

FEBRUARY 8, 2024

PORTION 5020 JACK HINTON ROAD

ZONE CHANGE

From: A-R Rural Agriculture	
To: I-1 Light Industrial	
Proposed Use: Industrial	
Acreage: 0.602	
Applicant: Kamuf Development, LLC; Robert E. Bryant (2402.2284)	
Surrounding Zoning Classifications:	
North: A-R	South: I-1
East: A-R	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 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 uses 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 property is a 0.6-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 4.5-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 0.602-acres from A-R Rural Agriculture to I-1 Light Industrial. This proposal is immediately to the rear of the aforementioned industrial zoning. A subdivision plat submitted in conjunction with this rezoning illustrates the applicant's intent to consolidate this area with the existing, adjoining industrial zoning. Past rezonings and subdivision plats have limited access to the site to a single access point in alignment with the industrial driveway located across Jack Hinton Road. Such a condition will be carried forward with this rezoning and the subsequent plat.

Staff believes that, at 0.602-acres, the proposal is not a significant increase of the site's industrial zoning. However, the Comprehensive Plan states that “such an expansion should not significantly increase the extent of industrial uses in the vicinity.” As previously mentioned, the industrial acreage within this development has grown incrementally through several rezonings and then always consolidated together to form one large industrial tract along Jack Hinton Road.

To date, no industrial uses are taking place at this site. Staff has concerns that the applicant may inadvertently create a sudden and significant increase of industrial uses in the area by waiting until the site is 5+ acres in size before establishing the initial industrial use. Because of this, the applicant should be aware that any future proposals to expand the industrial zoning may not be considered a logical expansion of proportional scope unless an industrial use is already established within this development. This staff report shall also provide notice to the applicant that, as the site develops an approved Traffic Impact Study may be required prior to approval of a Final Development Plan, depending on the proposed use and intensity.

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. At 0.602-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. Access to the industrial zoning shall be limited 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,
5. At 0.602-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.