

JULY 8, 2021

2024 HIGHWAY 81

ZONE CHANGE

From: B-4 General Business	
To: I-1 Light Industrial	
Proposed Use: Fencing Company	
Acreage: 0.670	
Applicant: Mr. Fence (Shawn King); KAS Enterprises, Inc. (2107.2176)	
Surrounding Zoning Classifications:	
North: A-R	South: B-4
East: P-1 & I-1	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 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 is not 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 21059CO256D.
- 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 is accomplished by an on-site septic system.

Development Patterns

The subject property is a 0.670 acre parcel of land located near the Old Lyddane Bridge Road/Highway 81 intersection that was rezoned from A-R Rural Agriculture to B-4 General Business in 1985 to allow for commercial uses. However, the site is currently unutilized, consisting only of a vacant office trailer. As such, the applicant intends to redevelop the property to utilize the site for a fencing company, requiring the proposed I-1 Light Industrial zoning.

The adjoining properties to the north and to the west are small lots zoned A-R Rural Agriculture, each containing a single family residence. To the south, along Highway 81, is a string of commercial properties zoned B-4 General Business. To the east, across Highway 81, is a church use that is zoned P-1 Professional/Service, as well as approximately 46 acres of existing Light Industrial zoning and uses.

In this vicinity, Highway 81 is classified as a Minor Arterial roadway with a 75-foot building setback and a 40-foot roadway buffer, each measured from the centerline of Highway 81. Minor Arterial roadways also require a 500-foot spacing standard. However, because this lot is only 151.14-feet in width, full compliance with the access management manual is not possible. As a result, direct access to Highway 81 shall be limited to a single access point.

Additionally, because this property adjoins small, agricultural tracts containing existing residential homes, development of this site shall maintain a 20-foot building setback from the northern and western property lines. Along these property lines, the development shall install a 10-foot wide landscaping easement consisting of a 6-foot tall solid and continuous element, plus one tree per 40-linear-feet. It should also be noted that any outdoor storage areas, including any vehicular use areas composed of gravel surfaces, shall be fully enclosed by a 6-foot tall solid wall or fence.

Prior to any development of the subject property the applicant shall 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. 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 community's adopted Comprehensive Plan as it is located within a business plan area where Light Industrial uses are appropriate in limited locations. While maintaining appropriate building setbacks from the adjoining residential properties, the building and lot patterns shall comply 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 east, across Highway 81. At 0.670 acres, the proposal shall not significantly increase the extent of the industrial zoning in the immediate vicinity, nor shall the request 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:

Direct access to Highway 81 shall be limited to a single access point.

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. While maintaining appropriate setbacks from the adjoining residential properties, the building and lot patterns shall conform to the criteria for nonresidential development;
4. All outdoor storage areas shall be screened appropriately, conforming to the criteria associated with buffers for outdoor storage yards;
5. The proposed I-1 Light Industrial zoning is a logical expansion of the I-1 zoning to the east, across Highway 81; and,
6. At 0.670 acres, the proposal shall not significantly increase the extent of the industrial zoning in the immediate vicinity, nor shall the request overburden the capacity of roadways and other necessary urban services that are available in the affected area.