

**JUNE 9, 2005**

**902 W 2<sup>ND</sup> ST**

**ZONE CHANGE**

<b>From:</b> B-4 General Business		
<b>To:</b> R-4DT Inner-City Residential		
<b>Acreage:</b> 0.122 acres		
<b>Applicant:</b> Bradley D. Hutchins (0505.1596)		
<b>Property Zone Existing Use</b>	<b>to North</b> B-4 Residential	
<b>to West</b> R-4DT Residential	<b>Subject</b> B-4 → R-4DT Vacant	<b>to East</b> B-4 Billiards & Restaurant
	<b>to South</b> B-4 Residential	

**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 an R-4DT Inner-City Residential zone. The subject property is partially located in a Central Residential Plan Area, where urban mid-density uses are appropriate in general locations and partially located in a Business Plan Area, where urban mid-density uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

- (a) Building and lot patterns** - Should conform to the criteria for "Urban Residential Development."
- (b) Existing, expanded or new sanitary sewers** - Urban mid-density residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be property established.

**(c) Logical expansions** - Existing areas of Urban Mid-density residential uses may be expanded onto contiguous land. 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**

The proposed rezoning is in compliance with the existing Comprehensive Plan, because it is an extension of the existing zone to the west. Also, it is located in a block that has had a trend to residential use beginning in 1992.

**Planning Staff Review**

The subject property is located in the 900 block of W 2<sup>nd</sup> 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 does not appear to be 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 located in an area of mixed residential and commercial uses. The property to the west of the subject property is zoned R-4DT Inner-City Residential is currently vacant. The properties north and south of the subject property are zoned B-4 but are occupied by residences. A billiard hall and restaurant are located east of the subject property.

West 2<sup>nd</sup> Street is classified as a principal arterial roadway with a driveway spacing standard of 500 feet. Therefore, access to the subject property shall be limited to Poplar Street only with no direct access to W 2<sup>nd</sup> Street.

### SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the adopted Comprehensive Plan. Sanitary sewer is currently available and the proposed residential use will be required to tie into the sanitary sewer system. Property to the west is currently zoned R-4DT and this expansion of an R-4DT zone will not significantly increase the extent of the zone in the vicinity and should not overburden the capacity of roadways and 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 condition and findings of fact that support this recommendation include the following:

**Condition:** Access to the subject property shall be limited to Poplar Street only with no direct access to W 2<sup>nd</sup> Street.

### Findings of Fact:

1. The subject property is partially located in a Central Residential Plan Area, where urban mid-density uses are appropriate in general locations and partially located in a business plan area where urban mid-density uses are appropriate in limited locations;
2. Sanitary sewers are currently existing in the vicinity;

3. The proposal is a logical expansion of existing R-4DT Inner-City Residential zone immediately west of the subject property; and,
4. Expansion of the contiguous R-4DT Inner-City Residential zone should not significantly increase the extent of the zone within the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.