

DECEMBER 11, 2014**7132, 7146 US HIGHWAY 431****ZONE CHANGE**

From:	R-1A Single Family Residential I-1 Light Industrial
To:	P-1 Professional/Service
Proposed Use:	Church
Acreage:	3.185+/-
Applicant:	Panther Creek Baptist Church (1412.1917)
Surrounding Zoning Classifications:	
North: I-1	South: A-R
East: A-R	West: A-R

Proposed Zone & Land Use Plan

The applicant is seeking a P-1 Professional/Service zone. The subject property is located in a Rural Community 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).

(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).

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 located in a special flood hazard area per FIRM Map 21059CO270 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The property is designated as prime agricultural farmland per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- 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 sewer, are available to the site.

Development Patterns

The subject property at 7146 US Highway 431 is currently zoned R-1A Single Family Residential and has an approved Conditional Use Permit to operate a church; Panther Creek Baptist Church. The property at 7132 US Highway 431 is a vacant lot zoned I-1 Light

Industrial and is owned by the applicant. The applicant proposes to construct a connecting addition to the existing church. The addition would cross the current property line; therefore the properties must be consolidated in order to construct the proposed addition. A minor subdivision plat consolidating the two properties has been submitted.

If the property at 7132 US Highway 431 was rezoned to R-1A Single Family Residential, the current zoning of the church, the applicant would then be required to amend their existing Conditional Use Permit to include the building expansion. However, if both properties are rezoned to P-1 Professional/Service a Conditional Use Permit would not be required; churches are principally permitted in a P-1 zone.

US Highway 431 is classified as a principal arterial street with a 500 foot spacing standard. 7146 US Highway 431 has two existing access points; no new access points to US Highway 431 shall be permitted for the subject properties.

Vehicular use area screening along the road right-of-way shall be required consisting of a 3 foot wide landscaping easement with a 3 foot high continuous element and one tree every 40 linear feet of the vehicular use area where the vehicular use area and the access points adjoin the right-of-way.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as a church conforms to the criteria for nonresidential development. The subject properties are located on US Highway 431, a major street, and meet the requirements for a new location of P-1 Professional/Service zoning a Rural Community Plan Area.

Planning Staff Recommendations

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

Conditions:

1. Access shall be limited to the two existing access points on 7146 US Highway 431.
2. Approval of a minor subdivision plat consolidating 7132 and 7146 US Highway 431.

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 Rural Community Plan Area where professional/service uses are appropriate in limited locations;
3. The proposed use as a church conforms to the criteria for nonresidential development; and,
4. The subject properties are located on US Highway 431, a major street.