

JUNE 9, 2016

**301 E 9TH ST; 824, 828, 830 & 832 CRITTENDEN
ST; A PORTION OF 817 JR MILLER BLVD**

ZONE CHANGE

From:	R-3MF Multi-Family Residential, R-4DT Inner-City Residential & B-4 General Business
To:	R-4DT Inner-City Residential
Proposed Use:	Multi-Family Residential
Acreage:	0.844
Applicant:	Cohen-Esrey Affordable Partners, LLC; City of Owensboro (1606.1961)
Surrounding Zoning Classifications:	
North:	R-4DT
South:	I-1
East:	B-4
West:	I-1

Proposed Zone & Land Use Plan

The applicant is seeking an R-4DT Inner-City Residential zone. The subject property is located in a Central Residential Plan Area where Urban High-density Residential uses are appropriate in general locations.

SPECIFIC LAND USE CRITERIA

(a) **Yard dimensions in proportion to building height** – For buildings over three stories in height, building setbacks should be greater than normal for yards adjoining other properties; the taller the building, the greater the setback.

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 located within the Owensboro Wellhead Protection area per the OMU map dated 2015
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC building/electrical/HVAC division 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 property is currently vacant; it had been used as part of MPD manufacturing, located across 9th Street to the south. The Owensboro Police Department adjoins the subject property to the southwest and a vacant warehouse is located across JR Miller Boulevard to the west. The Germantown Park and parking lot adjoin the subject property to the north and east.

The applicant proposes to repurpose the vacant three story industrial building on the property to create affordable one and two bedroom apartments.

In November of 2014 the OMPC recommended approval of a rezoning for 301 E. 9th Street from I-1 to R-3MF to Cohen-Esrey Affordable Partners, LLC for a multi-family residential

development. The same applicant is now in the process of acquiring the adjacent City-owned parcels with the intent of incorporating them into the development, mainly as area for required off-street parking. Since these adjacent areas are zoned differently than the former MPD building parcel, it is necessary to assign the same zoning classification to the properties so they may be joined together. Given the size, scale and location of the existing MPD building the R-4DT zoning classification and its dimensional requirements appears to be the most appropriate zone for this project.

The subject property is located within the Germantown Redevelopment Area where several new single family homes have been constructed within the last 10 years. The proposed development meets the goals of the Germantown Redevelopment Plan and the Comprehensive Plan by revitalizing the area and offering a variety of affordable housing types within the urban area.

The applicant will be required to provide off-street parking on the subject property consisting of 1.5 spaces for one bedroom units and 2 spaces for two bedroom units and spillover parking shall be provided consisting of 0.75 spaces for units over 1,000 square feet and 0.50 spaces for units under 1,000 square feet. All other site development requirements, including but not limited to landscaping, buffering, building setbacks, access, etc. shall be addressed on a Final Development Plan. The Final Development Plan shall be approved before any construction work takes place.

East 9th Street and JR Miller Boulevard in this location are classified as principal arterial and major collector roadways, respectively. No access to East 9th Street and JR Miller Boulevard will be allowed. Access to the development will only be allowed from Crittenden Street.

Since the property is located within the Owensboro Wellhead Protection Area, according to OMU, if the property will have or produce anything that can contaminate the soil then they must have a groundwater protection plan. OMU, the Kentucky Division of Water and the EPA have been made aware of this rezoning request.

The changes and alterations to the structure and use of the subject property will require building, electrical and HVAC permits. The OMPC building and electrical division should be contacted prior to any construction activity.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as multi-family residential conforms to the criteria for urban high-density residential development. The use as an apartment building meets the goals of the Germantown Redevelopment Plan and the Comprehensive Plan to revitalize the Germantown neighborhood and to provide a variety of affordable housing options within the urban area.

Planning Staff Recommendations

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

Condition:

- Approval of a Final Development Plan prior to any construction activity to address all site development requirements.
- No access to the development from East 9th Street or JR Miller Boulevard shall be allowed. Access to the development shall only be granted from Crittenden Street.

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 a Central Residential Plan Area where Urban High-density Residential uses are appropriate in general locations;
3. The proposal meets the goals of the Germantown Redevelopment Plan to revitalize the area; and
4. The proposed use as an apartment building meets the goals of the Comprehensive Plan to provide a wide variety of types of housing suitable to a wide range of people.