

**OCTOBER 9, 2003**

**1801 FREDERICA ST**

## ZONE CHANGE

<b>From:</b> R-4DT Inner-City Residential		
<b>To:</b> P-1 Professional/Service		
<b>Acreage:</b> 0.22 acres		
<b>Applicant:</b> JMN Ventures, LLC (0310.1534)		
<b>Property Zone Existing Use</b>	<b>to North</b> B-4 Office building	
<b>to West</b> P-1 Owensboro High School	<b>Subject</b> R-4DT → P-1 Single-family residence	<b>to East</b> R-4DT Single-family residence
	<b>to South</b> R-4DT Single-family residence	

## 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 Area, 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). 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.
- (d) **New locations** of professional/service use should be “**major-street oriented**” (D2). Also, a new location should be at least **one (1) acre** in size unless it would serve as a “**buffer use**” (D1).

## Applicant's Findings

The Comprehensive Plan recommends a professional/services use for this site. Subject tract will serve as a buffer between the existing General Business one situated on the north side of W 18<sup>th</sup> St and the existing residential lots southward of the site.

The site exists in a mixed-use neighborhood of residential, commercial and professional/service zones extending from Griffith Av to W 20<sup>th</sup> St. A current P-1 zone (Owensboro High School site) exists immediately adjacent to and west of the subject property. This rezoning is a logical expansion of the current P-1 zone at the OHS property. Recently, the office complex site located along the east side of Frederica St between W 19<sup>th</sup> St and W 20<sup>th</sup> St was rezoned to a Professional/Service classification. Rezoning the subject lot will result in a “limited” expansion within the residential neighborhood.

The site is “major-street oriented”, being situated at the southeast corner of the Frederica St/W 18<sup>th</sup> St intersection. All urban services exist at the site.

## Planning Staff Review

The subject property is located in the 1801 block of Frederica on the southeast corner at the intersection of Frederica and W 18<sup>th</sup> St.

### GENERAL LAND USE CRITERIA

#### Environment

No important environmental criteria apply to the subject property.

#### Urban Services

All urban services are available to the site.

#### Development Patterns

The subject property is located at the intersection of W 18<sup>th</sup> St and Frederica St. Property across Frederica St to the west is zoned P-1 and is occupied by Owensboro High School. Property to the north across W 18<sup>th</sup> St is zoned B-4 General Business and is used for offices. Properties to the east and south are zoned R-4DT and contain sound single-family residences. Paved parking must be provided on the subject property to accommodate the proposed use of professional/service. Vehicular use areas on the subject property must be buffered with a continuous 3-foot high planting, hedge, fence or wall and one tree per 40 linear feet of VUA boundary between the VUA and right-of-way and between the VUA and adjacent residential properties.

#### Intersection & Driveway Spacing

Frederica St is classified as a principal arterial with access spacing for new development of 500 feet. The subject property currently has access from W 18<sup>th</sup> St, a major collector. Access should be limited to the alley intersecting with W 18<sup>th</sup> St at the rear of the property. The other existing access point onto W 18<sup>th</sup> St should be closed.

#### Roadway Buffer Standards

A roadway buffer of 60 feet from the street centerline is applicable along Frederica St. No parking is allowable within the required roadway buffer. A roadway buffer of 30 feet from the street centerline is applicable along W 18<sup>th</sup> St. No parking or required landscaping is allowable within the required roadway buffer.

### SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The request is a logical expansion of existing P-1 Professional/Service zoning to the west

(Owensboro High School) Although not one acre in size, the subject property would serve as a buffer use between the B-4 General Business zoning to the north and the R-4DT zoning to the south. Expansion of the Professional/Service zone in this area should not overburden the capacity of roadways and other necessary urban services that are available. The subject property would also qualify under the criteria for new locations of P-1 Professional/Service because it is major-street oriented and will act as a buffer use between R-4DT and B-4.

## Planning Staff Recommendations

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

#### Conditions:

1. No direct access on Frederica St or W 18<sup>th</sup> St. The existing direct access point on W 18<sup>th</sup> St shall be closed. Access shall be limited to the existing alley that intersects with W 18<sup>th</sup> St.
2. Paved off-street parking shall be provided in accordance with the requirements of the Owensboro Metropolitan Zoning Ordinance;
3. Vehicular use areas must be screened from public right-of-way and from adjacent residential properties with a minimum 3-foot high continuous element and one tree per 40 feet of boundary; and,
4. A roadway buffer of 30 feet from the street centerline on W 18<sup>th</sup> St and 60 feet from the street centerline on Frederica St shall be maintained.

#### 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 applicant's request is a logical expansion of the existing P-1 Professional/Service zone and use to the west across Frederica St;
3. The subject property will serve as a buffer use between the B-4 General Business zone to the north across W 18<sup>th</sup> St and the R-4DT Inner-City Residential zone to the south; and,
4. The expansion of the P-1 Professional/service zone will not overburden the capacity of roadways and other necessary urban services that are available in the affected area.