JANUARY 11, 2007

912 WALNUT ST

ZONE CHANGE

From: R-4DT Inner-City Residential
To: B-4 General Business

Proposed Use: Garage/Accessory Storage

Acreage: 0.530

Applicant: Audubon Area Community Service (0701.1670)

Property Zone

Existing Use

to North
B-4 Audubon Area Office, Tavern

to West
I-1 Vacant Lot, Residential

to Subject
R-4DT B-4 Vacant

Existing Use

to East
R-4DT, B-4 Residential, Business

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 9th 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 9th Street. With the proposed rezoning and consolidation, no new access points to W 9th 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 9th 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.