

MAY 11, 2017

1653 E. PARRISH AVE

**ZONE CHANGE**

<b>From:</b> I-1 Light Industrial	
<b>To:</b> B-5 Business/Industrial	
<b>Proposed Use:</b> Retail	
<b>Acreage:</b> 0.997	
<b>Applicant:</b> Susan Cox Development, LLC; 2G, LLC (1705.2002)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> I-1	<b>South:</b> R-4DT & B-4
<b>East:</b> I-1 & P-1	<b>West:</b> I-1 & P-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 21059CO139 D.
- It appears that the subject property is 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 sewers, are available to the site.

**Development Patterns**

The subject property is a 0.997 acre vacant parcel located in a Business/Industrial Plan Area and is surrounded by a mix of residential, professional/service, industrial and commercial uses. The property to the north of the subject property is an industrial property, zoned I-1. Properties to the west include a nursing home, zoned P-1, and a vacant I-1 zoned parcel. Properties to the east across Wing Avenue are zoned I-1 and P-1. Properties to the south across E. Parrish Avenue include multiple residential parcels, zoned R-4DT, and a convenient store/gas station, zoned B-4.

The applicant proposes to rezone the subject parcel from I-1 to B-5. The rezoning application indicates the proposed land use as retail, but the B-5 zone will offer the property owner

additional flexibility in the future by allowing both general business uses as well as light industrial uses.

The subject property is located at the northwest corner of the intersection of E. Parrish Avenue and Wing Avenue. E. Parrish Avenue is classified as a principal arterial street in this location with a 75' building setback line, a 60' roadway buffer and a 500' access spacing standard. Wing Avenue is classified as a local street with a 25' building setback line and no roadway buffer or driveway spacing requirement. Since the width of the property's E. Parrish Avenue road frontage is not wide enough to comply with the 500' driveway spacing standard, access to the property shall be allowed from Wing Avenue only.

Since the property is located within the Owensboro Wellhead Protection Area, according to OMU, if the property will have or produce anything that can contaminate the soil then they must have a groundwater protection plan. OMU, the Kentucky Division of Water and the EPA have been made aware of this rezoning request.

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 development of 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.

**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. No access to E. Parrish Avenue shall be permitted. Access to the property shall only be allowed from Wing Avenue.
2. Approval of a site plan or 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 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.