 acres, the proposal would be a significant increase in I-1 zoning in the vicinity and may overburden the capacity of roadways and other necessary urban services available in the affected area. Although the site is major street oriented it is not located at the corner of intersecting streets.

Planning Staff Recommendations

The planning staff recommends denial subject to the findings of fact that follow:

Findings of Fact:

- Staff recommends denial because the proposal is not in compliance with the community's adopted Comprehensive Plan;
- The subject located in a Rural Community Plan Area where Light Industrial uses are appropriate in limited locations;
- The proposed use conforms to the criteria for non-residential development;
- This proposal is a not a logical expansion of adjacent industrial zoning since the nearest industrial zoning is located more the 600 feet away and on the opposite of Highway 54;
- At 5.845 acres, the proposal would be a significant increase in I-1 zoning in the vicinity and may overburden the capacity of roadways and other necessary urban services available in the affected area; and
- Although the site is major street oriented it is not located at the corner of intersecting streets.