

**OCTOBER 9, 2003**

**1321, 1327 HATHAWAY ST**

**ZONE CHANGE**

**From:** R-4DT Inner-City Residential

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

**Acreage:** 0.33 acres

**Applicant:** Owensboro Mercy Health System,  
Owensboro Medical Plaza LLC  
(0310.1537)

<b>Property Zone</b> <i>Existing Use</i>	<b>to North</b> P-1 <i>Vacant</i>	
<b>to West</b> R-4DT <i>Residences</i>	<b>Subject</b> R-4Dt ⇌ P-1 <i>Vacant</i>	<b>to East</b> R-4DT <i>Residences</i>
	<b>to South</b> R-4DT <i>Residence</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 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.

**Applicant's Findings**

The proposed rezoning to P-1 of the subject properties is in compliance with the Comprehensive Plan established by the Owensboro Metropolitan Planning Commission. The generalized land use plan map element of the Comprehensive Plan recommends business/industrial (magenta) for the site area bordering Breckenridge St, professional/services (light blue) for the site area bordering Parrish Av, and central residential (brown) for the site area bordering Hathaway St. Applicants intend to utilize the subject property for additional parking spaces for its existing medical facility located at 1200 Breckenridge St once the properties are rezoned to P-1.

With reference to the Land Use Plan map, the Business/Industrial area designated in magenta bordering the west side of Breckenridge St permits “general business (11)” as a land use appropriate in such general locations. The applicants’ intended use for the property once zoned fits within such general business classification. See Ordinance 8.2(d)(6). In compliance with the Comprehensive Plan, many of the properties designated on the generalized Land Use Map have actually been rezoned to P-1.

Again, with reference to the Land Use Plan Map, a portion of the area bordering on the south side of Parrish Av between Breckenridge St and Triplett St is designated Professional/Service (light blue). This area is thus directly within the proposed use of the site as additional parking for applicants’ medical office building and

correspondingly complies with the land uses appropriate and general locations within the Professional/Service Plan Area.

Once again referring to the Land Use Plan Map, the Central Residential Plan Area designated in brown on the east side of Hathaway St is R-4DT Inner-City residential, a classification used primarily within the downtown area and which is designated in Section 8.144 of the ordinance as being the “most flexible residential zone intended for use in redevelopment of older neighborhoods.”

The dominant presence in the area of the subject properties is the Owensboro Mercy Health System complex, which occupies several city blocks to the adjacent north of the properties. Additionally, applicants previously rezoned several of the properties in this block to accommodate the construction of its new medical facility. The rezoning of the subject properties to the P-1 classification will further allow applicant to expand the size of the parking lot to better serve its clientele. Thus, the proposed rezoning of the subject property to P-1 classification is within the Comprehensive Plan, adheres to the recommendations of the land use contained in the Generalized land Use Plan map and further is entirely in keeping with the neighboring areas.

## Planning Staff Review

The subject property is located in the 1301 block of Hathaway 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.

#### Development Patterns

The subject property is located immediately south of lots that are zoned P-1 Professional/Service and that are planned to be used for the expansion of the parking area for the Owensboro Medical Plaza, which is also zoned P-1 Professional/Service. To the east and the south of the subject property is R-4DT zoning and residential uses. To the west across Hathaway St are a house and a vacant lot, which are both zoned R-4DT. The applicant proposes to

incorporate the subject property with other properties that have been acquired in this block to expand the parking for the medical facility located at 1200 Breckenridge. A total of seven lots stand vacant in this block. Two of these vacant lots are presently zoned P-1 Professional /Service and five other vacant lots (including the subject property) are under an application requesting a zone change to P-1 Professional/Service. Use of the subject property as parking area for the Medical Plaza lot will required consolidation of the lots to the Medical Plaza lot or a conditional use permit approved by the Board of Adjustment for the use of these lots as parking lots.

The subject property does adjoin R-4DT Inner-City residential zoning to the east and south. Vehicular use areas should be buffered from residentially zoned properties with a minimum 3’high continuous element and one tree per 40 linear feet of VUA boundary.

### SPECIFIC LAND USE CRITERIA

The applicant’s request is a logical expansion of the existing P-1 Professional Service zone in the area. Non-residential uses should be allowed to expand where they satisfy a set of logical criteria. In this case, the subject property is bordered by the P-1 Professional/Service on the north and will become a part of a larger use that incorporates several P-1 Professional /Service zoned lots for the expansion of an existing parking area. The expansion will not overburden the capacity of roadways or other necessary urban services available in the affected area.

### Planning Staff Recommendations

Staff recommends approval because the request 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. Vehicular use areas shall be buffered from adjoining residentially zoned properties with a minimum of a 3-foot high continuous element and one tree per 40 feet of VUA boundary.
2. Consolidation of the subject property to the Medical Center lot at 1200 Breckenridge or a conditional use permit approved by the Board of Adjustment for the use of the subject property as a parking lot.

**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 to the north ; and,
3. The applicant's request will not overburden the capacity of roadways and other necessary urban services in the affected area.