

**FEBRUARY 13, 2020**

**1506 DEAN AVENUE**

**ZONE CHANGE**

<b>From:</b>	R-1A Single Family Residential
<b>To:</b>	<b>P-1 Professional/ Service</b>
<b>Proposed Use:</b>	School
<b>Acreage:</b>	0.397
<b>Applicant:</b>	Owensboro Catholic High School; Patrick D. Pace, Executor of the Estate of John P. Pace, Jr. (2002.2111)
<b>Surrounding Zoning Classifications:</b>	
<b>North: P-1</b>	<b>South: R-3MF</b>
<b>East: R-1A</b>	<b>West: P-1</b>

**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 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 21059CO119 D.
- 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, including sanitary sewers, are available to the subject property.

**Development Patterns**

The subject property is a residential lot that is less than half-an-acre in size and is located on Dean Avenue between W. Parrish Avenue and the existing Owensboro Catholic High School access drive known as Taylor Avenue.

This property, and much of Dean Avenue, is zoned R-1A Single Family Residential. The neighboring property to the north, located at the intersection of W. Parrish Avenue and Dean Avenue, was rezoned to P-1 Professional/Service following the December 2019 OMPC meeting. Meanwhile, the adjoining property to the rear of the subject property is Owensboro Catholic High School, which is also zoned P-1 Professional/Service. The applicant proposes to rezone the subject property to P-1 Professional/Service in order to consolidate the subject property with the High School's property.

Dean Avenue is a predominantly residential street without any known commercial activity in the immediate vicinity. As stated within the Specific Land Use Criteria portion of this staff report, the proposal shall conform to the criteria for Non-Residential Development (D7); which states that expansions of nonresidential uses on lots that were originally developed for residential purposes shall be allowed with due consideration given regarding the established lot patterns throughout the neighborhood.

With that being said, the expansion of the existing school should not alter the essential character of the general vicinity; however, other potential commercial uses may. In order to ensure that the established lot patterns throughout the neighborhood are protected, it is recommended that the subject property shall be consolidated to the school's property by way of a minor subdivision plat. Additionally, because this is a residential street without commercial traffic (excluding the school's traffic for limited times in the mornings and afternoons), it is also recommended that access to Owensboro Catholic High School coming from Dean Avenue shall be limited to the existing single-access point known as Taylor Avenue.

Any future changes to the property would have to comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. Before any construction activity takes place on the property, the OMPC Building, Electrical and HVAC department shall be contacted regarding any necessary permits, inspections and certificates of occupancy and compliance.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use of a school is non-residential nature and the proposed P-1 Professional/Service zone is a logical expansion of the P-1 zone to the north and west. With access from Dean Avenue being limited to the existing single-access point along Taylor Avenue, the proposal to expand the P-1 zoning onto the 0.397 acre property 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. The subject property shall be consolidated with the Owensboro Catholic High School property by way of a Minor Subdivision Plat; and
2. Access to Owensboro Catholic High School from Dean Avenue shall remain limited to the existing single-access point known as Taylor Avenue.

**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 an Urban Residential Plan Area, where professional/service uses are appropriate in limited locations;
3. The proposed use, a school, is non-residential in nature;
4. The proposed P-1 Professional/Service zone is a logical expansion of the P-1 zone on the adjoining properties to the north and west; and
5. With access from Dean Avenue being limited to the existing single-access point along Taylor Avenue, the proposal to expand the P-1 zoning onto the 0.397 acre property should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.