



JUNE 14, 2018

PORTION OF 3301 OLD HARTFORD RD

ZONE CHANGE

From: I-1 Light Industrial	
To: B-4 General Business	
Proposed Use: General Business Uses	
Acreage: 17.438	
Applicant: Owensboro Warehouse Leasing, LLC (1806.2047)	
Surrounding Zoning Classifications:	
North: I-1, R-3MF	South: A-U
East: R-1C, A-U	West: B-4, I-1, R-2MF, R-3MF

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in an Industrial Plan Area, where general business uses are appropriate in very limited locations.

SPECIFIC LAND USE CRITERIA

- 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)
- 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 partially located in a special flood hazard area per FIRM Maps 21059CO277D.
- It appears that the subject property is not located 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 or other state and federal agencies as may be applicable.

Urban Services

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

Development Patterns

The subject property is a portion of the former GE site. The applicant proposes to rezone the 17.438 acres of the property which encompasses the entire road frontage along Old Hartford Road.

The AT&T office and Trinity Hills subdivision border the subject property to the north. The Heartlands subdivision borders the subject property to the east where E Byers Avenue is stubbed to the property line to provide for connectivity to the Highway 54 corridor. The greenbelt and agricultural land is to the south of the subject property. There are a mixture of uses located across Old Hartford Road to the west including multi-family residential, general business and light industrial. According to the applicant, there are approximately 5 acres of B-4 zoning across Old Hartford Road.

In the vicinity of subject property, Old Hartford Road is classified as a major collector roadway with a 60 foot building setback, 30 foot roadway buffer and 250 foot access spacing standard. The extension of Burlew Boulevard/E Byers Avenue will be classified as a major collector with a 60 foot building setback, 30 foot roadway buffer and 250 foot access spacing standard.

In order to determine the impact the development will have on the transportation network in the area, the applicant submitted a Traffic Impact Study (TIS) in conjunction with the rezoning request. The TIS is intended to identify traffic generated by the site and ways to mitigate the impact of the increased traffic on the surrounding transportation network.

A conceptual plan for the entire 94 acre property submitted with the TIS includes mixed use development with potential light industrial, general business, multi-family and single family uses. However, at this time the only consideration is the 17.438 acre portion of the property along Old Hartford Road proposed for B-4 General Business zoning. The conceptual plan includes a main thru street at Old Hartford Road in alignment with Burlew Boulevard connecting to E Byers Avenue, in the Heartlands subdivision, providing connectivity to the Highway 54 corridor. The connection to E Byers Avenue shall be evaluated based on the amount of industrial zoning in the proposed development. Due consideration should be given to the amount of heavy truck traffic funneled through the existing residential area at the time the connection is proposed.

The Kentucky Transportation Cabinet, the City of Owensboro Engineer and OMPC staff have all reviewed the TIS and agree with the recommendations of the study. The TIS recommends a southbound left turn lane into the proposed development at the intersection of Old Hartford Road and Burlew Boulevard. Additionally, if the connection is made to E Byers Avenue additional traffic improvements will be required at the intersection of E Byers Avenue/Ragu Drive and E Parrish Avenue. These recommendations have been made based on the conceptual plan and proposed land uses provided to the traffic engineer by the applicant, should these land uses change the TIS shall be reevaluated and submitted to the KYTC, City of Owensboro and OMPC staff for additional review and will be required at the time of any future rezonings, preliminary plats or final development plans as applicable.

Wherever the proposed B-4 zone adjoins any residential zoning district a 10' landscape easement with 6' tall screening element plus one tree every 40' feet will be required. Proposed vehicular use areas that are adjacent to residential areas or public rights-of-way will be required

to be screened in compliance with the Owensboro Metropolitan Zoning Ordinance. Interior landscape areas within large parking lots will also be required according to the zoning ordinance.

Prior to any construction activity on the property the applicant must obtain approval of a major subdivision preliminary plat showing the street network, property lines, utilities, etc. A site plan or development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage shall also be required. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed general business use conforms to the criteria for non-residential development. Although this appears to be an increase in the B-4 zoning in the vicinity, the TIS submitted by the applicant demonstrates that it should not overburden the capacity of roadways and other necessary urban services that are available, or are planned to be improved, in the affected area based on the recommended improvements.

Planning Staff Recommendations

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

Conditions:

1. Access to Old Hartford Road shall be in compliance with the access management manual, as shown on the conceptual plan submitted with the TIS, and shall be approved by KYTC;
2. All road way improvements recommend by the TIS and agreed upon by the KYTC, City Engineer and OMPC staff shall be met; and,
3. Any changes to the land uses identified in the TIS shall require it to be updated and reviewed by the KYTC, City Engineer and OMPC and will be required at the time of any future rezonings, preliminary plats or final development plans as applicable.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with community's adopted Comprehensive Plan;
2. The subject property is located in an Industrial Plan Area, where general business uses are appropriate in very-limited locations;
3. The proposed use of the subject property as general business use will be non-residential in nature; and
4. Although this appears to be an increase in the B-4 zoning in the vicinity, the TIS submitted by the applicant demonstrates that it should not overburden the capacity of roadways and other necessary urban services that are available, or are planned to be improved, in the affected area based on the recommended improvements.