

JULY 13, 2023

6601 HIGHWAY 2830

ZONE CHANGE

From:	B-4 General Business & I-1 Light Industrial
To:	B-4 General Business
Proposed Use:	Commercial
Acreage:	39.976
Applicant:	Kuegel & Kamuf Land Co., LLC (2307.2264)
Surrounding Zoning Classifications:	
North:	I-2, MHP, R-1A South: B-4, I-2
East:	A-U West: I-2

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Rural Preference Plan Area where General Business uses are appropriate in very-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 zoning expansions of proportional scope – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and 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 partially located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is located in a special flood hazard area per FIRM Map 21059CO135D.
- 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

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 property is a 39.976-acre parcel that is located along Wrights Landing Road, from Highway 2830 to US Highway 60 E and is split-zoned, half B-4 General Business (along Hwy 2830) and half I-2 Heavy Industrial (along US Hwy 60 E).

The adjoining property to the south, much like the subject property, is split-zoned B-4 General Business and I-2 Heavy Industrial, and appears to contain an existing home on the property. To the west, across US Highway 60 W, is I-2 zoning with an industrial operation along Ohio River. To the north, across Wrights Landing Road, adjoining properties are primarily zoned R-1A Single Family Residential, MHP Manufactured Housing Park, and I-2 Heavy Industrial. The properties primarily consist of a variety of single family homes, while the I-2 property is currently vacant. Lastly, the adjoining property to the east, across Highway 2830, is a large farm tract zoned A-U Urban Agriculture.

The three roadways surrounding the subject property are classified as follows:

- US Highway 60 E is a Principal Arterial with a 500-foot spacing standard; as well as a 75-foot building setback and a 50-foot roadway buffer, each measured from the centerline of US Highway 60 E;
- Wrights Landing Road is a Major Collector with a 250-foot spacing standard; as well as a 60-foot building setback and 30-foot roadway buffer, each measured from the centerline of Highway 2830; and,
- Highway 2830, in this vicinity, is classified as a local roadway without spacing standards and with a 25-foot building setback measured from the property line.

As such, the subject property shall have no direct access to US Highway 60 E. Direct access to the property shall be limited to Wrights Landing Road and Highway 2830.

The aforementioned R-1A Single Family Residential zoning located across Wrights Landing Road contains eight residential homes spanning approximately 880-linear-feet of road frontage; each home has their own independent driveway. As previously stated, access to Wrights Landing Road shall be in compliance with the access management manual's 250-foot spacing standard. However, as the property develops, prioritizing access points in alignment with Leslie Lane and/or Lamplite Circle (the two main drives entering/exiting the manufactured housing complex) should be encouraged in order to lessen the extent of commercial access points located directly across from residential driveways.

While this staff report makes mention of access policies, it should be re-iterated that this proposal is for nearly 40-acres of undeveloped land to be zoned B-4 General Business and the proposed use is unknown at this time. As the property develops and uses are known, it is possible that approval of a Traffic Impact Study may be required in order to ensure that the use(s) do not overburden the capacity of roadways and other necessary urban services that are available in the affected area. If so, the requirements of the Traffic Impact Study may supersede the requirements of the access management manual.

If approved, prior to occupancy of 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 properties.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed commercial use conforms to the criteria for non-residential development and, with 39.976-acres, the property is large enough to ensure compliance with the criteria for buffers for outdoor storage yards. The proposal is a logical expansion of existing B-4 General Business zoning, including existing B-4 zoning already on the subject property. Compliance with the access management manual and, if applicable, a Traffic Impact Study will ensure that the proposal will 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. Direct access to the subject property shall be limited to Highway 2830 and Wrights Landing Road.
2. Direct access to Wrights Landing Road shall be in compliance with the access management manual; 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 Preference Plan Area where general business uses are appropriate in very-limited locations;
3. The proposed use, commercial, conforms to the criteria for nonresidential development;
4. At 39.976-acres, the property is large enough to ensure compliance with the criteria for buffers for outdoor storage yards;

5. The proposal is a logical expansion of existing B-4 General Business zoning, including existing B-4 zoning already on a portion of the subject property;
6. Because a large portion of the subject property is currently zoned B-4 General Business, eliminating the split-zoning on the subject property is not a significant increase in general business zoning within the vicinity; and,
7. Compliance with the access management manual and, if applicable, a Traffic Impact Study ensures that the proposal will not overburden the capacity of roadways and other necessary urban services that are available in the affected area.