

**APRIL 11, 2002**

**715, 717, 719, 801 E 9<sup>TH</sup> ST**

**ZONE CHANGE**

**From:** B-4 General Business

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

**Acreage:** 1.342 acres

**Applicant:** Wendell Foster Center (0204.1474)

<b>Property Zone Existing Use</b>	<b>to North</b> P-1 Wendell Foster Center	
<b>to West</b> P-1 Wendell Foster Center	<b>Subject</b> B-4 → P-1 Parking, single family residence	<b>to East</b> P-1 Wendell Foster Center
	<b>to South</b> P-1 Owensboro mercy Health System	

**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 Professional/Service zone. The subject property is located in a Professional/Service Plan Area, where professional/service uses are appropriate in general locations.

**SPECIFIC LAND USE CRITERIA**

(a) **Building and lot patterns** should conform to the criteria for “**Nonresidential development**” (D7).

**Applicant's Findings**

The subject property is located in a Professional/Service Plan Area where professional and service land uses are appropriate in general locations. The property consists of 5 individual residential parcels plus a previously closed alley which is bounded to the west, north and east by existing P-1 zoning which is currently owned by the Wendell Foster Center. Property to the South is owned by Mercy Health System and also zoned P-1 and used for Professional Service.

This rezoning is needed to allow the Wendell Foster Center to reconstruct that portion of the main campus to eliminate several older buildings and irregular shaped parking areas and replace same with a newly constructed parking lot with ample space and uniformed grading.

The proposed rezoning is a logical expansion of existing P-1 zoning and use and in compliance with the adopted Comprehensive Land Use Plan.

**Planning Staff Review**

The subject property is located in the 701 block of E 9<sup>th</sup> St. 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.

**Development Patterns**

The subject property is bordered on the north, west and east by P-1 Professional/Service zone and use. The applicant proposes to use the property for additional parking for the existing Wendell Foster Center that surrounds the subject property. Several lots are to be consolidated to the existing Wendell Foster property, some buildings are to be removed and new parking is to be added. A final development plan has been submitted for approval. A conditional use permit will need to be approved for any changes in the services to be provided on the entire site or for changes to facilities on the site.

**Intersection & Driveway Spacing**

E 9<sup>th</sup> St is classified as a minor arterial roadway with a spacing standard of 500 feet between driveway access points for new development. There are currently two existing driveway access points on the subject property, and a total of four existing access points along the Wendell Foster Center's E 9<sup>th</sup> St frontage. The two existing access points within the subject property boundaries formerly accessed a public alley and a public street (Pearl St). Both right-of-ways were closed by ordinance in July of 2000. Access points to the Wendell Foster property should be limited to one access point on E 9<sup>th</sup> St, not to exceed 40 feet in width at the property line.

**Roadway Buffer Standards**

A 40-foot roadway buffer applies to E 9<sup>th</sup> St. No parking or required landscaping can be located within the roadway buffer. The final development plan submitted for approval identifies this roadway buffer and locates parking and landscaping outside of the roadway buffer.

**SPECIFIC LAND USE CRITERIA**

The demolition of two existing residences and the expansion of the parking lot for the Wendell Foster Center is in keeping with the Comprehensive Plan. The property is located in an area where existing professional/service uses and zones are prevalent and appropriate. A final development plan has been submitted to include the subject property within the Wendell Foster Center property boundaries, showing it to be a logical expansion serving the existing Professional/Service use.

**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. The subject property shall be consolidated to the existing Wendell Foster property; and,
2. Access points shall be limited to one access point along the E 9<sup>th</sup> St frontage.

**Findings:**

1. The subject property is located within a Professional/Service Plan Area, where professional/service uses are appropriate in general locations;
2. The subject property adjoins P-1 Professional/Service zones and uses to the north, east, south and west; and,
3. Additional parking for the Wendell Foster Center is a logical expansion of the existing P-1 Professional/Service zone and use.