

AUGUST 12, 2004

**PORTION OF 3306 FENMORE ST, 806
DALTON ST**

ZONE CHANGE

From: R-1C – Single Family Residential		
To: P-1 – Professional/Service		
Acreage: 1.417 acres		
Applicant: Precious Blood Parish of Owensboro, KY (0408.1564)		
Property Zone Existing Use	to North R-1C <i>Single Family Residential</i>	
to West P-1 <i>Church and Parish Center, Ball Field</i>	Subject R-1C ⇄ P-1 <i>Parking, Vacant</i>	to East R-1C <i>Single Family Residential</i>
	to South R-1C <i>Single Family Residential</i>	


**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 areas.

SPECIFIC LAND USE CRITERIA

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

Applicant's Findings

The Comprehensive Plan recommends Professional/Service land use for the site. The site has been owned and used as church related property for numerous years. Previous proposals to use a portion of the site for single family residential sites did not occur.

The 1.197-acre tract is not residential in character nor size, being non-residential in land use and appearance.

Rezoning to a P-1 classification will be a logical expansion of the current P-1 zones located northward and westward of the site. The rezoning will bring the site into conformance with the historical use.

All urban services required of a Professional/Services land use are available to the site.

Planning Staff Review

The subject property is located in the 800 block of Dalton Street south of Fenmore Street. 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 a portion of the northeast corner of the property may be within a wetlands area. However, this portion of the subject property has been previously developed with parking facilities for the church.

The subject property does not appear to be in a special flood hazard area per FIRM Map 21059CO120 C.

It appears that the subject property is not in the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

However, 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.

other necessary urban services that are available in the affected area.

Urban Services

All urban services are available to the site.

Development Patterns

The proposed rezoning is located adjacent to an existing P-1 Professional/Service zone which is currently utilized by the Precious Blood Parish of Owensboro as a church and outdoor recreational facilities. According to the rezoning application the intended use is church related parking and grass area which is acceptable under a P-1 zoning if the subject property is consolidated to the adjoining church property at 3400 Fenmore Street. If the subject property is not consolidated, a conditional use permit for a parking lot should be sought.

SPECIFIC LAND USE CRITERIA

The proposed zoning is a logical expansion of adjacent P-1 zoning and will remain non-residential in use.

Planning Staff Recommendations

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

Conditions:

1. Extend sidewalks from the existing termini along Dalton Street; and,
2. The subject property shall be consolidated to the adjacent church property at 3400 Fenmore Street, or a conditional use permit shall be sought for parking.

Findings of Fact:

1. The subject property is located in a Professional/Service Plan Area, where professional/service uses are appropriate in general areas;
2. The subject property is adjacent to P-1 Professional/Service zone; and,
3. The applicant's request is a logical expansion of existing P-1 Professional/Service zone in the area and will not overburden the capacity of roadways and