

MAY 14, 2020

1512 FREDERICA ST

ZONE CHANGE

From: R-4DT Inner City Residential
To: P-1 Professional/Service
Proposed Use: Childcare Facility & Therapy Office
Acreage: 0.98+/-
Applicant: TJ Property Group, LLC (2005.2114)
Surrounding Zoning Classifications:
North: P-1, R-4DT South: P-1
East: P-1 West: R-4DT

Proposed Zone & Land Use Plan

The applicant is seeking a P-1 Professional/Service zone. The subject property is located in a Professional/Service Plan Area, where professional/service uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) **Building and lot patterns** - Building and lot patterns should conform to the criteria for “**Nonresidential Development**” (D7).

Planning Staff Review**GENERAL LAND USE CRITERIA****Environment**

- It appears that the subject property is not located in a wetlands area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is partially located in a special flood hazard area per FIRM Map 21059CO138D.
- It appears that the subject property is not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division or other state and federal agencies as may be applicable.

Urban Services

All urban services, including sanitary sewers, are available to the site.

Development Patterns

The subject property is a 0.98+/- acre tract with an existing approved childcare center. The properties to the north and south in this block of Frederica Street are a mix of R-4DT Inner City Residential and P-1 Professional/Service zoning. The properties to east, across Frederica Street are zoned P-1 Professional Service. Properties to west of the subject property, that front on Miller Court, are zoned R-4DT Inner City Residential and appear to be used as such.

The applicant received approval at the January 2020 OMBA meeting to operate a child daycare facility from the subject property. Additionally, the applicant would also like to operate a therapy clinic from the site as well. This use of a therapy clinic requires the P-1 Professional/Service zoning.

Frederica Street is classified as a principal arterial roadway with a 500' driveway spacing standard, a 75' building setback and 60' roadway buffer. The approved site plan for the property shows a single access point to Frederica Street; no additional access to Frederica Street shall be permitted.

All vehicular use area is required to be paved and appropriate vehicular use area landscaping installed where parking areas adjoin road right-of-way. Due to the proximity to residential structures, all lighting for the subject property shall be directed away from the residential structures to reduce the impact of the commercial light and glare onto the residential property.

Prior to any construction activity on the property the applicant must obtain approval of a site plan or development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. The OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed uses of the subject property will be nonresidential in nature. The P-1 Professional/Service zoning is a logical expansion of the P-1 zoning to the south and east.

Planning Staff Recommendations

The planning staff recommends approval subject to the conditions and findings of fact that follow:

Condition:

1. Access to Frederica Street shall be limited to the existing access only; no new access to Frederica Street shall be permitted.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in a Professional/Service Plan Area, where professional/service uses are appropriate in general locations;
3. The proposed uses of a child care facility and therapy office are nonresidential in nature and use; and,
4. The proposal is a logical expansion of existing P-1 zoning to the south and east.