

**MARCH 8, 2018**

**1937 LEITCHFIELD RD, 2060 E PARRISH  
AVE**

## ZONE CHANGE

<b>From:</b>	P-1 Professional/Service & A-U Urban Agriculture
<b>To:</b>	<b>B-4 General Business</b>
<b>Proposed Use:</b>	Tire Store
<b>Acreage:</b>	2.237
<b>Applicant:</b>	Southern Indiana Tire; Buskill Properties & Edward Welsh (1803.2037)
<b>Surrounding Zoning Classifications:</b>	
<b>North: Proposed B-4</b>	<b>South: R-4DT</b>
<b>East: B-1, P-1</b>	<b>West: P-1</b>

## Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject properties are 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).

**(c) Expansions across intervening streets** – In Central Residential, Urban Residential, Future Urban and Professional/Service plan areas, the expansion of an existing General Business zone across an intervening street should be at least **one-and-one-half (1.5) acres** in size, but should not occur if this would significantly increase the extent of the zone in the vicinity.

## 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 properties in this rezoning application are two vacant parcels that total 2.237 acre. The applicant proposes to rezone the parcels to the B-4 General Business zoning classification in order to consolidate the properties and construct a tire store.

The subject properties are located across E. Parrish Avenue from 2065 E Parrish Avenue, which is also proposed to be rezoned to B-4 General Business. The property to the west is zoned P-1 Professional/Service and is a medical office complex. To the east, across Leitchfield Road is the Springs Medical Center zoned B-1 and P-1. Across Leitchfield Road to the south are properties zoned R-1A Single Family Residential and R-4DT Inner City Residential.

1937 Leitchfield Road was part of a rezoning to P-1 Professional/Service with 2050 E Parrish Avenue, the property to the west, approved in January, 2008. With the rezoning an ingress/egress easement was required to the Welsh property at 2060 E Parrish Avenue; that easement was dedicated on a minor subdivision plat approved February 15, 2008.

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. Leitchfield Road is classified as a minor arterial with a 75 foot building setback, 40 foot roadway buffer and a 500 foot access spacing standard. Access to E Parrish Avenue shall be limited to the existing shared ingress/egress easement along the western edge of E Parrish Avenue, no additional access to E Parrish Avenue shall be permitted. Access to Leitchfield Road shall be in compliance with the access management manual.

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 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 of a tire store will be nonresidential in nature. At 2.237 acres the proposed B-4 General Business zoning meets the criteria for an expansion of B-4 zoning across E Parrish Avenue, should the proposal for 2065 E Parrish Avenue be approved. With access limited to the existing ingress/egress easement along E Parrish Avenue 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 to E Parrish Avenue shall be limited to existing shared ingress/egress easement along the western edge of 2060 E Parrish Avenue. No additional access to E Parrish Avenue shall be permitted;
2. Access to Leitchfield Road shall be in compliance with the access management manual; and,
3. Approval of a final development plan or site 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 Urban Residential Plan Area where general business uses are appropriate in very limited locations;
3. The proposed use as a tire store conforms to the criteria for nonresidential development;
4. At 2.237 acres, the proposed B-4 zoning meets the criteria for an expansion across an intervening street of the proposed B-4 zoning across E Parrish Avenue; and
5. With access limited to the shared ingress/egress easement along E Parrish Avenue the expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.