

NOVEMBER 14, 2019

1600 TRIPLETT ST

ZONE CHANGE

From: I-1 Light Industrial	
To: B-4 General Business	
Proposed Use: Entertainment/Music Venue	
Acreage: 0.41	
Applicant: A N E D, LLC; Holly Stavis (1911.2102)	
Surrounding Zoning Classifications:	
North: I-1	South: I-1
East: B-4	West: I-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Business Plan Area where general business 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 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 21059CO138 D.
- 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 sewers, are available to the site.

Development Patterns

The subject property is a 0.41 acre tract situated at the corner of Triplett Street and E 16th Street. Two large buildings occupy the majority of the property, one 10,560 square feet in size and the other 3,381 square feet. The properties to the north south and west are all zoned I-1 Light Industrial and appear to be used as such. The properties to the east, across Triplett Street, are zoned B-4 General Business and are a furniture store and two vacant gravel lots

The applicant intends to rezone the subject property in order to operate an entertainment/music venue out of the 10,560 square foot building. The parking provided on the property is to the rear along the alley and along E 16th Street, where vehicles back into the right-of-way. The parking requirement for such a use is 1 space for every 100 square feet of the building plus 1 space for every 3 employees on the maximum shift. If the entire building is utilized the applicant will be required to provide at least 105 parking spaces plus parking for employees. Currently, there is little to no parking provided on the property that meets the zoning ordinance requirements; the parking that is on the site backs into the right-of-way is not allowed by ordinance and will be required to be removed with the redevelopment of the site. The zoning ordinance does however allow required off-street parking on a separate lot with the approval of a final development approved the Owensboro Metropolitan Planning Commission and legal documentation tying the required parking to the permitted use; provided the required parking for the use is not more than 200 feet from the lot it is serving. All vehicular use areas shall be paved and required VUA screening shall be installed between any parking areas and the road right-of-way.

In the vicinity of the subject property Triplett Street is classified as a principal arterial roadway with a 60 foot building setback, 40 foot roadway buffer and 250 foot access spacing standard. There is currently an access from Triplett Street to the subject property located on the northern most edge of the property; however, it does not meet the access spacing standards. Access to the subject property shall be limited to E 16th Street and rear alley, no access to Triplett Street shall be permitted.

If approved, prior to occupancy of the property the applicant must obtain approval of a final development plan or site 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 proposed B-4 General Business zoning is a logical expansion of B-4 General Business zoning to the east across Triplett Street. The proposal is not a significant increase in general business zoning in the vicinity. If parking requirements can be met, the proposal 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 E 16th Street and the rear alley. No access to Triplett Street shall be permitted; and,
2. Parking that backs into the right-of-way along E 16th Street shall be removed.

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 Business Plan Area where general business uses are appropriate in limited locations;
3. The proposal is a logical expansion of existing B-4 General Business zoning to the east;
4. At 0.41 acres, the proposal does not significantly increase the extent of general business zoning in the vicinity; and,
5. If parking requirements can be met, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.