

**JUNE 12, 2003**

**216 W 24<sup>TH</sup> ST, REAR PORTION OF  
2416/2418 & 2424 SAINT ANN ST**

**ZONE CHANGE**

<b>From:</b> R-1C Single-Family Residential		
<b>To:</b> P-1 Professional Service		
<b>Acreage:</b> 0.289 acres		
<b>Applicant:</b> Independence Bank of Kentucky, Inc. (0306.1518)		
<b>Property Zone Existing Use</b>	<b>to North</b> B-4, R-1C Service station, residential	
<b>to West</b> P-1 Future bank	<b>Subject</b> R-1C ⇄ P-1 Vacant	<b>to East</b> R-1C Residences
	<b>to South</b> P-1 Future bank	

**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 an Urban 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). 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**

The OMPC recommended and the Owensboro City Commission rezoned approximately two acres of adjoining property to Professional/Service (P-1) in the summer of 2002. The property included in this current zoning change request will be consolidated with the previously approved Professional/Service zone to provide a more regularly shaped lot to provide additional parking and landscaping for the site.

The subject tracts are situated in a mixed-use neighborhood consisting primarily of an Urban Residential Plan Area and a Business Plan Area. The Comprehensive Plan recommends Professional/Service land use in limited locations within an Urban Residential Plan area. The rezoning proposal is in compliance with the adopted Comprehensive Plan.

The rezoning will provide an additional buffer between the residential neighborhood and the general business situated to the west.

The ultimate site is major-street-oriented. An amended development plan has been submitted which includes access point location providing additional storage east of Frederica St on W 24<sup>th</sup> St. All urban services are available to serve the site.

**Planning Staff Review**

The subject property is located in the 200 block of W 24<sup>th</sup> St and the 2400 block of Saint Ann St. Land use criteria applicable to this request 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 sewers.

**Development Patterns**

The subject property consists of a lot where a residential house has been demolished and the rear portion of two residential lots that face Saint Ann St. The subject property adjoins the lot at 2425 Frederica St that was rezoned to P-1 Professional/Service in July 2002. A development plan was approved for property located at 2425 Frederica St for the construction of a new bank building for Independence Bank. A revised development plan has been submitted that includes the subject property within the proposed development plan. A consolidation plat has also been submitted, which would sever the back portions of 2416/2418 and 2424 Saint Ann St and consolidate those pieces and 216 W 24<sup>th</sup> St to 2425 Frederica St. The remaining portions of 2416/2418 and 2424 Saint Ann St will meet the square footage requirements for lots in the R-1C zone and will retain the R-1C Single-Family zoning classification.

Properties across W 24<sup>th</sup> St from the subject property are zoned B-4 and R-1C and include single-family residences and a service station. Property to the east of the subject property is zoned R-1C and contains residential property. Property to the south and west of the subject property is zoned P-1 Professional/Service and is the property that Independence Bank is currently developing as a bank under its approved development plan as a bank.

**Intersection & Driveway Spacing**

W 24<sup>th</sup> St is a minor arterial roadway. The previously approved development plan proposed the closing of several existing access points, resulting in one access point each on Frederica St, W 24<sup>th</sup> St, and W 25<sup>th</sup> St. With the addition of the subject property to the overall development, the access point on W 24<sup>th</sup> St is proposed to be relocated to the east, farther from the W 24<sup>th</sup> St and Frederica St intersection resulting in a safer access point.

**Roadway Buffer Standards**

As a planned future one-way street, W 24<sup>th</sup> St requires a 30-foot roadway buffer from the street centerline. No parking or landscaping can occur within this buffer. In this

case, the buffer requirement is met within the right-of-way of W 24<sup>th</sup> St.

**SPECIFIC LAND USE CRITERIA**

The change in zoning of 2425 Frederica St from B-4 to P-1 in July of 2002 established a new Professional/Service zone in the vicinity. The request to rezone the subject property from R-1C to P-1 is a logical extension of the P-1 zoning existing in the vicinity and will become a part of the previously zoned property. The change in zoning classification to P-1 will not overburden the capacity of roadways and other necessary urban services that are available in the affected area. In fact, the zoning change on the subject property will increase the safety of the newly located access point by moving it further from the intersection of Frederica St and W 24<sup>th</sup> St. The requested change from R-1C to P-1 on the subject property respects the pattern of development along existing block fronts. The front portion of 2416/2418 and 2424 will remain R-1C and will meet the minimum square footage requirements for R-1C lots.

**Planning Staff Recommendations**

Staff recommends approval because the request is in compliance with the adopted Comprehensive Plan.

**Conditions:**

1. Approval of a final development plan that incorporates the subject property into the previously approved development plan for Independence Bank at 2425 Frederica St;
2. Consolidation of the subject property to property located at 2425 Frederica St; and,
3. The access point approved on the previously approved development plan shall be relocated to the center of the subject property on W 24<sup>th</sup> St as shown on the newly proposed development plan.

**Findings of Fact:**

1. The subject property is located in an Urban Residential Plan Area, where professional/service uses are appropriate in limited locations;
2. The applicant's proposal is a logical expansion of P-1 Professional/Service zoning, which would not overburden the capacity of existing roadways or other necessary urban services in the affected area; and,
3. The applicant's proposal respects the pattern of existing development along block fronts in the affected area.