

SEPTEMBER 8, 2016

329, 333, 335 W PARRISH AVE

ZONE CHANGE

From: R-4DT Inner City Residential	
To: P-1 Professional/Service	
Proposed Use: Accounting Office	
Acreage: 0.496 +/-	
Applicant: Owensboro Rental Properties, LLC (1609.1972)	
Surrounding Zoning Classifications:	
North: R-4DT	South: R-4DT & P-1
East: B-4	West: R-4DT

Proposed Zone & Land Use Plan

The applicant is seeking a P-1 Professional/Service zone. The subject property is located in a Central Residential Plan Area where Professional/Service 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).

(b) Logical expansions – Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). An existing area of general business zone may be used as criteria to support as Professional Service use category. If the contiguous land is located across an intervening street, the expansion should be at least one (1) acre in size, unless it would serve as a “buffer-use” (D1). An expansion of this use 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 21059CO138 D.
- It appears that 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, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

Urban Services

All urban services, including sanitary sewer, are available to the site.

Development Patterns

The proposed rezoning consists of three parcels totaling 0.496+/- acres. There is currently a house on one of the parcels which the applicant intends to tear down; the other two parcels are vacant. A public alley separates 329 W Parrish Avenue from the other two parcels to the west and continues to run along the back of 333 and 335 W Parrish Avenue extending to Locust Street. The applicant proposes to rezone the subject properties to P-1 Professional/Service and construct an accounting office and related parking on the properties.

The property to the west of the subject property is zoned R-4DT Inner City Residential and is occupied by the Glenmary Sisters. To the east is open space owned by the City of Owensboro zoned B-4. To the north, across the public alley, are single family residences zoned R-4DT. Across West Parrish Avenue, to the south, are single family residential structures zoned R-4DT and the American Cancer Society office zoned P-1.

In the vicinity of the subject properties, West Parrish Avenue is classified as a principal arterial roadway with a 60 foot roadway buffer, 75 foot building setback line and 500 foot spacing standard. When the properties redevelop the existing residential driveway between 333 and 335 West Parrish Avenue shall be closed and returned to grass with the sidewalk and curb and gutter replaced. Access to the subject properties shall be limited to the existing public alley between 329 and 333 West Parrish Avenue and running behind 333 and 335 West Parrish Avenue, no additional access to West Parrish Avenue shall be permitted.

Vehicular use area screening consisting of a three foot tall continuous element and one tree every forty feet of the vehicular use boundary shall be installed where the vehicular use area adjoins the road right-of-way and residentially zoned property. All lighting shall be directed away from the residentially zoned properties. Because of the residentially developed neighborhood surrounding the subject property, due consideration should be given to any concerns of the neighboring residents with respect to the established lot patterns in the area.

Prior to any construction activity on the property the applicant must obtain approval of a site plan or development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. Jim Mischel with 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 offices conforms to the criteria for nonresidential development. The proposed P-1 Professional/Service zoning is a logical expansion of B-4 General Business zoning to the east. At 0.496+/- acres, the proposal use should not overburden the capacity of roadways and other necessary urban services in the area.

Planning Staff Recommendations

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

Condition:

1. The existing residential driveway between 333 and 335 West Parrish Avenue shall be closed and returned to grass with the required sidewalk and curb and gutter replaced; and,
2. Access to the property shall be limited to the existing public alley only. No additional access to West Parrish Avenue shall be permitted.

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 Central Residential Plan Area where professional/service uses are appropriate in limited locations;
3. The proposed use as an accounting office conforms to the criteria for nonresidential development;
4. The proposal is an expansion of existing B-4 General Business zoning to the east; and,
5. At 0.496+/- acres, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.