

MAY 3, 2018

10619 HIGHWAY 764, WHITESVILLE

ZONE CHANGE

From:	R-1B Single-Family Residential
To:	I-1 Light Industrial & B-4 General Business
Proposed Use:	Warehouse & Business
Acreage:	0.260
Applicant:	Paul Lehecka; Wisconsin Auto Supply, Inc. (1805.2045)
Surrounding Zoning Classifications:	
North: I-1	South: P-1
East: B-2	West: P-1

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone and a B-4 General Business zone. The subject property is located in an Urban Residential Plan Area where light industrial uses are appropriate in very limited locations and general business uses are appropriate in very limited locations.

SPECIFIC LAND USE CRITERIA

Light Industrial

(a) **Building and lot patterns** – 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.

General Business

(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 zoning expansions of proportional scope** – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and 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 21059CO340D.

- It appears that the subject property is not within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- 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

All urban services, including sanitary sewer, are available to the site.

Development Patterns

The subject property is a 0.260 acre R-1B zoned parcel located at 10619 Highway 764 within the City of Whitesville. A vacant single family residence is currently located on the subject property. A minor subdivision plat to divide the subject property has been submitted.

According to the application, the applicant proposes to divide the subject property in half. The northern portion of the property will be consolidated with the property the applicant owns to the north; this will be used to expand the applicant's parking lot of his auto supply wholesale business. It is anticipated the southern portion of the subject property will be a dog grooming business.

This area includes a mixture of residential, industrial, commercial, professional and agricultural properties. The applicant owns the property to the north; it was rezoned from R-1B to I-1 in June of 2017. To the west and south is a parking area for a medical office building, zoned P-1. To the east across Highway 764 is a commercial property, zoned B-2.

Highway 764 in this location is classified as a local street which has a 25' building setback requirement. Access to the site must be compliant with applicable sections of the zoning ordinance. The Access Management Manual does not apply to this site since it is located outside the urban service area.

If the rezoning is approved, vehicular use area screening will be required where adjacent to public street rights-of-way.

Due to the proximity to existing residential zones, all lighting for the subject property shall be directed away from the residential property to reduce the glare and impact of the lighting on the residential uses.

If approved, prior to occupancy of the property the applicant must obtain approval of a site plan or final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed industrial and business uses conform to the criteria for nonresidential development. The proposal is a logical expansion of existing I-1 zoning to the north and B-2 zoning across Highway 764 to the west and would not significantly increase the extent of the industrial or business uses in the vicinity. This proposal will 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: Approval of a minor subdivision plat dividing the subject property.

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 an Urban Residential Plan Area where light industrial uses and general business uses are appropriate in very limited locations;
3. The proposed uses as light industrial and general business conform to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing I-1 Light Industrial zoning to the north and B-2 zoning across Highway 764 to the west;
5. The proposal would not significantly increase the extent of industrial uses or business uses in the vicinity; and,
6. This proposal will not overburden the capacity of roadways and other necessary urban services that are available in the affected area.