

**JANUARY 11, 2007**

<b>912 WALNUT ST</b>		
<b>ZONE CHANGE</b>		
<b>From:</b> R-4DT Inner-City Residential		
<b>To:</b> B-4 General Business		
<b>Proposed Use:</b> Garage/Accessory Storage		
<b>Acreage:</b> 0.530		
<b>Applicant:</b> Audubon Area Community Service (0701.1670)		
<b>Property Zone Existing Use</b>	<b>to North B-4</b> Audubon Area Office, Tavern	
<b>to West I-1</b> Vacant Lot, Residential	<b>Subject</b> R-4DT ⇌ B-4 Vacant	<b>to East</b> R-4DT, B-4 Residential, Business
	<b>to South</b> R-4DT Residential	

**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 Central Residential Plan Area, where 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 “**Nonresidential Development**” and outdoor storage yards, to “**Buffers for Outdoor Storage Yards.**”
- (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 proposal is in compliance with the Comprehensive Plan. The proposed zoning will adjoin an existing B-4 zone and blend with other surrounding B-4 zones.

**Planning Staff Review**

The subject property is located in the 900 block of Walnut 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 21059CO140C. 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 not in the vicinity of 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 commercial and residential uses. The property to the north and a portion of the property to the east are zoned B-4. The property to the north is the Audubon Area Community Service office. The property to the east is zoned B-4 but is currently vacant. The remaining of the property to the east and the property to the south and west is primarily occupied by residential uses.

According to the applicant, the purpose of the rezoning is to provide additional parking for the existing Audubon Area office building, to construct a garage for company vehicles and to allow some incidental storage of toys and other items. In order for the new building construction to take place, the subject property must be consolidated with the existing Audubon Area tract. A minor subdivision plat to consolidate these tracts has been submitted to the OMPC office.

A conditional use permit for 900 Walnut Street was issued in July 1986, for the operation of the Head Start pre-school program. With the changes to the site, including the lot consolidation and building construction, the conditional use permit should be updated.

In the vicinity of the subject property, W 9<sup>th</sup> Street is classified as a minor arterial roadway with a 500 foot spacing standard and a 40 foot roadway buffer from the street centerline. Walnut Street is classified as a collector roadway with a 250 foot spacing standard and 30 foot roadway buffer from the street centerline. The existing Audubon Area Community Service office has an access point to Walnut Street and an access point to W 9<sup>th</sup> Street. With the proposed rezoning and consolidation, no new access points to W 9<sup>th</sup> Street or Walnut Street shall be permitted.

A landscaping buffer will be required along the south property line where the subject property adjoins residential zoning. The landscape buffer should include a ten foot landscape easement with a six foot high element and one tree every 40 linear feet.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The proposal is a logical expansion of general business zone and use immediately north and east of the subject property. The expansion of the B-4 zone and use 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.

**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. Submission and approval of a consolidation plat by the OMPC;
2. Installation of the required landscape buffer along the south property line where the subject property adjoins residential zoning; and,
3. Access shall be limited to the existing access points on the Audubon Area Service office lot, located at 900 Walnut Street. No additional access to W 9<sup>th</sup> Street or Walnut Street shall be permitted.

**Findings of Fact:**

1. The subject property is located in a Central Residential Plan Area, where business uses are appropriate in limited locations;
2. The subject property is a logical expansion of general business zoning to the north and east; and,
3. The proposed zoning change 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.