



MAY 11, 2006

507 PLUM ST

ZONE CHANGE

From: R-1T Townhouse		
To: P-1 Professional/Service		
Proposed Use: Church		
Acreage: 0.935		
Applicant: Mt. Calvary Baptist Church (0605.1642)		
Property Zone Existing Use	to North P-1 City Park	
to West R-1T Residential	Subject R-1T ➔ P-1 Church	to East R-1T Residential
	to South R-1T 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 Central 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 “**Nonresidential Development.**”
- (b) **Logical expansions** - Existing areas of Professional/Service use may be expanded onto contiguous land that abuts the same street(s). If the contiguous land is located across an intervening street, the expansion should be at least **one (1) acre** in size, unless it would serve as a “**buffer-use**”. An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.
- (d) **New locations** of Professional/Service use should be “**major-street-oriented**”. 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**”.

Applicant's Findings

The proposed zoning map amendment is not in compliance with the Comprehensive Plan. The existing zoning classification is inappropriate. The original tract of the subject property has been used as a church for many years. Over the years Mount Calvary Baptist Church has acquired properties as they have come available. A recent survey has been approved by the OMPC consolidating all properties.

Planning Staff Review

The subject property is located in the 501 block of Plum 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 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 21059CO140 C. 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 in an area of mixed residential and professional/service uses. Residential uses are located east south and west of the subject property with a mix of single-family and multi-family residential uses. A city park is located north of the subject property.

The church is proposing an expansion of the existing church facility as well as the addition of an off-street parking lot. In an R-1T zone, parking is limited to alley access only. However, an access to Plum Street would more efficiently serve the proposed parking lot. The applicant is seeking the P-1 zone in order to provide access on Plum Street and expand the church use that has existed on the subject property for many years. Plum Street is classified as a local roadway and does not have driveway spacing standards. However, W 5th Street is classified as a minor arterial roadway with a driveway spacing standard of 500 feet. Since access spacing standards cannot be accomplished on W 5th Street, no access to W 5th Street shall be permitted. A minimum 40 foot roadway buffer is also required along W 5th Street.

SPECIFIC LAND USE CRITERIA

The current R-1T zoning classification is a flexible zoning classification that is often found in areas that were anticipated for redevelopment. Although some redevelopment has taken place in the vicinity, the church has occupied the subject property since before the current zoning regulations went into effect. The R-1T zoning classification is appropriate for the surrounding area with redevelopment potential, but with the historical use of the subject property as an operating church, a P-1 zoning classification is more appropriate for the given use. The installation of an access point to Plum Street would not have a significant impact on the neighborhood since Plum Street is classified as a local roadway and other properties in the vicinity have existing access points on the street.

As stated by the applicant, the proposal does not meet the criteria of the Comprehensive Plan. In order to qualify as a logical expansion across an intervening street or as a new location of professional/service zone, the subject property would have to be one acre in size. However, at 0.935 acres, the subject property is close to meeting the criteria. When combined with the fact that the subject property has

historically been used as a church, the zoning change is appropriate.

Planning Staff Recommendations

Staff recommends approval because the proposed P-1 zoning classification is a more appropriate zone for the subject property than the current R-1T classification. The condition and findings of fact that support this recommendation include the following:

Condition: No direct access shall be permitted to W 5th Street. Access shall be limited to Plum Street and the alley only.

Findings of Fact:

1. The subject property is located in a Central Residential Plan Area where professional/service uses are appropriate in limited locations;
2. The church has occupied the site since before current zoning regulations went into effect;
3. The character of the neighborhood will not be adversely altered as the subject property has been used as a church for many years; and,
4. Based on the historical and proposed use of the subject property, a professional/service zoning classification is more appropriate than the current R-1T zoning classification.