



JANUARY 12, 2006

4017 FREDERICA ST, 625 TIME DR

## ZONE CHANGE

|  |   |  |
|--|---|--|
| <b>From:</b> R-3MF Multi-Family Residential                            |   |  |
| <b>To:</b> P-1 Professional/Service                                    |   |  |
| <b>Proposed Use:</b> Parking   |   |  |
| <b>Acreage:</b> 1.625 acres  |   |  |
| <b>Applicant:</b> Diocese of Owensboro Our Lady of Lourdes (0601.1622) |   |  |
| <b>Property Zone Existing Use</b>                                      | <b>to North</b><br>P-1<br>Church, School  |  |
| <b>to West</b><br>R-1B<br>Single-Family Residence                      | <b>Subject</b><br>R-3MF → P-1<br>Vacant   | <b>to East</b><br>B-4<br>Retail Center |
|  | <b>to South</b><br>B-4, R-3MF, R-1B<br>Single-Family and Multi-Family Residential, Restaurant |  |

## 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 "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 an Urban Residential Plan Area where Professional/Service land uses are appropriate in limited locations.

The subject property was previously the site of a multifamily apartment complex, which has been removed from the property by the applicant. Currently the applicant is proposing to redevelop a portion of the subject property into additional parking space to service Our Lady of Lourdes. The remainder of the property will be left in green space and reserved for future development. The property consists of numerous smaller parcels all presently zoned R-3MF. A condition was placed on a final development plan for Our Lady of Lourdes filed in 2004, requiring the subject property to be rezoned to P-1 and to be consolidated in with the larger tract owned by Our Lady of Lourdes. In order to consolidate the smaller parcels totaling 1.625 acres with the principal tract, the subject property must be rezoned to P-1 Professional/Service.

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

(a) **Building and lot patterns** - should conform to the criteria for "Nonresidential Development."

The proposed rezoning is a limited expansion of an existing nonresidential use and zoning via consolidation with the applicant's principal property located north of the subject property. Other adjoining nonresidential uses include: to the west of the subject property a B-4 zoning classification currently being used for a laundry mat and a B-4 zoning classification located south of the subject property at the corner of Time Drive and Chuck Gray

Court.

(b) Logical Expansions

The proposed rezoning is a logical expansion of the applicant's principal tract presently zoned P-1 and located to the north of the subject property.

(d) New Location

The proposed rezoning application does not create a new professional/service zoning area. This specific land use criteria is not applicable to the application.

The proposed rezoning meets all applicable criteria as set forth in the Comprehensive Land Use Plan. In addition, the application is in compliance with previous conditions as set forth by Planning and Zoning under the 2004 Final Development Plan.

A landscape buffer will be provided where the subject property adjoins a residential use to the east. A consolidation plat will be filed with Planning and Zoning as well as a Final Development Plan to address the proposed parking lot.

## Planning Staff Review

The subject property is located in the 4001 block of Frederica Street and the 601 block of Time Drive. 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 located in a special flood hazard area per FIRM Map 21059CO280 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 an area of mixed residential, professional, and commercial uses. North of the subject property is an existing church. Uses to the east include a clothing retailer, tanning salon, beauty salon and Laundromat. South of the subject property is a restaurant, and some multi and single-family residential uses. West of the subject property is single-family residential.

A final development plan was approved by the OMPC director in 2004 for a modular classroom to be located on the site. Approval was conditioned on future proposed construction requiring various items to be brought into compliance with current zoning ordinance regulations including rezoning the subject property for consolidation with the church property.

## SPECIFIC LAND USE CRITERIA

The proposed use of the subject property is additional parking for an existing church located at 4017 and 4027 Frederica Street and will be consolidated with that property. With consolidation to the P-1 property to the north and use of the property as part of the church grounds, the proposal is a logical expansion of an existing P-1 Professional/Service zone and use immediately north of the subject property.

## Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The conditions findings of fact that support this recommendation include the following:

### Conditions:

1. Submittal and approval of a final development plan; and,
2. Submittal and approval of a consolidation plat.

### 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 proposed use will be for parking at an existing church and will be nonresidential in nature;
3. The proposal is a logical expansion of an existing P-1 Professional/Service zone located immediately north 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.