

**FEBRUARY 11, 2021**

**2001 PLEASANT VALLEY ROAD**

**ZONE CHANGE**

<b>From:</b> A-U Urban Agriculture	
<b>To:</b> I-1 Light Industrial	
<b>Proposed Use:</b>	Light Industrial
<b>Acreage:</b>	33.987
<b>Applicant:</b>	Lagoon Warehouse, LLC; Owensboro Land Co, LLC (2102.2152)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> I-1	<b>South:</b> B-4
<b>East:</b> B-4	<b>West:</b> I-1

**Proposed Zone & Land Use Plan**

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

**SPECIFIC LAND USE CRITERIA**

- (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 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.

**Planning Staff Review**

**GENERAL LAND USE CRITERIA**

**Environment**

- It appears that the subject property may be located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- It appears that this property is designated as prime farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO139D.
- It appears that the subject property is 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 33.987 acre parcel of land located at the terminus of Pleasant Valley Road, adjacent to the RWRA facility and behind the Cedarhurst Assisted Living facility. While addressed along Pleasant Valley Road, the majority of the site’s road frontage lies along Lagoon Lane and backs up to the Wendell Ford Expressway.

In this vicinity, Lagoon Lane and Pleasant Valley Road are both local roadways with 25-foot building setbacks, measured from the property line. Additionally, any development along the Wendell Ford Expressway shall maintain a 20-foot building setback as measured from the adjoining property line.

The RWRA facility adjoining to the north is zoned I-1 Light Industrial; as is the neighboring facility to the west (across Lagoon Lane). In fact, all of the properties located across Lagoon Lane are accessed from Ragu Drive and are zoned I-1 Light Industrial. The adjoining property to the east is a vacant tract of land that is zoned B-4 General Business and is sandwiched between the subject property and the aforementioned Cedarhurst Assisted Living facility. All adjoining properties to the south are across the Wendell Ford Expressway, zoned B-4 General Business, and located within the Gateway Commons development.

There have been many recent developments in this area of the community including, but not limited to: Gateway Commons, the hospital, access to the Wendell Ford Expressway, and others. These developments have changed traffic patterns in the area and modified the roadways throughout the immediate vicinity. As a result, the impact that all developments in this immediate vicinity will have on the transportation network shall be heavily reviewed.

This request to rezone the subject property to I-1 Light Industrial has been submitted in conjunction with a separate request, also to rezone property to I-1 Light Industrial. The corresponding request is located in the immediate vicinity at the intersection of Lagoon Lane and Highway 603 (on the other side of the RWRA facility).

The two requests were reviewed as one item in terms of the completion of a Traffic Impact Study. The exact uses in this area are still unknown at this time; however, the Traffic Impact Study indicates that potential uses being considered include an Industrial Park, a Mini-Warehouse, and a Gasoline Station with a Convenience Market. The Traffic Impact Study was reviewed by the County Engineering Office, the City Engineering Office, and the Kentucky Transportation Cabinet.

Following such a study, it has been determined that there are existing issues turning left from the westbound off-ramp of the Wendell Ford Expressway onto Highway 603. Throughout review of the Traffic Impact Study, additional concerns were voiced including, but not limited to, activity at the Pleasant Valley Road/Highway 603 intersection. Such concerns, including those not specifically named in this staff report, may warrant improvements as deemed necessary within the Traffic Impact Study.

Because the exact uses are unknown at this time, it is important to acknowledge that varying uses may have vastly different impacts on the transportation network. As a result, it should be noted that all developments and uses at the subject property shall be in accordance with an approved Traffic Impact Study. A requirement to update the Traffic Impact Study may be enforced as deemed necessary throughout the review of Final Development Plans.

Prior to any development of the subject 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. Any outdoor storage areas shall be screened with a six foot high continuous solid wall or fence. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

Additionally, since the subject properties are located within the Owensboro Wellhead Protection area, according to OMU, if the property will have or produce anything that can contaminate the soil then they must have a wellhead protection plan. OMU should be contacted regarding such a plan.

#### **SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the community's adopted Comprehensive Plan as it is located within a business plan area where Light Industrial uses are appropriate in limited locations.

The proposed light industrial use complies with the criteria for nonresidential development and any outdoor storage areas shall be screened appropriately to establish buffers for outdoor storage yards. The proposed I-1 Light Industrial zoning is a logical expansion of the I-1 zoning to the north and to the west. Compliance with an approved Traffic Impact Study ensures that the proposal shall not overburden the capacity of roadways or other urban services in the affected area.

#### **Planning Staff Recommendations**

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

#### **Conditions:**

1. Approval of a Final Development Plan; and,
2. The developer shall install any and all recommended improvements that the approved Traffic Impact Study deems the developer shall be responsible for. Written approval of the Traffic Impact Study shall be obtained prior to the approval of a Final Development Plan. All required improvements shall be completed prior to the issuance of a Certificate of Occupancy.

#### **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 within a Business Plan Area where Light Industrial Uses are appropriate in limited locations;
3. The intended light industrial use conforms to the criteria for nonresidential development and any outdoor storage areas shall conform to the criteria associated with buffers for outdoor storage yards;
4. The proposed I-1 Light Industrial zoning is a logical expansion of the I-1 zoning to the north and to the west;
5. While 33.987 acres of land is a large amount of acreage, the proposal should not significantly increase the extent of the industrial zoning within the vicinity as the western portion of Lagoon Lane is exclusively zoned industrial; and,
6. Compliance with an approved Traffic Impact Study ensures that the expansion of the industrial zoning should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.