

DECEMBER 12, 2024

PORTION OF 3100 VILLA POINT	
ZONE CHANGE	
From: B-3 Highway Business Center	
To: I-1 Light Industrial	
Proposed Use: Light Industrial	
Acreage: 3.811	
Applicant: Steve Hayden & Villa Point Properties, LLC (2412.2307)	
Surrounding Zoning Classifications:	
North: B-3	South: I-2
East: B-3	West: B-3 & I-1

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. 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 21059CO139E.
- The subject property is not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- 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

All urban services, including sanitary sewers, are available to the subject property.

Development Patterns

3100 Villa Point is an 11.3-acre tract of undeveloped land located at the intersection of Alvey Park Drive E and Villa Point that is zoned B-3 Highway Business Center. At this time the applicant proposes to rezone a portion of the subject property (3.811-acres) to I-1 Light Industrial. This portion of land is located at the rear of the subject property with road frontage along Alvey Park Drive E. If approved, the applicant then intends to divide the subject property, separating the I-1 zoning from the remaining B-3 zoning.

The resulting lot will be flag-shaped with a 50-foot stem providing access to the Alvey Park Drive E, and the property will widen out as the lot gets deeper. As a result, the proposed light industrial development will be located to the rear of Owensboro Gymnast (zoned B-3 Highway Business Center) and also to the rear of the Bluegrass Concepts site (0.68-acres of I-1 Light Industrial zoning).

Additional adjoining properties include additional I-1 Light Industrial and B-3 Highway Business Center zonings to the west (across Alvey Park Drive E). Each lot is approximately 0.6-acres in size. To the east is existing B-3 zoning that fronts along Villa Point. Lastly, the adjoining property to the south is the existing Kenergy facility that fronts along Fairview Drive and is zoned I-2 Heavy Industrial.

Although the proposal (3.811-acres) immediately adjoins only a limited amount of existing I-1 Light Industrial zoning, the proposal does not appear to be a significant increase in industrial uses within the vicinity because all lots along Alvey Park Drive East and West (with the exception of the subject property) are located within a Business/Industrial plan area, which is identified as an appropriate location for mixed business and light industrial uses. As such, because the 3.8-acre area will front along Alvey Park Drive E (as opposed to Villa Point), the proposal is consistent with the character of the immediate vicinity.

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 community's adopted Comprehensive Plan. The proposed use is non-residential in nature and the site is large enough to ensure compliance with the criteria for buffers for outdoor storage yards. Additionally, the proposal is a logical expansion of existing light industrial zoning to the west, and shall not be a significant increase in industrial uses in the vicinity due to the nature of the adjoining business/industrial plan area. Lastly, at 3.811-acres, the proposal 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 proposed I-1 Light Industrial zoning from the remaining B-3 Highway Business Center zoning; and,
2. 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 Business plan area where light industrial uses are appropriate in limited locations;
3. The proposed Light Industrial use complies with the criteria associated with nonresidential development;
4. At 3.811-acres, the site is enough to ensure compliance with the criteria associated with buffers for outdoor storage yards;
5. The I-1 Light Industrial zoning is a logical expansion of existing I-1 zoning to the west;
6. Because all other portions of Alvey Park Drive East and West are located within a Business/Industrial plan area, the proposal is consistent with the character of the area and will not significantly increase the extent of industrial uses in the vicinity; and,
7. At 3.811-acres, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.