

**JULY 14, 2022**

**2525 HIGHWAY 81 &  
PORTION OF 2615 HIGHWAY 81**

**ZONE CHANGE**

<b>From:</b>	B-4 General Business & A-R Rural Agriculture
<b>To:</b>	<b>I-1 Light Industrial</b>
<b>Proposed Use:</b>	Light Industrial
<b>Acreeage:</b>	10.641
<b>Applicant:</b>	Crabtree Holdings, LLC & Owensboro Daviess County Regional Airport (2207.2218)
<b>Surrounding Zoning Classifications:</b>	
<b>North: B-4 &amp; A-R</b>	<b>South: I-1</b>
<b>East: I-1</b>	<b>West: A-R</b>

**Proposed Zone & Land Use Plan**

The applicant is seeking an I-1 Light Industrial zoning classification. The subject properties are located in an Industrial Plan Area, where Light Industrial uses are appropriate in general locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Building and lot patterns; outdoor storage areas** - 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. Such an expansion should not significantly increase the extent of industrial use in the vicinity and outside of Industrial Parks. Also, such 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 map dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059C0256D.
- 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.

- 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 properties combine to total 10.641 acres of land; the vast majority is existing farmland zoned B-4 General Business along the highway and A-R Rural Agriculture to the rear. The remainder is also split-zoned B-4 and A-R and currently serves as the front yard to the TLD Logistics site located to the rear.

The applicant is proposing to rezone all 10.641 acres to I-1 Light Industrial. Per conversations with representatives of the applicant, the intent is to also consolidate the aforementioned TLD Logistics site into this development, which is already zoned I-1 Light Industrial. Other adjoining properties consist of: another farm to the north which is split zoned B-4 General Business and A-R Rural Agriculture, the Owensboro Daviess County Regional Airport which is zoned I-1 where adjoining the subject properties, and A-R zoning to the west (across Highway 81) which appears to be existing farmland.

Existing I-1 Light Industrial zoning can commonly be found on the general vicinity, including the adjoining TLD operation, adjoining airport, and additional I-1 zoning to the north and west (across Highway 81) on tracts not immediately adjoining the subject properties. In total, there appears to be between 60-70 acres of existing I-1 zoning in the general vicinity.

Highway 81, in this vicinity, is classified as a minor arterial roadway with a 500-foot spacing standard, as well as a 75-foot building setback and a 40-foot roadway buffer; each measured from the centerline of Highway 81. The subject properties combine to include approximately 475-feet of road frontage along Highway 81. As a result, full compliance with the 500-foot spacing standard is not possible. In which case, the subject properties shall be limited to a single access point along Highway 81. However, it should again be mentioned that staff has been told that the applicant’s intent is to consolidate the proposed light industrial activity with the existing I-1 zoning at the current TLD Logistics site. If so, access to the subject properties may be limited to the single existing access point that currently serves as the TLD Logistics driveway.

Prior to any activity on the properties the applicant must obtain approval of a site plan or a 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. The proposal is a logical expansion of the I-1 Light Industrial zone within the area. The proposed expansion of the I-1 zone shall not significantly increase the extent of industrial uses in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. The proposed use, Light Industrial, conforms to the criteria for Nonresidential Development and for Buffers for Outdoor Storage Yards.

#### **Planning Staff Recommendations**

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

##### **Condition:**

1. Direct access to Highway 81 shall be in compliance with the Access Management Manual.

##### **Findings of Fact:**

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject properties are located in an Industrial Plan Area, where Light Industrial uses are appropriate in general locations;
3. The proposed use, Light Industrial, conforms to the criteria for Nonresidential Development;
4. At 10.641 acres in size, the properties are large enough in size to comply with the criteria for Buffers for Outdoor Storage Yards;
5. The proposal is a logical expansion of existing I-1 Light Industrial zoning to the south and east; and,
6. At 10.641 acres in size, the proposed expansion of the I-1 Light Industrial zone will not significantly increase the extent of industrial zoning in the immediate vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.