

JULY 14, 2018

606 CENTER ST

ZONE CHANGE

From: R-4DT Inner City Residential	
To: P-1 Professional/Service	
Proposed Use:	Maintenance Garage
Acreage:	0.243
Applicant:	Wendell Foster Campus for Developmental Disabilities, Inc. (1806.2046)
Surrounding Zoning Classifications:	
North: R-4DT	South: P-1
East: R-4DT	West: R-4DT

Proposed Zone & Land Use Plan

The applicant is seeking a P-1 Professional/Service zone. The subject property is located in a Central 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 the 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.

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 21059CO138D.
- It appears that the subject property is located 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 are available to the subject property, including sanitary sewer service.

Development Patterns

The subject property is a vacant 0.243 acre tract that was recently created by consolidating four separate tracts into one. The residential structures on the properties were recently demolished. The properties to the immediate south are the Wendell Foster Campus for Developmental Disabilities, Inc. properties, owned by the applicant and also zoned P-1 Professional/Service. The properties to the immediate west are zoned R-4DT Inner-City Residential and appear to be residential in use. The properties to the north and to the east, across East 6th Street and across Center Street, are zoned R-4DT Inner-City Residential and appear to be residential in nature.

The applicant intends to rezone the property to P-1 Professional/Service in order to utilize the property for a maintenance garage. The maintenance garage will be an accessory use to the Wendell Foster Campus for Disabilities, Inc. There is an approved Final Development Plan for the campus that shall be updated to include the new maintenance garage.

Neither, Center Street nor East 6th Street, are classified roadways in this vicinity. Access to the site shall not exceed 40% of the frontage along East 6th Street or Center Street, and shall be located at least 50 feet from the right-of-way line from all intersecting streets.

All vehicular use areas shall be screened from the neighboring residentially zoned properties as well as the road right-of-way with a 3 foot wide landscaping easement, a 3 foot tall continuous element and 1 tree every 40 feet of the vehicular use area boundary.

Prior to any construction activity on the property the applicant must obtain approval of an amended development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

Since the subject property is located within the Owensboro Wellhead Protection area, according to OMU, if the property will have or produce anything that can contaminate the soil then they must have a wellhead protection plan. OMU should be contacted regarding such a plan.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The redevelopment of the subject properties will be nonresidential in nature. The P-1 Professional/Service zoning is a logical expansion of the P-1 zoning to the immediate south. At 0.243 acres, the 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 conditions and findings of fact that follow:

Conditions:

1. Approval of an amended development plan; and

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 professional/service uses are appropriate in limited locations;
3. The proposed use will be nonresidential in nature;
4. The proposed P-1 zoning is a logical expansion of the existing P-1 zoning to the immediate south; and
5. At 0.243 acres, the expansion should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.