

MARCH 8, 2018

2065 E PARRISH AVE

ZONE CHANGE

From:	A-U Urban Agriculture
To:	B-4 General Business
Proposed Use:	Strip Mall
Acreage:	3.147
Applicant:	SYF Properties, LLC; Edward Welsh (1803.2036)
Surrounding Zoning Classifications:	
North:	P-1, I-1
South:	B-1, P-1, A-U
East:	B-4, I-1
West:	A-U & P-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in an Industrial 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 Maps 21059CO139 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated 2015.
- 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 in this rezoning application is a 3.147 acre parcel known as 2065 E. Parrish Avenue. There is currently a single family residence on the property. The applicant proposes to rezone the parcel to the B-4 General Business zoning classification for the retail purposes of a strip mall.

The property is located across E. Parrish Avenue from The Springs Medical Center, which is zoned B-1 Neighborhood Business Center and P-1 Professional/Service. Also across E Parrish Avenue is a vacant parcel zoned A-U Urban Agriculture, which is proposed for rezoning to B-4 as well. The property to the east was rezoned to B-4 General Business in 2015 and currently under construction. To the west along E. Parrish Avenue is an approximately 1 acre property zoned P-1. To the rear of the subject property is a 27 acre industrial property owned by Buskill Properties (Buskill's Automotive Repair) that only has access via Ragu Drive, zoned I-1 Light Industrial.

When to the property to the east, 2127 E Parrish Avenue, was rezoned in 2015 conditions were placed on it limiting access to a single point in alignment with the signalized entrance to The Springs Medical Center, and requiring the applicant to provide a cross access easement for future potential connectivity to the property to 2065 E Parrish Avenue, the subject property. That easement was shown on the approved Development Plan for 2127 E Parrish Avenue dated September 2, 2016.

East Parrish Avenue in this location is classified as a principal arterial roadway with a 75 foot building setback, 60 foot roadway buffer and 500 foot spacing standard. A traffic impact study has been submitted by the applicant and reviewed by the Kentucky Transpiration Cabinet, City and County Engineers, and the planning staff. Based on the review of the TIS and discussions with the KYTC, city and county engineers, and engineering consultants for this project, access to the subject property shall be limited to a full access point along the northern boundary of the subject property in alignment with the existing access across E Parrish Avenue at 2050 E Parrish Avenue, identified as Site Access #1 in the TIS; and a right-in-right out only access point in alignment with Leitchfield Road, identified as Site Access #2 in the TIS. No additional access to E Parrish Avenue shall be permitted. Internal connectivity shall be provided for the connection of subject property to the property to the east at 2127 E Parrish Avenue; this would give this development access to a traffic signal.

Prior to any construction activity on 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. The OMP 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 of a strip mall will be nonresidential in nature. The proposed B-4 General Business zoning is a logical expansion of existing B-4 zoning to the east. With access limited to the proposed point in alignment with the access at 2050 E Parrish Avenue and a right-in right-out only access in alignment the Leitchfield Road, along with internal connection between the subject property and 2127 E Parrish Avenue allowing the subject property access to a traffic signal, the expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Recommendations

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

Conditions:

1. Access shall be limited to a full access point in alignment with the existing access at 2050 E Parrish Avenue, identified as Site Access #1 in the TIS;
2. Access in alignment with Leitchfield Road, identified as Site Access #2 in the TIS, shall be limited to right-in right-out only;
3. No additional access to E Parrish Avenue shall be permitted;
4. Internal connectivity shall be provided for the connection of subject property to the property to the east at 2127 E Parrish Avenue; and,
5. Approval of a 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 in an Industrial Plan Area where general business uses are appropriate in very limited locations;
3. The proposed use as a strip mall conforms to the criteria for nonresidential development;
4. The proposed B-4 zoning is a logical expansion of existing B-4 zoning to the east; and
5. With access limited to the proposed point in alignment with the access at 2050 E Parrish Avenue and a right-in right-out only access in alignment the Leitchfield Road, along with internal connection between the subject property and 2127 E Parrish Avenue, the expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.