

AUGUST 12, 2010

507 E PARRISH AV

ZONE CHANGE

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|---|------------------------|
| From: I-1 Light Industrial | |
| To: B-4 General Business | |
| Proposed Use: Chiropractic Office | |
| Acreage: 0.511 | |
| Applicant: Aaron Clark; William A. & Patricia J. Johnson (1008.1787) | |
| Surrounding Zoning Classifications: | |
| North: I-1 | South: B-4, I-1 |
| East: P-1, I-1 | West: I-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 Map 21059CO138 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- 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 is located in an area of mixed industrial, commercial and professional/service zoning. The

applicant proposes to open a chiropractic office on the subject property which is not a permitted use within an I-1 Light Industrial zoning.

The subject property is located on a section of E Parrish Avenue that is classified as a principal arterial roadway with a 500’ driveway spacing standard, a 75’ building setback and a 50’ roadway buffer. There is an existing drive that serves the property on E Parrish Avenue that requires vehicles to back into the right-of-way which is not permitted in the zoning ordinance and does not meet the spacing standard. As a result, the existing drive shall be physically removed and replaced with a grass strip, curb and gutter and sidewalk. A permit from the Kentucky Transportation Cabinet is required prior to any work within the right-of-way. No access shall be permitted to E Parrish Avenue. Access shall be limited to Sweeney Street and the alleys only.

All vehicular use area is required to be paved and appropriate vehicular use area landscaping installed where parking areas adjoin road right-of-way. Sidewalks are present along E Parrish Avenue but not along Sweeney Street. As part of the redevelopment process, sidewalks shall be installed along Sweeney Street.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The B-4 General Business zoning is a logical expansion of existing B-4 zoning located immediately south of the subject property across E Parrish Avenue. At 0.511 acres in size, the proposed rezoning 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 condition and findings of fact that follow:

Conditions: No access shall be permitted to E Parrish Avenue. Access shall be limited to Sweeney Street and the alleys only.

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 use as a chiropractic office will be nonresidential in nature and use;
4. The proposal is a logical expansion of existing B-4 zoning located across E Parrish Avenue to the south; and,
5. At 0.511 acres of proposed B-4 zoning, the expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.