



JULY 14, 2005

2003 - 2029 (ODD) W 5TH ST

ZONE CHANGE

From:	R-4DT - Inner-City Residential B-4 - General Business	
To:	P-1 - Professional/Service	
Acreage:	0.688 acres	
Applicant:	Crabtree Avenue Baptist Church (0507.1600)	
Property Zone Existing Use	to North R-4DT & P-1 Church and Residence	
to West R-4DT Residence	Subject R-4DT, B-4 ⇄ P-1 Parking & Storage	to East B-4 Food Mart
	to South B-4 & R-4DT Residence and Parts Store	

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 partially located in a Professional/Service Plan area where professional/services uses are appropriate in general locations and partially 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 "Nonresidential Development."

(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 proposed zoning map amendment is in compliance with the Comprehensive Plan. This amendment is an expansion of an existing P-1 (Professional/Service) zone located to the north of the subject properties. Crabtree Avenue Baptist Church desires to zone and consolidate all their properties to conform to OMPC regulations.

Planning Staff Review

The subject property is located in the 2000 block of W 5th 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 not located in a special flood hazard area per FIRM Map 21059CO120 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 properties are in an area of mixed commercial, professional and residential uses. The properties are owned by the Crabtree Avenue Baptist Church which is located to the north and currently zoned P-1 Professional/Service. A residence that is zoned R-4DT Inner-City Residential is also located north of the subject properties. To the east is a convenience store with fuel pumps that is zoned B-4 General Business. To the south are a parts store and residences zoned B-4 General Business and R-4DT respectively. To the west is a residence that is zoned R-4DT.

The subject properties are currently used by the church for parking and storage uses. The applicant proposes to consolidate the subject properties with the existing church facility and to use the property for a shelter and storage, accessory to the church.

Along the W 5th Street frontage, the access point of an alley vacated by Ordinance 59-83 remains but it is gated to prevent use. No other access points exist along the frontage. No access exists along the Crabtree Avenue frontage of the subject properties but the remaining frontage of the church property along Crabtree Avenue is completely open with no designation of curb cuts. Sidewalks exist along the frontage of both roads but are generally in poor condition.

SPECIFIC LAND USE CRITERIA

The proposed rezoning is a logical expansion of an existing P-1 Professional/Service zone and use. An expansion of this zone and use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

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. Submittal of a consolidation plat for the subject properties prior to the issuance of any building permits; and,
2. No direct access to W 5th Street shall be permitted. Access shall be from the church tract to the north to which the subject property will be consolidated.

Findings of Fact:

1. The subject property is partially located in a Professional/Service Plan area where Professional/Services are appropriate in general locations and partially located in a Central Residential Plan area, where Professional/Service uses are appropriate in limited locations ;
2. The proposal is a logical expansion of existing P-1 Professional/Service zone immediately north of the subject property; and,
3. Expansion of the contiguous P-1 Professional/Service zone should not significantly increase the extent of the zone within the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.