

MARCH 10, 2011**1328 GRIFFITH AVE****ZONE CHANGE**

From:	P-1 Professional/Service R-1A Single-Family Residential
To:	P-1 Professional/Service
Proposed Use:	Church
Acreage:	3.58
Applicant:	First Presbyterian Church (1103.1800)
Surrounding Zoning Classifications:	
North: R-1A	South: R-1A
East: R-1A	West: R-1A

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 not located in a special flood hazard area per FIRM Map 21059CO138 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA 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 located in a primarily residential neighborhood along Griffith Avenue and Clinton Place W. The church is the only non-residential zoning in the immediate vicinity.

The subject property is the location of the First Presbyterian Church and the application indicates that the

proposed use for the subject property is the same. The property is split zoned with the majority zoned P-1 Professional/Service and two smaller portions zoned R-1A Single-Family Residential. A church is principally permitted in a P-1 Professional/Service zone but is conditionally permitted in an R-1A Single-Family Residential zone. Due to the split zoning on the subject property, any changes require a conditional use permit. Uniform zoning for the entire property will eliminate the additional step of a conditional use permit each and every time a change is made to the church property.

Access to the church is primarily on Clinton Place W but there is a single access to Griffith Avenue. In the vicinity of the subject property Griffith Avenue is classified as a major collector roadway with an access spacing standard of 250 feet. Due to the access spacing standards, access to Griffith Avenue shall be limited to the existing drive.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The majority of the subject property is zoned P-1 Professional/Service and has been used as a church since 1953. The building and lot patterns are consistent with the Comprehensive Plan requirements for nonresidential development. The subject property has received conditional use permit approvals in the past for changes to the site and the Board of Adjustments has always found that the use is properly integrated into the neighborhood.

Planning Staff Recommendations

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

Condition: Access to Griffith Avenue shall be limited to the existing access point only.

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 use as a church is consistent with the Comprehensive Plan requirements for nonresidential development; and,
4. The subject property has been used as a church since 1953 with no indication of change.