

OCTOBER 9, 2014

518 ELM ST

ZONE CHANGE

From: R-1T Townhouse	
To: B-4 General Business	
Proposed Use:	Parking Lot
Acreage:	0.100
Applicant:	Audubon Area Community Services, Inc. (1410.1912)
Surrounding Zoning Classifications:	
North: B-4	South: R-1T
East: R-4DT	West: R-1T

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject property is located in a Central Residential 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 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 sewer, are available to the site.

Development Patterns

The subject property is currently vacant. The applicant also owns the property directly north of the subject property, across the alley, which is the West End Day Care facility. The remaining uses in the vicinity are residential.

The applicant proposes to use the subject property as a parking lot as additional parking for the day care immediately north, across the alley.

The zoning ordinance requires a 10 foot landscape easement along the southern property boundary where the subject property adjoins residential property with one tree every 40 linear feet and a continuous 6 foot high element. Vehicular use area screening consisting of a 3 foot easement with one tree every 40 linear feet and a continuous 3 foot high element is also required where the vehicular use area adjoins the public right-of-way along the north and east boundaries of the vehicular use area.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as a parking lot conforms to the criteria for nonresidential development. The proposed B-4 General Business zoning is a logical expansion of B-4 General Business zoning to the north. The proposal is not a significant increase in general business zoning in the vicinity and 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 findings of fact that follow:

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 a Central Residential Plan Area where general business uses are appropriate in limited locations;
3. The proposed use as a parking lot conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-4 General Business zoning to the north; and,
5. At 0.100 acres, the proposal does not significantly increase the extent general business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.