

NOVEMBER 8, 2018

2815 W PARRISH AVE

ZONE CHANGE

From: B-4 General Business	
To: I-1 Light Industrial	
Proposed Use:	Self-Storage, U-Haul truck and trailer share and related retail sales
Acreage:	4.703
Applicant:	Amerco Real Estate Company (1811.2068)
Surrounding Zoning Classifications:	
North: B-4	South: B-4
East: B-4	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking an I-1 Light Industrial zone. The subject property is located in a Business Plan Area where light industrial 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)**, and outdoor storage yards, with **“Buffers for Outdoor Storage Yards” (D1)**.
- (b) **Logical expansions outside of Industrial Parks** -
Existing areas of Light Industrial use that are located outside of planned Industrial Parks may be expanded onto contiguous land that generally abuts the same street(s). Such an expansion should not significantly increase the extent of industrial uses that are located in the vicinity and outside of Industrial Parks. Also, such an expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.
- (c) **New locations in Highway Business Centers** -
New locations of Light Industrial use should be established in Business plan areas only as integral components of planned **“Highway Business Centers” (D7)**. Such a light industrial component should be **“arterial –street-oriented” (D2)** and provide for particular higher-intensity uses that maybe desirable in in close proximity to highway business uses, such as wholesale-type businesses, self-storage mini-warehouses, etc. Such a light industrial component should be relatively small in size compared to the overall size of the business center and should be developed in keeping with the design theme of the larger center.
- (f) **Industrial Parks** - In Industrial, Future Urban, and Rural Preference plan areas, new and expanded locations of Light Industrial use should be developed as elements of planned **“Industrial Parks” (D7)**. These provisions also apply where existing Industrial Parks are expanded into adjoining non-industrial plan areas that contain undeveloped land. Such Industrial

Parks should be **“arterial-street-oriented” (D2)** and planned in modules of at least **one hundred (100) acres** in size, unless an existing Industrial Park is being expanded. Industrial Parks should be established only where sanitary sewer systems exist or may be expanded or where new systems may be properly established. Light Industrial uses should be located near the fringes of a park that includes Heavy Industrial uses, to serve as **“buffer-uses” (D1)** adjoining incompatible plan areas or land uses.

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 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 sewers, are available to the site.

Development Patterns

The subject property is an approximately 68,000 square foot vacant big box retail store zoned B-4 General Business. K-Mart previously occupied the structure until it closed in early 2017. All of the surrounding properties are zoned B-4 General Business and are various commercial uses.

The applicant proposes to use the property for indoor individual storage, U-Haul truck and trailer share/rental and related retail uses. Individual storage is not a permitted use in a B-4 zone within the corporate boundary; thus, the applicant has applied to rezone the property to I-1 Light Industrial, where individual storage is permitted within the corporate boundary. The proposal however, does not meet criteria of the Comprehensive Plan to be rezoned to the I-1 Light Industrial as it is not a logical expansion of existing light industrial zoning nor is the property located within a Highway Business Center or an Industrial Park.

With the closing of several big box stores in the community, the planning staff has recently begun the process of looking for ways to fill these vacant structures and promote infill development. Our research shows indoor individual storage is gaining popularity and may be a viable option for these vacant structures. We are currently in the process of working on a proposed text amendment to the Zoning Ordinance which would allow indoor individual storage as a Conditionally Permitted Use in a B-3 and B-4 zone to be located within those vacant big box style structures.

The following criteria would apply to conditionally permitted indoor individual storage if the proposed text amendments were to be approved:

- Indoor Individual Storage shall be limited to the adaptive reuse of an existing retail storefront of not less than 10,000 square feet in size.
- Structures to be used as indoor individual storage units shall be fully conditioned and enclosed.
- Screening and landscaping as required by Article 17 of this Zoning Ordinance.
- Outdoor storage shall be prohibited on the same property as the indoor individual storage structure(s). This shall include vehicles, boats, personal items, etc.
- All uses other than indoor individual storage shall be prohibited within structures except those which are accessory and clearly incidental to the indoor individual storage use and are permitted within the B-3 or B-4 zone. One office or caretaker's residence, which, if present, shall be directly related to the management of the individual storage units, is permitted.
- The Owner of the indoor individual storage structure(s) shall be responsible for policing the material and/or items being stored. The Owner shall notify the Zoning Administrator upon discovering any storage not meeting the requirements set forth herein, providing the name, address and phone number of the renter whose storage is in question.

This change would help promote infill development and the adaptive reuse of large, vacant store fronts which often sit vacant for extended periods because they are hard to fill with new tenants. It would allow more opportunity for those spaces to be filled with new tenants while still keeping with the character of the area as the outside of the structures would go mostly unchanged.

This proposed text amendment is not yet complete, therefore; this is not an option for this particular proposal. However, given the changes seen with stores moving out of these big box structures and the need for infill development, the planning staff feels this zoning change is appropriate since the proposed text amendments have yet to be completed.

Prior to any redevelopment of the subject 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. Any outdoor storage areas shall be screened with a six foot high continuous solid wall or fence. 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 not in compliance with the community's adopted Comprehensive Plan; however, there have been changes in community prompting the need for infill development of large, big box style

structures. While changes have yet to be made to the zoning ordinance to allow for this type of use within the current zoning classification, the staff feels the proposed zoning of I-1 would be appropriate in this particular location. It will help promote infill development and the adaptive reuse of this vacant structure. The proposed use will not change the character of the area since the outside of the structure will go mostly unchanged and still appear as a typical store front.

Planning Staff Recommendations

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

Findings of Fact:

1. Staff recommends approval because while the proposal is not in compliance with the community's adopted Comprehensive Plan there have been major changes in the community with the closing of many big box type stores in the community;
2. Based on the proposed text amendment that would allow indoor individual storage in the current zone with a Conditional Use Permit, the staff feels the proposed zoning of I-1 would be appropriate in this particular location;
3. The proposal will help promote infill development and the adaptive reuse of this vacant structure; and,
4. The proposed use will not change the character of the area since the outside of the structure will go mostly unchanged and still appear as a typical store front.