

NOVEMBER 10, 2011

2420 W PARRISH AVE

ZONE CHANGE

From:	B-4 General Business R-1A Single-Family Residential
To:	B-4 General Business
Proposed Use:	Parking, Future Commercial
Acreage:	2.059
Applicant:	SLEC II, LLC; Troxel Investment Properties, LLC (1111.1819)
Surrounding Zoning Classifications:	
North: B-4	South: R-1A
East: B-4, R-1A	West: B-4, R-1A

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is partially located in a Business Plan Area where general business uses are appropriate in limited locations and partially located in an Urban Residential Plan Area where general business uses are appropriate in very-limited 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 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 not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO119 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- 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 site.

Development Patterns

The subject property is currently split zoned with the road frontage zoned B-4 General Business and the rear zoned R-1A Single-Family Residential. In the vicinity of the subject property, the properties along W Parrish Avenue are zoned B-4 General Business while the property to the rear is typically zoned R-1A Single-Family Residential.

A KFC restaurant was on the subject property for many years but the existing structure is currently being converted to a Subway restaurant. The applicant proposes to construct additional parking on the subject property which would not be possible without rezoning the property since the area needed for parking is in the R-1A portion. As stated in the applicant's finding, the remainder of the parcel will be purchased and consolidated with the Audubon Animal Hospital property to the west. The animal hospital proposes to add additional parking as well. A division and consolidation plat will be required to transfer the property. A conceptual site plan for the Audubon Area Hospital parking expansion was included in the rezoning application.

In the vicinity of the subject property, W Parrish Avenue is classified as a minor arterial roadway with a 500 foot drive spacing standard. The existing site has two access points that work as a one-way pair to allow drive-thru circulation around the building. Access to W Parrish Avenue will be limited to the existing access points with no additional access to W Parrish Avenue permitted.

The subject property does adjoin residential zoning along a portion of the east and west property lines and to the south. A minimum ten foot landscape buffer with a six foot element and one tree every 40 linear feet is required to serve as a buffer between the commercial and residential zones.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposal is a logical expansion of existing B-4 General Business zoning located on the subject property and to the north, east and west. The subject property will be used for a restaurant and parking with the potential for future commercial development. At just over two acres, the proposal is not a significant increase in commercial zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services available in the vicinity since the use of the property will remain a restaurant and additional parking for an existing adjacent business.

Planning Staff Recommendations

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

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 partially located in a Business Plan Area where general business uses are appropriate in limited locations and partially located in an Urban Residential Plan Area where general business uses are appropriate in very-limited locations;
3. The proposal is a logical expansion of existing B-4 General Business zoning on the subject property and to the north, east, and west; and,
4. At 2.059 acres, the proposal does not significantly increase the extent of B-4 zoning in the vicinity and should not overburden the capacity of roadway and other necessary urban services since the existing land uses are not changing.