

FEBRUARY 14, 2013**3601 JEFFERSON ST; 3950 SAINT ANN ST****ZONE CHANGE**

From: R-1B Single-Family Residential	
To: R-1C Single-Family Residential	
Proposed Use: Residential Development	
Acreage: 9.717	
Applicant: JED Rentals Family Partnership, LTD (1302.1867)	
Surrounding Zoning Classifications:	
North: R-1B	South: R-1B, R-1C
East: P-1	West: R-1B

Proposed Zone & Land Use Plan

The applicant is seeking an R-1C Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area where Urban Low-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 Low-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

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

- It appears that the subject property is not located in a wetlands 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 a large vacant parcel within the built-up urban area of the city. Surrounding land uses are all residential with the exception of the Owensboro Country Club located across JR Miller Boulevard to the west.

In 2007, the applicant rezoned the Mallard Creek development from R-1B to R-1C in order to obtain the

desired density for a duplex development. The current proposal is similar in nature with a total of 80 residential units in 40 buildings on the site. The R-1C Single-Family Residential zoning classification permits one dwelling per 5,000 square feet. The applicant's proposal is for an average of one unit per 5,290 square feet so the overall density of the site is in conformance with the zoning ordinance requirements for R-1C zoning. A preliminary plat/final development plan has been submitted detailing the scope of the development.

The proposed development is in-fill development within the Urban Service Area where all necessary urban services are immediately available to the site. The subject property has never been platted for residential development under the current R-1B zoning classification and the redevelopment of the site will promote the Comprehensive Plan's goal to establish a sense of community by providing a variety of housing types suitable to a variety of people within a neighborhood.

According to the preliminary plat/final development plan submitted in conjunction with the rezoning, all dwellings within the development will face the extension of Lafayette Drive with the exception of three building that will face Jefferson Street thereby respecting the adjacent single-family lot orientation in the vicinity. Additionally, the proposal is for a Planned Residential Development which requires a 20 foot project boundary buffer which will provide further separation from the adjoining single-family residences. The applicant did receive a variance from the Owensboro Metropolitan Board of Adjustments in January 2013, for a front building setback variance for two building along the new portion of Jefferson Street.

Access to the site is from the extension of Lafayette Street, Saint Ann Street and Longfellow Drive. The applicant requested street access to JR Miller Boulevard and the GRADD MPO Transportation Advisory Committee recommended the access for approval with conditions. However, the GRADD MPO Policy Committee ultimately denied the request.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposal is consistent with a previous rezoning request to allow a higher density development to the south as an in-fill development of a previously undeveloped lot that will provide a variety of housing types and provide additional accessibility and mobility within the neighborhood. The specific criteria of the Comprehensive Plan support a zoning change to R-1C, an urban low-density residential zone, because sanitary sewer service is available to the subject property. However, the Planning Commission should consider input from neighboring residents in deciding whether a

recommendation of approval for this zoning change is warranted.

Planning Staff Recommendations

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

Condition – No access shall be permitted to JR Miller Boulevard.

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 low-density residential uses are appropriate in limited locations;
3. Sanitary sewer service is available to the subject property;
4. The proposal meets a goal of the Comprehensive Plan to establish a variety of housing types for a variety of people within a neighborhood; and,
5. The proposal supports the Comprehensive Plan's goals by encouraging the concentration of urban development within the Urban Service Area to limit urban sprawl.