

JANUARY 9, 2014**927 E 18TH ST****ZONE CHANGE**

From: I-1 Light Industrial	
To: B-5 Business/Industrial	
Proposed Use: Pawn Shop	
Acreage: 1.44	
Applicant: MW, Parrish, LLC; Thekla's Rentals, LLC (1401.1893)	
Surrounding Zoning Classifications:	
North: I-1	South: B-4, R-4DT
East: I-1, B-4	West: I-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-5 Business/Industrial zone. The subject property is located in a Business/Industrial Plan Area, where general business uses and light industrial uses are appropriate in general 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).

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 21059CO138 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 located in a Business/Industrial Plan Area and is surrounded by commercial and industrial uses with some residential use located across E 18th Street. The existing building on the subject property is a former post office that is currently vacant and the applicant proposes to convert the building to a pawn shop with accessory storage which is acceptable in a B-5 zone.

The subject property currently has two access points to E 18th Street which is classified as a minor arterial roadway. The access points are on the east and west sides of the property and appear to allow one-way flow of traffic around the building. Both drives are narrow and are in the 15-20 foot range. Based on the configuration and function of the driveways, the planning staff does not recommend altering the number or location of driveways at this time.

However, there is a 40 foot roadway buffer on E 18th Street that should be brought into compliance on the site. At present the area between the curb on E 18th Street and the property line is paved and provided a parking area in the past for the post office. There are also two parking spaces forward of the building on the east and west sides. In order to meet the roadway buffer, the first parking space will be removed and returned to grass with appropriate vehicular use area landscaping installed. The planning staff supports comments from the City Engineer's office that the paved area in the right-of-way will need to be altered to provide a sidewalk and green strip.

All vehicular use areas appear to be currently paved. Any outdoor storage is required to be screened by a minimum six foot tall solid fence around the entire perimeter of the storage lot. Since the proposed use is a change in occupancy, a site plan shall be submitted to document all site development requirements and must be approved by the City Engineer's office prior to receiving approval by the OMPC.

SPECIFIC LAND USE CRITERIA

The subject property is appropriate for the B-5 Business/Industrial zoning because it is within an area identified as appropriate for mixed business and light industrial uses and lies within the Business/Industrial Plan Area as identified by the Land Use element of the Comprehensive Plan.

Planning Staff Recommendations

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

Conditions:

1. Submission of a site plan to be approved by the City Engineer's office and OMPC prior to building occupancy; and,
2. The roadway buffer shall be maintained on site which will require the establishment of a green strip and sidewalk within the road right-of-way meeting the requirements of the City Engineer's office and the removal of the first parking spaces on the east and west side of the building. The parking spaces shall be removed, returned to grass and appropriate vehicular use area landscaping installed.

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 within a Business/Industrial Plan Area, where general business and light industrial uses are appropriate in general locations;
3. The subject property lies within an existing area of mixed general business and light industrial uses;
4. The Comprehensive Plan provides for the continuance of mixed use areas; and,
5. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-5 Business/Industrial zoning classification.