Zoning Map Amendment Staff Report

JANUARY 12, 2006

PORTION OF 736 FORD AV

ZONE CHANGE

From:	R-1B Single-Family Residential	
To:	P-1 Professional/Service	
Proposed Use:	Parking & Landscaping	
Acreage:	0.045 acres	
Applicant:	Trinity Episcopal Church (0601.1621)	
Property Zone Existing Use to West R-1B Single-Family	to North R-1A Single-Family Residence Subject R-1B ⊅ P-1 Parking	to East P-1 Church
Residence	to South	Charch
	R-1B Single-Family Residence, Parking	

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

U1 Roadway Capacity

Urban Services **₩**



- **U2** Electricity Supply
- ₩ U3 Water Supply
- ₩ U4 Stormwater Disposal
- 器 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 "Nonresidential Development".
- **(b)** Logical expansions Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street. 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 subject property is located in a Professional/Service Plan Area where professional/service uses are appropriate in general locations.

The applicant, Trinity Episcopal Church, proposed to expand the foot print of the existing church located at 720 Ford Avenue to allow for additional class room space. The building expansion will require that the parking requirements be met by the church. In addressing the parking requirement it has come to the church's attention that a portion of the church's parking lot is partially located on an adjoining property to the west, 736 Ford Avenue, also owned by the church. It is the church's intention to submit a consolidation/division plat for the two tracts relocating the property line to place the church's parking lot entirely on the church's main property. The church is zoned P-1 and the adjoining property to the west is zoned R-1B. In order to redivide the two properties and consolidate a portion of 736 Ford Avenue in with 720 Ford Avenue, the subject property, a 0.045 acre tract must be rezoned to P-1.

Specific Land Use criteria applicable to this application is as follows:

(a) Building Lot Patterns - should conform to the criteria for "nonresidential development."

The proposed rezoning is a limited expansion of existing nonresidential use and zoning and meets logical expansion criteria. The proposed rezoning is a logical expansion of a parcel presently zoned P-1 and owned by the applicant.

An application will be made to the Board of Adjustment to

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eliminate the 3-foot landscape buffer required between 720 and 736 Ford Avenue. As previously stated, both parcels are owned by the applicant. In addition, the applicant has filed a Final Development Plan for 720 Ford Avenue and division/consolidation plat for 736 and 720 Ford Avenue.

Planning Staff Review

The subject property is located in the 700 block of Ford Avenue. 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 21059CO140 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 property is located in a primarily residential neighborhood with the exception of the existing Trinity Episcopal Church which is located east of the subject property. Residential uses are located to the north, south and west of the subject property.

As proposed, the portion of property being rezoned will be used as part of the parking lot of the Trinity Episcopal Church. The property has historically been used as parking by the church and they are proposing to relocate the property line to accommodate the parking that already exists and the required landscape buffer. Since the vehicular use area of the church parking area will abut residential property at 736 Ford Avenue once consolidated, the vehicular use area is required to be screened with a 3-foot landscape buffer. This should include a three foot easement with a three foot continuous element with one tree every 40 linear feet. The application has stated their desire to seek a variance from the Board of Adjustment for the required vehicular use area buffer requirement.

Intersection and Driveway Spacing

In the vicinity of the subject property, Ford Avenue is classified as a collector roadway with a spacing requirement of 250 feet. No new access points on Ford Avenue shall be permitted in conjunction with this application. The roadway buffer along Ford Avenue is 30 feet from the street centerline. The roadway buffer shall remain free of any site development including required landscaping and parking.

SPECIFIC LAND USE CRITERIA

In their findings of fact, the applicant stated that the subject property is located within a Professional/Service Plan Area and that the proposed use is appropriate in general locations. However, the site is actually located within an Urban Residential Plan Area and the proposed use is appropriate in limited locations. The only additional criterion that applies though is the requirement that the proposal be a logical expansion of an existing P-1 Professional/Service zone. In this situation, that criterion is met. As only a small piece of property is being rezoned to P-1 to accommodate existing parking and required landscaping.

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:

- No new access to Ford Avenue shall be permitted; and.
- 2. Submittal of a consolidation plat to join the subject property with 720 Ford Avenue.

Findings of Fact:

- The subject property is located in an Urban Residential Plan Area, where professional/service uses are appropriate in limited locations:
- The proposed use will be for parking at an existing church and will be nonresidential in nature;
- The proposal is a logical expansion of an existing P-1 Professional/Service zone located immediately east of the subject property; and,
- 4. The expansion of the P-1 zone should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.