

OCTOBER 9, 2014**316, 324 HILL AVE****ZONE CHANGE**

From: R-1B Single Family Residential	
To: R-3MF Multi-Family Residential	
Proposed Use:	Multi-Family Residential
Acreage:	0.42
Applicant:	Professional Properties & Construction; Mike & Marilyn Wells (1410.1913)
Surrounding Zoning Classifications:	
North: R-1B	South: R-1B, B-4
East: B-4	West: R-1B

Proposed Zone & Land Use Plan

The applicant is seeking an R-3MF 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.

(d) New locations near major streets – In Urban Residential, Professional/Service, Business, and Rural Community plan areas, new locations of Urban Mid-density Residential uses should be “major-street-oriented” (D2).

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 not located in a special flood hazard area per FIRM Map 21059CO138 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 sewer, are available to the site.

Development Patterns

The subject properties are currently vacant. Walgreens and Jimmie Johns, which is under construction, are located across the alley to the east of the subject properties. There is also one property located across the alley to the south zoned B-4 General Business. The other uses surrounding the subject properties are single family residential. The applicant proposes to construct a 2-story 4-plex on the subject properties. The subject properties are located along Hill Avenue, a local street.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is not in compliance with the Comprehensive Plan. The proposed use as multi-family residential conforms to the criteria for urban residential development. However, the proposed R-3MF Multi-Family Residential zoning is not a logical expansion of R-3MF Multi-Family Residential zoning, as there is no other Multi-Family Residential zoning in the vicinity. With the exception of the B-4 General Business zoning that fronts along Frederica Street and 309 Hill Avenue that is east of the alley, all properties in the block are zoned R-1B Single Family Residential. The nearest multi-family zoning on the west side of Frederica Street is located nearly a half mile away. As a proposed 4-plex, the use could overburden the capacity of roadways and other necessary urban services that are available in the affected area as this is a single family residential area. The subject properties are located on Hill Avenue, a local street, and are not major-street-oriented.

Planning Staff Recommendations

The planning staff recommends denial subject to the findings of fact that follow:

Findings of Fact:

1. Staff recommends denial because the proposal is not in compliance with the community's adopted Comprehensive Plan;
2. The subject properties are located in an Urban Residential Plan Area where Urban Mid-density Residential uses are appropriate in limited locations;
3. The proposal is not a logical expansion of existing R-3MF Multi-Family Residential zoning;
4. The proposed use as a 4-plex could overburden the capacity of the roadways and other necessary urban services that are available in the affected area; and,
5. The subject properties are not major-street-oriented.