

**FEBRUARY 9, 2017**

**3100 W PARRISH AVE**

**ZONE CHANGE**

<b>From:</b> B-1 Neighborhood Business	
<b>To:</b> B-4 General Business	
<b>Proposed Use:</b>	Commercial
<b>Acreage:</b>	6.078 acres
<b>Applicant:</b>	5 BS, LLC (1702.1987)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> A-U	<b>South:</b> A-U
<b>East:</b> B-4, R-3MF	<b>West:</b> B-4, R-3MF

**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 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 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 21059CO119D.
- It appears that the subject property is not 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 subject property.

**Development Patterns**

The subject property is a 6.078 acre parcel currently zoned B-1 Neighborhood Business. There is currently a single

family residence on the property along with three barns/storage buildings. The properties directly to the east and west along W Parrish Avenue are zoned B-4 General Business. South of the properties along W Parrish Avenue are apartment buildings along Thompson Drive and Parrish Plaza Drive, zoned R-3MF. To the north, across W Parrish Avenue is farmland and to the south is the City owned Center Court tennis facility; both are zoned A-U Urban Agriculture. The applicant intends to develop the property for commercial use.

In this vicinity W Parrish Avenue, KY 56/81, is considered a principal arterial roadway with a 75 foot building setback line, 60 foot roadway buffer and 500 foot access spacing standard. Since the property cannot meet the spacing standard but must still have access, access will be limited to a single access point which must be approved the Kentucky Transportation Cabinet and may require a traffic impact study depending on the size and scope of the development.

A 10 foot landscape easement with 1 tree every 40 linear feet and a continuous 6 foot high planting, hedge, fence wall or earth mound shall be required along the east and west boundaries where the subject property adjoins residential zoning. Due to the proximity to existing residential zones, all lighting for the subject property shall be directed away from the residential property to reduce the glare and impact of the lighting on the residential uses.

Prior to any redevelopment of the property, the applicant must obtain approval of a development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The subject property will conform to the criteria for nonresidential development. The proposal is a logical expansion of the B-4 zoning to the east and west. At 6.078 acres, the expansion of B-4 zoning will not significantly increase the extent of the zone in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area, however depending on the size of the development a traffic impact study may be required.

**Planning Staff Recommendations**

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

**Conditions:**

1. Access to W Parrish Avenue shall be limited to a single access point approved by the KYTC; and,
2. Prior to any redevelopment of the property the applicant must obtain approval of a final development plan to demonstrate compliance with all site development requirements, including but not limited to access, lighting, landscape screening and buffering, parking, etc..

**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 location;
3. The proposal is a logical expansion of B-4 General Business zoning to the east and west;
4. At 6.078 acres the expansion does not significantly increase the extent of the zone in the vicinity; and,
5. The proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. However, depending on the size of the development a traffic impact study may be required.