

JULY 14, 2018

217 W. 24TH ST

ZONE CHANGE

From: R-4DT Inner City Residential	
To: P-1 Professional/Service	
Proposed Use:	Church
Acreage:	0.330
Applicant:	Buena Vista Baptist Church (1806.2050)
Surrounding Zoning Classifications:	
North: P-1	South: P-1
East: P-1	West: B-4

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 not 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 0.330 acre tract. The properties to the immediate north and east are the Buena Vista Baptist Church properties, owned by the applicant and also zoned P-1 Professional/Service. The properties to the south, across West 24th Street, are zoned P-1 Professional/Service and are the new Independence Bank Operation Center and bank parking. The properties to the west are zoned B-4 General Business and are a realty office and an abandoned gas station.

The applicant intends to rezone the property to P-1 Professional/Service in order to utilize the property for church uses in conjunction with the neighboring church, Buena Vista Baptist Church.

West 24th Street in this vicinity is classified as a major collector roadway with a 60 foot building setback, 30 foot roadway buffer and 250 foot access spacing standard. The subject property currently does not have access to West 24th Street. Access to the property shall be limited to alleys along the west and north property boundaries as no direct access to West 24th Street shall be permitted.

All vehicular use areas shall be screened from 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 a site plan or a 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.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The redevelopment of the subject property will be nonresidential in nature. The P-1 Professional/Service zoning is a logical expansion of the P-1 zoning to the immediate north, east, and south. With access limited to the alleys only, the proposal 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 shall be limited to the alleys only, with no direct access to W. 24th Street; and
2. Approval of a site plan or a final development plan.

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 north, east, and south; and
5. With access limited to the alleys only, the proposal should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.