

**NOVEMBER 8, 2007**

**1711 E PARRISH AV**

## ZONE CHANGE

<b>From:</b> I-1 Light Industrial		
<b>To:</b> P-1 Professional/Service		
<b>Proposed Use:</b> Doctor's Offices		
<b>Acreage:</b> 1.51+/-		
<b>Applicant:</b> Brio, LLC; Lloyd E. Hinton (0711.1697)		
<b>Property Zone Existing Use</b>	<b>to North</b> I-1 Trucking Company	
<b>to West</b> I-1 Furniture Store	<b>Subject</b> I-1 ➔ P-1 Truck Yard	<b>to East</b> I-1 RWRA
	<b>to South</b> B-4, R-1A, R-4DT Convenience Store and Fuel Center	

## GENERAL LAND USE CRITERIA

**Apply, if marked below:**

*Described in Comprehensive Plan on pages 445-448*

### Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

### Urban Services ☒

- ☒ **U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

### Development Patterns ♦

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- ♦ **D3** Intersection & Driveway Spacing
- ♦ **D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ♦ **D7** Non-Residential Development
- D8** Building Quality

## Proposed Zone & Land Use Plan

The applicant is seeking a P-1 Professional/Service zone. The subject property is located in an Industrial Plan Area where professional/service uses are appropriate in limited locations.

## SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns** should conform to the criteria for “**Nonresidential Development.**”
- (b) **Logical expansions** - Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). An existing area of general business zone may be used as criteria to support a Professional/Service use as a logical expansion since the general business zone permits all uses within the Professional/Service use category. If the contiguous land is located across an intervening street, the expansion should be at least one (1) acre in size, unless it would serve as a “buffer-use” (D1). An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.
- (d) **New locations** - New locations of Professional/Service use should be “major-street oriented” (D2). Also, other than in Rural Community plan areas, a new location should be at least one (1) acre in size unless it would serve as a “buffer-use” (D1).
- (e) **New locations in industrial areas** - If new locations of Professional/Service use are established in Industrial plan areas, they should be sited on the fringes of such areas where they would serve as “buffer-uses” (D1). New locations may also serve the same buffer function as part of a planned “industrial Park” (D7).

## Applicant's Findings

The Comprehensive Plan recommends Professional/Service land use as appropriate in limited locations for this site. Applicant proposes to construct and operate a physician's office and related health care facility at this site.

The surrounding neighborhood is a mixed-use area of professional, commercial, residential and retail. Subject tract is a new location along a major arterial experiencing continuing professional site development. Lot size is greater than one-acre and as so is, obviously non-residential in shape, size and character.

The site is major street-oriented, being situated along E Parrish Avenue. The site is on the southern fringe of

existing industrial land use and located in close proximity to at least two residential neighborhoods as well as a nursing home. The proposed use will provide buffering to residences.

All urban services are available to the site.

Within the E Parrish Avenue corridor, situated between Leitchfield Road and the bypass is another proposed doctor's office, a dialysis center and a nephrology facility. Additionally, two public agencies are situated along said corridor, an Owensboro Fire Department station and the RWRA operations/engineering center.

## Planning Staff Review

The subject property is located in the 1701 block of E Parrish Avenue. Land use criteria applicable to this proposal are reviewed below.

### GENERAL LAND USE CRITERIA

#### Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is not located in a special flood hazard area per FIRM Map 21059CO140 C. Based on the preliminary FIRM maps dated July 7, 2007, the subject property is not located in a special flood hazard area per map 21059CO139 D. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

#### 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, residential, and commercial land uses. The property to the north east and west is zoned I-1 Light Industrial. The property to the south is zoned B-4 General Business, R-1A Single-Family Residential and R-4DT Inner-City Residential. Land uses in the vicinity include a furniture store, trucking yard, RWRA facility and convenience fuel center.

The applicant proposes to construct a doctor's office on the subject property if the rezoning is approved. At present, the site is used as a truck yard. The site has an existing access to E Parrish Avenue and an existing access to Wing Avenue. In vicinity of the subject properties, East Parrish Avenue is classified as a principal arterial roadway with a spacing standard of 500 feet for access points. Since the access spacing cannot be met along E Parrish Avenue, the existing access point shall be closed. Access shall be limited to Wing Avenue only.

### SPECIFIC LAND USE CRITERIA

The proposed rezoning is in compliance with the adopted Comprehensive Plan. The use of the property will be nonresidential use. Although not contiguous to Professional/Service zoning, the proposal meets all criteria for expansions across an intervening street and a new location. There is B-4 General Business zoning to the south across E Parrish Avenue which can be used as criteria for a logical expansion for professional/service uses. The subject property is also over one acre in size and is sited at the fringe of the adjoining industrial area and will serve as a buffer use. With frontage on E Parrish Avenue, the criterion for major street orientation is met.

## Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The condition and findings of fact that support this recommendation include the following:

**Condition:** The existing access to E Parrish Avenue shall be closed and access shall be limited to Wing Avenue.

#### Findings of Fact:

1. The subject property is located in an Industrial Plan Area where professional/service uses are appropriate in limited locations;
2. The character and use of the property will be nonresidential;
3. The proposed professional/service use will serve as a buffer of the adjoining industrial uses and is located on the fringes of the industrial use;
4. The subject property is major-street oriented with frontage on E Parrish Avenue;
5. The property is over one acre in size; and,
6. With no access to E Parrish Avenue, the rezoning should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.