



JULY 10, 2003

914 TRIPLETT ST

ZONE CHANGE

From: I-1 Light Industrial		
To: B-4 General Business		
Acreage: 0.582 ±		
Applicant: Wendell Foster's Campus for Developmental Disabilities, Inc., Wendell Foster Center, Inc. (0307.1521)		
Property Zone <i>Existing Use</i>	to North R-4DT <i>Residential</i>	
to West B-4, I-1 <i>Industrial storage, office building</i>	Subject I-1 ⇌ B-4 <i>Wendell Foster's Adult Day Health</i>	to East P-1 <i>Hospital</i>
	to South B-4 <i>Offices</i>	

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 Plan Area, where general business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns; outdoor storage yards** – Building and lot patterns should conform to the criteria for “**Non-residential Development**” (D7), and outdoor storage yards, with “**buffers for Outdoor Storage yards**” (D1).
- (b) **Logical zoning expansions of proportional scope** – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Applicant's Findings

The proposed rezoning is in accord with the Comprehensive Plan. The subject property is in a Business Plan Area.

The criterion for General Business (B-4) is that B-4 is allowed in limited locations. Existing General Business zones may be expanded onto contiguous land that generally abuts the same street. The expansion of the General Business zone would not significantly increase the extent of the zone in the vicinity of the expansion. The subject property is located at 914 Triplett Street. The proposed rezoning is an expansion of the general business area. The property that adjoins the subject property to the south is zoned B-4. The property that adjoins the subject property to the west is zoned B-4 and I-1.

The expansion of the General Business zone by rezoning the subject property located at 914 Triplett Street would not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

IN THE ALTERNATIVE

The existing zoning classification given to the subject property of I-1 is inappropriate and the proposed zoning classification of B-4 is appropriate because most of the adjoining property is zoned B-4 or the uses of said property are B-4.

Planning Staff Review

The subject property is located at the southwest intersection of E 9th St and Triplett 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, including sanitary sewer.

Development Patterns

The area is a mixture of business, professional, industrial and residential uses. Property to the south of the subject property is zoned B-4 General Business and is an office complex. Property to the north of the subject property is zoned R-4DT and is used as a residence. Property to the east across Triplett St is Owensboro Mercy Health System, zoned P-1 Professional/Service. Properties to the west are B-4 and I-1 and include storage and office space.

The subject property is in use as Wendell Foster's Adult Day Health Center, a vocational program facility. A final development plan was approved in March 1999, which addressed the landscaping, parking and access points for this facility. There is an existing building on the subject property, which was utilized for the center.

The applicant is proposing to change the use of the facility from this vocational center to a retail use involving the sale and lease of medical equipment, such as wheelchairs, walkers, etc. In order to conduct that type of business at this location, the subject property would need to be zoned B-4 General Business. The applicant proposes to use the existing structure and improvements on the subject property with no alteration of the parking layout, landscaping or access points.

Intersection & Driveway Spacing

Triplett St is a principal arterial roadway with one-way traffic and E 9th St is a minor arterial roadway. Both have access spacing standards of 500 feet between access points. The previous final development plan for the subject property established one approved access point on E 9th St as far as possible from the intersection of Triplett

and E 9th St. The plan also eliminated three access points on Triplett St. The access points as approved on the previous final development plan should be maintained and no additional access points should be constructed.

Roadway Buffer Standards

Both Triplett St and E 9th St are subject to a 40-foot roadway buffer as measured from street centerlines. Required parking and landscaping must not encroach into the required roadway buffer. The previously approved final development plan established the buffer as required. Required landscaping is present on the subject property and does not encroach into the roadway buffer. This established roadway buffer and landscaping should be maintained on the subject property with the change in use of the subject property.

SPECIFIC LAND USE CRITERIA

Existing areas of General Business zoning may be expanded onto contiguous land that generally abuts the same street(s). The subject property adjoins B-4 General Business zoning to the south along Triplett St. There also exists B-4 General Business zoning within the 600 block of E 9th St near the subject property. The applicant's proposal is a logical expansion of the existing B-4 General Business zone that would not significantly increase the B-4 zoning in the vicinity and would not overburden the capacity of roadways or necessary urban services in the affected area.

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. Maintain existing access point as approved on previous final development plan. No new access points shall be permitted; and,
2. Maintain existing roadway buffer and landscape element.

Findings of Fact:

1. The subject property is located in a Business Plan Area, where general business uses are appropriate in limited locations;
2. The subject property adjoins B-4 zoning to the south along Triplett St and is located in close proximity to B-4 zoning in the 600 block of E 9th St;

-
3. The applicant's proposal is a logical expansion of the existing B-4 General Business zone that will not significantly increase the B-4 zone in the vicinity and will not overburden roadways or other necessary urban services in the affected area.