

SEPTEMBER 13, 2007

3857 KY 54, 3840 WOOD TRC

ZONE CHANGE

From:	A-U Urban Agriculture R-1B Single-Family Residential	
To:	P-1 Professional/Service	
Proposed Use:	Church	
Acreage:	3.20 +/-	
Applicant:	Christ Presbyterian Church of Owensboro, Inc. (0709.1691)	
Property Zone Existing Use	to North R-1B Residential	
to West R-4DT Residential	Subject A-U, R-1B ⇄ P-1 Church	to East A-U Residential
	to South A-U, R-3MF Residential, Vacant	

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 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).

Applicant's Findings

The requested rezoning is in compliance with the Comprehensive Plan and is appropriate in general locations.

The criteria that supports the rezoning is building and lot patterns should conform to non-residential development.

This site consists of two (2) lots which are zoned A-U Urban Agriculture and R-1B Single-Family Residential. Christ Presbyterian Church has had their church facility located at this location for approximately 20 years and has operated with a conditional use permit. The applicant is requesting the rezoning to a professional zone to comply with the current use of the property. Christ Presbyterian Church will continue to operate at this location.

All utility services exist at the site.

Planning Staff Review

The subject property is located in the 3801 block of KY 54 and the 3800 block of Wood Trace. 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 21059CO285 C. Based on the preliminary FIRM maps dated July 7, 2007, the subject property is not located in a special flood hazard area per map 21059CO281 D. 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/service and commercial uses. The property to the north, east and south is zoned residential or agricultural and is generally used for residential purposes. The property to the west is zoned B-4 and a small commercial strip center is currently being constructed on the site.

The Christ Presbyterian Church has been in existence on the subject property for approximately 20 years. The church has been operating under a conditional use permit that was approved by the Owensboro Metropolitan Board of Adjustment in February, 1985. A church is conditionally permitted within both an A-U and R-1B zone. However, any changes to the site require that the conditional use permit be updated each and every time. Under a P-1 zoning classification, the church will be a permitted use.

The church currently has a single access on Wood Trace. No access exists or is proposed to KY 54. In the vicinity of the subject property, KY 54 is classified as a minor arterial roadway with a 500 driveway spacing standard and a 50 foot roadway buffer. Since the access spacing standard along KY 54 cannot be met, no access to KY 54 shall be permitted.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The use of the property as a church facility will be non-residential in nature and satisfies the single criterion for a professional/service zone within a Professional/Service Plan Area.

Planning Staff Recommendations

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

Condition: No access shall be permitted to KY 54.

Findings of Fact:

1. The subject property is located in a Professional/Service Plan Area where professional/service uses are appropriate in general locations;
2. The continued use of the subject property as a church will be nonresidential in nature; and,
3. The existing church has been in existence for more than 20 years and is an integrated part of the neighborhood.