

**AUGUST 9, 2012****PORTION OF 137 WEIKEL DR****ZONE CHANGE**

<b>From:</b> B-4 General Business
<b>To:</b> R-2MF Multi-Family Residential
<b>Proposed Use:</b> Multi-Family Residential
<b>Acreage:</b> 0.31+/-
<b>Applicant:</b> Goetz Development, LLC (1208.1850)
<b>Surrounding Zoning Classifications:</b>
<b>North:</b> R-1B <b>South:</b> R-3MF
<b>East:</b> B-4 <b>West:</b> R-2MF

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-2MF Multi-Family Residential zone. The subject property is located in an Urban Residential Plan Area where urban mid-density residential uses are appropriate in limited locations.

**SPECIFIC LAND USE CRITERIA**

**(a) Building and lot patterns** – Building and lot patterns should conform to the criteria for “Urban Residential Development” (D6).

**(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 properly 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.

**Planning Staff Review****GENERAL LAND USE CRITERIA****Environment**

- It appears that the subject property is not located in a wetland area per the US Department of Agriculture Soil Conservation Service dated March 6, 1990.
- The subject property is partially located in a special flood hazard area per FIRM Map 21059CO276 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

**Urban Services**

All urban services, including sanitary sewers, are available to the site.

**Development Patterns**

The subject property is part of a preliminary subdivision plat approved in 1985, which was intended for multi-family

development. A revised preliminary plat was approved in 2002 and the subject property was rezoned to B-4 but the property has never been developed. A revised preliminary plat has been submitted in conjunction with this rezoning request that would adjust the lot patterns to accommodate the proposed uses.

To the north of the subject site, property is zoned R-1B and is developed with single-family housing. An east-west segment of Harsh Ditch physically separates the subject site from the residential area to the north. The property to the west is zoned R-2MF and is developed with multi-family residential units. Property to the east is B-4 and was rezoned with the subject property in 2002, but has not developed. To the east the property is zoned R-3MF and is currently vacant, however, a new preliminary plat has recently been submitted.

Required parking for residents and spillover parking shall be provided in accordance with the zoning ordinance. Appropriate vehicular use area screening shall be installed in accordance with the zoning ordinance as well. All vehicular use areas are to be paved.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. Sanitary sewer service is available to the subject property and the proposal is a logical expansion of existing R-2MF Multi-Family Residential located immediately west of the subject property.

**Planning Staff Recommendations**

The planning staff recommends approval subject to the condition and findings of fact that follow:

**Condition:** Approval a revised preliminary subdivision plat.

**Findings of Fact:**

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Urban Residential Plan Area, where urban mid-density residential uses are appropriate in limited locations;
3. Sanitary sewer service is available for extension to the site; and,
4. The proposal is a logical expansion of existing R-2MF Multi-Family Residential zoning located immediately west of the subject property.