

JANUARY 10, 2019

PORTION OF 3515 W PARRISH AVE

ZONE CHANGE

From:	A-R Rural Agriculture & I-1 Light Industrial
To:	I-2 Heavy Industrial
Proposed Use:	Warehouse Space
Acreage:	32.512
Applicant:	Crown Investment Group, LLC; Massie J E Farm, LLC (1901.2074)
Surrounding Zoning Classifications:	
North: A-R	South: A-R, R-1A
East: A-U	West: I-1, A-R

Proposed Zone & Land Use Plan

The applicant is seeking an I-2 Heavy Industrial zone. The subject property is located in an Industrial Plan Area, where heavy industrial uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

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

(b) Logical expansions outside of Industrial Parks – Existing areas of heavy 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.

(c) Industrial Parks – In Industrial, Future Urban and Rural Preference plan areas, new and expanded locations of Heavy Industrial use should be developed as elements of planned “**Industrial Parks**” (D7). These provisions also apply where existing Industrial Parks are expanded into adjoining non-industrial plan areas that contain undeveloped land. Such Industrial Parks should be “**arterial-street-oriented**” (D2) and planned in modules of at least **one hundred (100)** acres in size, unless an existing Industrial Park is being expanded. Industrial Parks should be established or expanded only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established. Heavy Industrial uses should be located away from any fringes of a park that adjoin incompatible plan areas or land uses. Such incompatible fringes are recommended locations for light industrial, highway business or other appropriate uses that would serve as “**buffer-uses**” (D1). Otherwise, these incompatible fringes should include adequate space for necessary buffers as cited in criteria (a) above.

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 21059CO118D.
- It appears that the subject property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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, 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 sewers, are available to the site.

Development Patterns

The subject property is a 32.512 acre portion of an approximately 136 acre farm. Currently the 32.5 acre portion of the subject property is zoned I-1 Light Industrial and A-R Rural Agriculture. The applicant proposes to rezone the subject property to I-2 Heavy Industrial in order to construct warehouses for the storage of hazardous products, specifically the storage of distilled spirits. The applicant has submitted a Conditional Use Permit for the storage of a hazardous product as determined by the Kentucky Building Code, in conjunction with the zoning map amendment application.

The subject property is bound to the east by the Wendell Ford Expressway. The properties to the north and west are zoned I-1 Light Industrial and A-R Rural Agriculture and are crop land. The properties to the south, across W Parrish Avenue are zoned agricultural, residential and commercial, with single family residential uses and the Owensboro RV facility.

It appears that the subject property is designated as prime agricultural land according to the “Important Farmlands” map created by the US Department of Agriculture Soil Conservation Service dated March 1980. However, the Comprehensive Plan does anticipate the conversion of some prime agricultural land for development.

West Parrish Avenue in this location is classified as a minor arterial roadway with a 75 foot building setback line, 50 foot roadway buffer and 500 foot access spacing standard; it is a state highway as well. Access to the property shall be in compliance with the access management manual and approved the Kentucky Transportation Cabinet

If the rezoning is approved all buildings and/or outdoor storage areas except for accessory parking shall be located

at least 300 feet from and residential zone and at least 100 feet from any other zone except for an I-1 or A-R zone. Any outdoor storage areas shall be screened with a 6 foot high solid wall or fence and all vehicular use areas shall be paved.

If approved, prior to occupancy of the property the applicant must obtain approval of a final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. All building, electrical and HVAC permits and inspections shall be obtained through the Department of Housing, Building and Construction with the state of Kentucky and the Owensboro Metropolitan Planning Commission.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is not in compliance with the Comprehensive Plan. The proposed use as warehouse storage for a hazardous material does conform to the criteria for nonresidential development; however there is no other heavy industrial zoning in the area. At 32.512 acres the subject property does not meet the minimum size of 100 acres for a new location of an industrial park large industrial reserve nor is this an expansion of an existing industrial park.

Planning Staff Recommendations

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

Findings of Fact:

1. Staff recommends denial because the proposal is not in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Industrial Plan Area, where heavy industrial uses are appropriate in limited locations;
3. The proposed use as warehouse storage of a hazardous material would be nonresidential in nature;
4. There is no other heavy industrial zoning in the area; and,
5. At 32.512 acres the subject property does not meet the minimum size of 100 acres for an industrial park nor is this an expansion of an existing industrial park.