



NOVEMBER 12, 2015

**2416, 2418, 2424, 2426, 2428, 2430 & 2440
SAINT ANN ST; 200 & 214 W. 24TH ST**

ZONE CHANGE

From: R-1C Single-Family Residential	
To: P-1 Professional/Service	
Proposed Use: Bank Office	
Acreage: 1.131 acres	
Applicant: Independence Bancshares, Inc. & Independence Bank of Kentucky, Inc. (1511.1937)	
Surrounding Zoning Classifications:	
North: R-4DT	South: B-4 & R-1B
East: R-1C	West: P-1

Proposed Zone & Land Use Plan

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

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns** Building and lot patterns should conform to the criteria for “**Nonresidential Development**” (D7).
- (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. An expansion of this use 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 Maps 21059CO138D.
- 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 consists of eight residentially zoned and used parcels totaling 1.131 acres. The subject properties make up the block on the western side of Saint

Ann Street between W. 24th Street and W. 25th Street. Each of the eight parcels currently has a residential structure on it.

The applicant, Independence Bancshares, Inc. & Independence Bank of Kentucky, Inc., proposes to demolish the eight residential structures, consolidate the eight parcels into one parcel, and construct a new office building and parking lot to be associated with their current bank facility located adjacent to these properties at 2425 Frederica Street.

These properties are surrounded by a variety of existing land uses. To the west is Independence Bank, zoned P-1. To the north across W. 24th Street is a vacant R-4DT zoned parcel. To the east across Saint Ann Street is a block of single-family residential properties, zoned R-1C. To the south across W. 25th Street is the Owensboro Health Business Center, zoned B-4 as well as a single-family residential property, zoned R-1B.

Access to these redeveloped properties will be through the adjacent Independence Bank property which already has access to Frederica Street, W. 24th Street and W. 25th Street. No new access will be allowed to these properties from Saint Ann Street, W. 24th Street or W. 25th Street.

Proposed vehicular use areas that are adjacent to residential areas or public rights-of-way will be required to be screened in compliance with the Owensboro Metropolitan Zoning Ordinance. Due to the proximity of existing dwellings, all lighting shall be directed away from the residences.

Prior to redevelopment of the properties a minor subdivision plat consolidating the eight parcels into one parcel must be submitted and approved by OMPC staff.

Requirements related to landscaping, parking, signage, building setbacks, roadway buffers, drainage and access to the site will be reviewed by OMPC staff during the required development plan review process prior to any permits being issued.

Prior to formally filing this rezoning application the applicant met with area residents and proposes to provide additional landscaping and screening to help alleviate some of the residents' concerns. Conditions of approval #2-4 have been added to help address these issues and the applicant is agreeable to the proposed language.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed professional/service use conforms to the criteria for non-residential development. The proposal is a logical expansion of existing P-1 zoning to the west. At 1.131 acres, the proposal is not a significant increase in P-1 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 conditions and findings of fact that follow:

Conditions:

1. Access to the site shall be through the adjacent Independence Bank property located at 2425 Frederica Street. No additional access to the site will be granted from Saint Ann Street, W. 24th Street or W. 25th Street.
2. The applicant agrees to exceed the minimum landscaping requirements of the zoning ordinance in regards to the amount of plants required, the size of plants at time of installation and the maintenance of plants. Landscape design shall be similar to landscape plan attached to this report
3. The applicant agrees to construct an 8' tall brick wall surrounding any proposed parking areas. Wall shall be similar in design to the exhibit attached to this report.
4. All lighting shall be directed away from nearby residential properties.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with community's adopted Comprehensive Plan;
2. The subject property is located in an Urban Residential Plan Area, where professional/service uses are appropriate in limited locations;
3. The use of the subject property as professional/services will be non-residential in nature;
4. The proposal is a logical expansion of existing P-1 zoning to the west; and
5. At 1.131 acres, the proposal is not a significant increase in P-1 zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area since no new access to W. 24th Street, W. 25th Street and Saint Ann Street will be permitted.