

**JUNE 8, 2006**

**800 PLEASANT VALLEY RD**

**ZONE CHANGE**

<b>From:</b> I-1 Light Industrial		
<b>To:</b> B-4 General Business		
<b>Proposed Use:</b> Church Assembly		
<b>Acreage:</b> 4.817		
<b>Applicant:</b> New Focus Community Church (0606.1646)		
<b>Property Zone Existing Use</b>	<b>to North</b> B-4, I-1 Vacant, Trucking Company	
	<b>to West</b> R-1A Residential	<b>Subject</b> I-1 ↔ B-4 Vacant
		<b>to East</b> R-1A Residential
	<b>to South</b> I-1 Industrial	

**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 B-4 General Business zone. The subject property is located in an Industrial Plan Area where general business uses are appropriate in very-limited locations.

**SPECIFIC LAND USE CRITERIA**

- (a) Building and lot patterns; outdoor storage yards -** Building and lot patterns should conform to the criteria for “**Nonresidential Development**” and outdoor storage yards to “**Buffers for Outdoor Storage Yards.**”
- (b) Logical zoning expansions of proportional scope -** Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

**Applicant's Findings**

The proposed zoning map amendment is in compliance with the Comprehensive Plan. The Land Use Plan allows for logical expansions of proportional scope of general business uses in an industrial plan area.

**Planning Staff Review**

The subject property is located in the 800 block of Pleasant Valley Road. 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 21059CO140C. 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 located in an area of mixed commercial, industrial, and residential uses. The property to the north is zoned I-1 and B-4 and is occupied by a trucking company and vacant commercial land. The property to the east and west is zoned R-1A with primarily single-family residential uses. The property to the south is zoned I-1 and is an industrial use.

There is an existing industrial structure on the subject property that is currently vacant. The applicant proposes to convert the structure to allow for church assembly within the existing building. There are currently two curb cuts along Pleasant Valley Road and a single access point to E 8<sup>th</sup> Street. In the vicinity of the subject property, Pleasant Valley Road is classified as a minor arterial roadway with a 500 foot drive spacing standard and a 50 foot roadway buffer. Since the site does not meet current access spacing standards, the curb cuts along Pleasant Valley Road should be modified to bring the site more into conformance. This could be achieved in one of two ways. Either both access points on Pleasant Valley Road should be removed with additional access permitted on E 8<sup>th</sup> Street or the two drives on Pleasant Valley Road should be consolidated into a single access point in alignment with E 8<sup>th</sup> Street.

Appropriate screening will be required along the west boundary of the property where it adjoins R-1A zoning. The screening should include a 10 foot landscape buffer with a six foot high element and one tree every 40 linear feet.

## SPECIFIC LAND USE CRITERIA

The subject property is a logical zoning expansion of existing B-4 zoning to the north. At 4.817 acres, the proposed expansion of the B-4 zone is proportional in scope to the amount of surrounding B-4 zoning and is not a significant increase in the extent of the zone in the vicinity. The expansion of the B-4 zone should not overburden roadway capacity or other necessary urban services that are available in the affected area.

## Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The conditions and findings of fact that support this recommendation include the following:

### Conditions:

1. Access on Pleasant Valley Road shall be consolidated into a single access point in alignment with E 8<sup>th</sup> Street or eliminated entirely with additional access points permitted on E 8<sup>th</sup> Street.
2. Install required screening along the west side of the property to include a ten foot landscape buffer with a six foot high element and one tree every 40 linear feet and install required vehicular use area screening as required by ordinance.

### Findings of Fact:

1. The subject property is located in an Industrial Plan Area where general business uses are appropriate in very-limited locations;
2. The proposed rezoning is a logical expansion of a B-4 General Business zone located immediately north of the subject property;
3. The 4.817 acre tract is proportional in scope to the amount of surrounding B-4 zoning and is not a significant increase in the extent of the zone in the vicinity; and,
4. The expansion of the B-4 zone should not overburden roadway capacity or other necessary urban services that are available in the affected area.