

MAY 10, 2007

1401, 1429 LEITCHFIELD RD

ZONE CHANGE

From: R-4DT Inner-City Residential

To: P-1 Professional/Service

Proposed Use: Doctor's Office

Acreage: 2.464

Applicant: Mukesh Gupta (0705.1682)

Property Zone Existing Use	to North R-4DT, P-1 Residential, Nursing Home	
to West R-4DT Residential	Subject R-4DT ⇄ P-1 Residential	to East R-4DT Residential
	to South 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 P-1 Professional/Service zone. The subject property is 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 - Building and lot patterns should conform to the criteria for “**Nonresidential Development**” (D7).

(b) Logical expansions - Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street. If the contiguous land is located across an intervening street, the expansion should be at least **one (1) acre** in size, unless it would serve as a “**buffer-use**” (D1). An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

(d) New locations - New locations of Professional/Service use should be “**major-street oriented**” (D2). Also, other than in Rural Community plan areas, a new location should be at least **one (1) acre** in size unless it would serve as a “**buffer-use**” (D1).

Applicant's Findings

This proposal is in compliance with the Comprehensive Plan. The rezoning to P-1 fits with adjoining P-1 and R-4DT zones for the proposed medical office and file storage building.

Planning Staff Review

The subject property is located in the 1401 block of Leitchfield Road. 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 primarily residential uses with professional/service zoning and use across E Parrish Avenue. The property to the east and south is primarily single-family residential while the property to the west is mixed single-family residential and some multi-family residential. The property to the north is zoned P-1 and B-4 and is a nursing home.

The property has road frontage on both Leitchfield Road and E Parrish Avenue. E Parrish Avenue is classified as a principal arterial roadway with a 500 foot drive spacing standard and a 60 foot roadway buffer. Leitchfield Road is classified as a major collector roadway with a 250 foot drive spacing standard and a 30 foot roadway buffer. Since access spacing cannot be met along E Parrish Avenue, no access shall be permitted. Access to Leitchfield should be limited to a single access point and an access easement shall be provided to the adjoining property at 1301 Leitchfield Road for future access. The access easement is necessary because the adjoining lot will likely not be able to meet driveway spacing standards and a shared access for the two lots will be beneficial. Due to the amount of road frontage along Leitchfield Road, access will be limited to a single access point. The GRADD transportation planner reviewed the proposed development and indicated that no roadway improvements would be required at this time.

All site improvements including drives and parking areas shall be paved and appropriate vehicular use area screening shall be installed. Since the proposed zoning for the subject property is P-1, buffer screening along the property line where abutting residential zoning is not required.

A preliminary development plan and a minor subdivision plat were submitted with this zoning change and indicate the lots are to be consolidated. The preliminary development plan also shows the existing home located on the property to be used as offices with a new medical building located to the rear of the property. A final development plan is required before any building activity can occur on the property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The applicant proposes to construct a new medical office building and to convert the existing residence on the subject property to general office and file storage area for the medical office. The proposal is a logical expansion of P-1 zoning which is located across E Parrish Avenue and is larger than the one acre minimum established in the Comprehensive Plan for expansions across an intervening street. Since this is the first P-1 Professional/Service zoning in the blockfront, it does also meet the criteria for a new location of P-1 zoning. With road frontage on both E Parrish Avenue and Leitchfield Road the site is major-street oriented and is over the one acre minimum as noted in the Comprehensive Plan.

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. No access shall be permitted to E Parrish Avenue;
2. Access to Leitchfield Road shall be limited to a single access point as depicted on the preliminary development plan;
3. An access easement shall be provided to 1301 Leitchfield Road for future use as ingress/egress for said property; and,
4. A final development plan shall be submitted and approved before the issuance of any building permits.

Findings of Fact:

1. The subject property is located in a Central Residential Plan Area, where professional/service uses are appropriate in limited locations;
2. The development of the subject property will be non-residential in nature and consistent with development patterns in professional/service zones;
3. The proposal is a logical expansion of existing P-1 Professional/Service zoning located across E Parrish Avenue and is over one acre in size; and,
4. The proposal also meets criteria for a new location of professional/service zoning in that it is major street oriented and over once acre in size.