

MARCH 14, 2002

1501 E 26TH ST

ZONE CHANGE

From: R-1C Single-Family Residential

To: P-1 Professional/Service

Acreage: 0.660 acres

Applicant: Communication Workers of America
Local 3314, East Congregation of
Jehovah's Witnesses (0203.1469)

Property Zone Existing Use	to North R-3MF Carmel Home	
to West P-1 Carmel Home	Subject R-1C ➔ B-4 Church	to East R-1C Residential
	to South R-1C Residential, vacant lot	

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 an Urban Residential Plan Area, where professional/service uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns** should conform to the criteria for “Non-residential development” (D7).
- (b) **Logical expansions** Existing area of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Applicant's Findings

Subject property is located in an Urban Residential Plan Area where Professional/Service uses are appropriate in limited locations. The adjoining property to the west and north is located in a Professional/Service Plan Area where Professional/Service uses are appropriate in general locations.

The subject property is currently owned by the East Congregation of Jehovah's Witness and is currently utilized as a church. The owner intends to relocate all church services to a site on Tamarack Rd. The applicant proposes to purchase the subject property and convert the existing building for use as a Union Hall. No structural changes are planned at this time.

Specific criteria that apply to this application are as follows:

- (a) Building and lot patterns should conform to the criteria for “Non-residential development” (D7). Outdoor storage yards criteria do not apply to this application. The current use of the subject property as a church facility would be classified as a Professional/Service use. The proposed use as a Union Hall would also be classified as a Professional/Service use.
- (b) **Logical expansions** – The property immediately west of the subject parcel, owned by the Diocese of Owensboro, is currently zoned P-1. The proposed rezoning is a logical expansion of limited scope of the existing P-1 zone.

- (c) New locations of Professional/Service use – Not applicable to this application.

The proposed rezoning complies with all applicable criteria and is therefore in compliance with the adopted Comprehensive Land Use Plan.

Planning Staff Review

The subject property is located in the 1501 Block of E 26th St. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

No important environmental criteria apply to the subject property.

Urban Services

All urban services are available to the site.

Development Patterns

The subject property is currently in use as a church, operating under a conditional use permit issued in 1974. The applicant proposes to use the existing church building and existing vehicular use areas to operate an office for a trade union. The zoning ordinance permits church uses with conditional use approval in residential zones. The property to the east is zoned R-1C Single-Family Residential and is in use as a single-family residence. It currently is screened from the subject property by a solid board fence. The property to the north and west is used for the operations of the Carmel Home, an institutional facility that is operating under a conditional use permit. Property to the south across E 26th St is zoned R-1C and is used for residential purposes.

Existing vehicular use areas should be screened along the street right-of-way with a 3-foot high continuous element and one tree per 40 linear feet of VUA boundary within a 3-foot wide easement.

Intersection & Driveway Spacing

E 26th St is classified as a major collector. The property is currently developed with one access point to E 26th St. Vehicular access shall be limited to the existing access point on the subject property with no widening of the current access point.

Roadway Buffer Standards

A 30-foot roadway buffer applies to the subject property. Vehicular use area landscaping shall be located outside of the required roadway buffer.

SPECIFIC LAND USE CRITERIA

The subject property is adjacent to P-1 Professional/Service zoning and a Professional/Service Plan Area. Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same streets. The applicant's proposal is a logical expansion of the P-1 Professional/Service zoning to the east. Expansion of the P-1 Professional/Service zone and use will not will not overburden the capacity of roadways or other urban services available in the affected area.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the adopted Comprehensive Plan. This recommendation is made subject to the conditions and findings of fact that follow:

Conditions:

1. Access to the subject property shall be limited to the existing developed access point located on the property. No additional access points to E 26th St shall be permitted; and,
2. A 3-foot high continuous element and one tree per 40 linear feet shall be provided where the vehicular use area adjoins the public right-of-way.

Findings of Fact:

1. The subject property is located in an Urban Residential Plan Area, where Professional/Service uses are appropriate in limited locations;
2. The subject property adjoins a Professional/Service zone to the west; and,
3. The applicant's proposal is a logical expansion of the P-1 Professional/Service zone that would not overburden the capacity of roadways or other urban services available in the affected area.