



JANUARY 12, 2006

**802, 808, 810, 812, 814, 816 W 4TH ST
410 ELM ST**

ZONE CHANGE

From: R-4DT Inner-City Residential		
To: B-4 General Business		
Proposed Use: Outdoor Recreation Facility, Community Center		
Acreage: 0.565 acres		
Applicant: H.L. Neblett Community Center, Inc. (0601.1623)		
Property Zone Existing Use	to North R-4DT, B-4 Church, Residential, Parking Lot	
	to West B-4 Neblett Center	to East R-4DT, B-4 Vacant
	Subject R-4DT → B-4 Vacant	
	to South B-4 Neblett Center	

**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 B-4 General Business zone. The subject property is located in a Business/Industrial Plan Area, where general business uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – Building and lot patterns should conform to the criteria for “Nonresidential Development,” and outdoor storage yards, with “Buffers for Outdoor Storage Yards.”

Applicant's Findings

The subject property is located in a Business/Industrial Plan Area where general business uses are appropriate in general locations.

The applicant is presently replacing the existing H.L. Neblett Community Center with a new multi-purpose building as previously approved by the OMPC. The applicant has since acquired the remaining parcels within the block fronting along West Fourth Street and Elm Street and proposes to install outdoor recreational facilities as shown on the revised site plan for the property. Rezoning of the subject property will allow consolidation of the various lots with the existing Neblett Center property.

Applicable land use criterion:

Building and lot patterns - should conform to the criteria for “Nonresidential Development.”

The proposed rezoning is a limited expansion of existing nonresidential use.

The proposed rezoning meets the applicable criterion as set forth in the Comprehensive Land Use Plan.

Planning Staff Review

The subject property is located in the 800 block of W 4th Street and the 400 block of Elm Street. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is located in a special

flood hazard area per FIRM Map 21059CO140 C. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

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

Development Patterns

The subject property is the remainder of the block that is currently occupied by the H.L. Neblett Community Center and is bound by various commercial and residential zonings. All structures that occupied the subject property have been razed. The conceptual site plan submitted with the rezoning application indicates the use of the subject property to be an outdoor recreational area for the community center.

According to the submitted plan, access to the center has not changed since the previous rezoning was submitted and approved by the OMPC in April 2005. No access is proposed to W 4th Street which is classified as a principal arterial roadway in the vicinity of the subject property with a spacing standard of 500 feet. No access shall be permitted to W 4th Street. A 40 foot roadway buffer existing along this portion of W 4th Street and shall remain open and free of obstructions.

SPECIFIC LAND USE CRITERIA

The subject property will be used for a nonresidential use. The rest of the block is currently zoned B-4 and owned by the H.L. Neblett Community Center, Inc.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The conditions and findings of fact that support this recommendation include the following:

Conditions:

1. No access shall be permitted to W 4th Street. Access shall be from Elm Street and Poplar Streets only; and,

2. A consolidation plat shall be submitted and approved to consolidate the subject property to the H.L. Neblett Center property.

Findings of Fact:

1. The subject property is located in a Business/Industrial Plan Area, where general business uses are appropriate in general locations;
2. Development of the subject property will be nonresidential in character; and,
3. The proposed land use for the subject property is in compliance with the criteria for a Business/Industrial Plan Area and a B-4 General Business zoning classification.