

**AUGUST 8, 2002**

**PORTION 1800 W 4<sup>TH</sup> ST , 1721 W 5<sup>TH</sup> ST**

## ZONE CHANGE

**From:** R-4DT Inner-City Residential

**To:** **P-1 Professional/Service**

**Acreage:** 0.42 acres

**Applicant:** Audubon Area Community Services, Inc (0208.1490)

<b>Property Zone Existing Use</b>	<b>to North</b> P-1, R-DT Audubon Area Community Services, Residential	
<b>to West</b> P-1 Audubon Area Community Services	<b>Subject</b> R-4DT → P-1 Vacant	<b>to East</b> R-4DT Residential
	<b>to South</b> P-1, R-4DT Audubon Area Community Services	

## GENERAL LAND USE CRITERIA





**Apply, if marked below:**

*Described in Comprehensive Plan on pages 445-448*

### Environmental

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

### Urban Services

- U1** Roadway Capacity
-  **U2** Electricity Supply
-  **U3** Water Supply
-  **U4** Stormwater Disposal
-  **U5** Sanitary Sewage Disposal

### Development Patterns

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
-  **D3** Intersection & Driveway Spacing
-  **D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
-  **D7** Non-Residential Development
- D8** Building Quality

## 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, where professional/service uses are appropriate in limited locations.

## SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns** should conform to the criteria for “**Non-residential Development**” (D7).
- (b) **Logical expansions** – Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

## Applicant's Findings

We find that this request is in compliance with the Comprehensive Plan. And we contend that this request for rezoning the two designated parcels of property represent a logical expansion of an existing P-1 Professional/Service zone

## Planning Staff Review

The subject property is located in the 1701 and 1801 blocks of W 5<sup>th</sup> St. The portion of property that has frontage in the 1801 block of W 5<sup>th</sup> St is the southeast portion of a larger tract that contains property bounded by W 5<sup>th</sup> St on the south, Hale Av on the west, W 5<sup>th</sup> St on the north and a 25-foot alley on the east. Land use criteria applicable to this proposal are reviewed below.

## GENERAL LAND USE CRITERIA

### Environment

No important environmental criteria apply to the subject property.

### Urban Services

All urban services are available to the site, including sanitary sewer.

### Development Patterns

The subject property consists of a lot located at 1721 W 5<sup>th</sup> St and a portion of 1800 W 4<sup>th</sup> that fronts on W 5<sup>th</sup> St. The property located at 1800 W 4<sup>th</sup> St is zoned P-1 Professional/Service, with the exception of the southeast

corner that is included in this rezoning application for consideration of a P-1 Professional Service zone. The subject property is located adjacent to a Professional/Service Plan Area and zone. Property to the south of the subject property is zoned R-4DT and P-1 and is in use as single-family residences and Audubon Area Community Services. Property to the north of the subject property is zoned P-1 and R-4DT and is in use as single-family residences and Audubon Area Community Services. Property to the west is zoned P-1 and is used by Audubon Area Community Services. Property to the east of the subject property is zoned R-4DT and is used for single-family residences. The portion of the subject property located at 1721 W 5<sup>th</sup> St contains a single-family residence that is proposed to be reused for an office building upon completion of remodeling. The access to the existing home on the property is from the 25-foot wide alley running between the two portions of the subject property. Paved off-street parking is required at the rate of one space for every 400 square feet of office space. The vehicular use area shall be screened from the adjoining residential property with a minimum of a 3-foot high continuous planting, hedge fence or wall and 1 tree per 40 feet of linear boundary of the vehicular use area within landscape easement that has a minimum width of 3 feet.

#### **Intersection & Driveway Spacing**

W 5<sup>th</sup> St is classified as a minor arterial with a spacing standard of 500 feet between access points for new development. The subject property is currently served by an access point from a 25-foot public alley. No additional access points should be permitted on W 5<sup>th</sup> St.

#### **SPECIFIC LAND USE CRITERIA**

Extending the P-1 Professional/Service zone to include the subject property would be a logical expansion of P-1 zoning and professional/service use in the vicinity. Audubon Area Community Services operates two facilities that are both zoned P-1 to the west and to the south across W 5<sup>th</sup> St. The expansion of this zone to include the subject property would not significantly increase the extent of the P-1 zone already located in the immediate vicinity. Limited expansions of non-residential uses and areas should be accommodated where they reasonably satisfy a set of logical expansion criteria. The expansion of P-1 zoning would not overburden the capacity of the existing roadway.

#### **Planning Staff Recommendations**

Staff recommends approval because the proposal is in compliance with the adopted Comprehensive Plan. This recommendation is made subject to the conditions and findings of fact that follow:

##### **Conditions:**

1. Access to the subject property shall be limited to the 25-foot wide public alley with no additional access permitted to W 5<sup>th</sup> St;
2. Paved off-street parking shall be provided in accordance with the Owensboro Metropolitan Zoning Ordinance; and,
3. Vehicular use areas shall be screened from adjacent residentially zoned properties with a minimum of a 3-foot high continuous element and one tree per 40 linear feet of vehicular use area boundary.

##### **Findings of Fact:**

1. The subject property is located in a Central Residential Plan Area, where professional/service uses are appropriate in limited locations;
2. The subject property adjoins an existing P-1 Professional/Service Plan Area and P-1 zone to the west;
3. The subject property is contiguous to P-1 Professional/Service zoning and use to the south across W 5<sup>th</sup> St; and
4. The applicant's request is a logical expansion of existing P-1 zoning and professional/service uses in the immediate vicinity, will not significantly increase the extent of the P-1 zone in the area, and will not overburden the capacity of the roadways and other necessary urban services that are available in the affected area.