

**APRIL 13, 2023**

**PORTION 5020 JACK HINTON ROAD**

**ZONE CHANGE**

<b>From:</b> A-R Rural Agriculture	
<b>To:</b> I-1 Light Industrial	
<b>Proposed Use:</b> Industrial	
<b>Acreage:</b> 2.000	
<b>Applicant:</b> Kamuf Development, LLC; Robert E. Bryant (2304.2256)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-R	<b>South:</b> I-1
<b>East:</b> A-R	<b>West:</b> I-1, A-R

**Proposed Zone & Land Use Plan**

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Rural Maintenance 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. Such an expansion should not significantly increase the extent of industrial use 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 map dated March 6, 1990.
- The subject property is partially located in a special flood hazard area per FIRM Map 21059CO305D.
- It appears that the subject property is partially 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 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 will be accomplished by an on-site septic system.

**Development Patterns**

The subject area is a 2-acre portion of an existing farm tract located along Jack Hinton Road (also fronting along Highway 54). Since 2019, various portions of this farm have been rezoned from A-R Rural Agriculture to more intensive zones. At the corner of Highway 54 and Jack Hinton Road, there are now two properties totaling approximately 2.8-acres that are zoned B-4 General Business, and to the rear of those properties is another 2.5-acres that are zoned I-1 Light Industrial; all owned by the applicant, Kamuf Development, LLC.

At this time the applicant is proposing to rezone another 2-acres from A-R Rural Agriculture to I-1 Light Industrial. This proposal is immediately to the rear of the aforementioned industrial zoning, and located across Jack Hinton Road from additional I-1 zoning.

Whenever the immediately adjoining 2.5-acre site was rezoned to industrial, a subdivision plat (Book 52 Page 10) limited direct access to Jack Hinton Road to a single access point. In the event that the subject area is rezoned to I-1 Light Industrial, this site shall be limited the same access point which shall serve as a shared drive for both sites (the existing 2.5 acres, as well as the subject area). To best comply with access management practices, this access point shall be located directly across from the existing industrial driveway that is located on the west side of Jack Hinton Road.

If approved, a subdivision plat shall be required to address these access conditions and to separate the proposed industrial zoning from the existing farm tract. Due to the number of lots that have recently been created (most recently, February 3, 2023), the applicant should be made aware that this plat may be a minor subdivision plat or may be a major/minor subdivision plat, depending on whether or not the subject area is consolidated into the immediately adjoining industrial zoning.

Prior to any construction activity on the property the applicant shall 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. 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 use as industrial conforms to the criteria for nonresidential development, as well as the criteria associated with buffers for outdoor storage yards. The proposed I-1 Light Industrial zoning is a logical expansion of I-1 zoning to the south and west. At 2-acres, the proposal is not a significant increase in light industrial zoning in the vicinity and should not 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 conditions and findings of fact that follow:

**Conditions:**

1. Obtain approval of a subdivision plat separating the I-1 Light Industrial zoning from the remaining A-R Rural Agricultural zoning;
2. The approved subdivision plat shall include the immediately adjoining industrial zoning to the south (4992 Jack Hinton Road) and shall limit access to both properties to a single access point in alignment with the existing industrial driveway located across Jack Hinton Road; and,
3. Obtain approval of a Final Development Plan.

**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 in a Rural Maintenance Plan Area where light industrial uses are appropriate in limited locations;
3. The proposed use as industrial conforms to the criteria for nonresidential development as well as the criteria for buffers for outdoor storage yards.
4. The proposal is a logical expansion of existing I-1 Light Industrial zoning to the south and west; and,
5. At 2.000 acres, the proposal does not significantly increase the extent of I-1 Light Industrial zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.