



**SEPTEMBER 8, 2016**

**3620 EDNA COURT**

## ZONE CHANGE

<b>From:</b>	I-1 Light Industrial
<b>To:</b>	R-3MF Multi-Family Residential
<b>Proposed Use:</b>	Multi-Family Residential Development
<b>Acreage:</b>	2.0
<b>Applicant:</b>	Earl Hayden; O'Bryan Heirs c/o John M. Wright (1609.1971)
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b>	R-3MF
<b>South:</b>	I-1
<b>East:</b>	I-1
<b>West:</b>	B-3

## 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 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.

## 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 21059CO257 D.
- It appears that the subject property is not 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 sewers, are available to the site.

#### Development Patterns

The subject property is a two acre parcel located at the southwest corner of the intersection of O'Bryan Boulevard and Edna Court. The applicant proposes to rezone the parcel from I-1 Light Industrial to R-3MF Multi-Family Residential in order to develop the property as multi-family residential.

The subject property is located in Heritage Park subdivision which was a planned mixed-use development and includes commercial, industrial, single and multi-family residential uses. Adjacent properties to the east and south are zoned I-1. Adjacent properties to the west are zoned B-3. The adjacent property to the north across O'Bryan Boulevard is zoned R-3MF.

Edna Court and O'Bryan Boulevard are classified as local streets and the subject property is thereby required to have a 25' front building setback line along both street rights-of-way. A 20' project boundary buffer, which applies to planned residential developments according to Article 10 in the zoning ordinance, will be required along the southern and western property lines of the site. Access to the site must be compliant with applicable sections of the zoning ordinance. The Access Management Manual does not apply to this site since the adjacent streets are classified as local streets.

Parking spaces must be provided on site and the exact number required is determined by the size of the dwelling units. An efficiency or one-bedroom unit requires 1.5 parking spaces per unit while any unit with two or more bedrooms requires two parking spaces per unit. The size of the proposed dwelling units will also determine the number of additional spillover parking spaces required to be included in the parking lot design. All vehicular use areas must be paved and vehicular use area screening shall be installed where adjoining road right-of-way. A 10' landscape easement with a 6' tall continuous element and one tree per 40 linear feet will be required along the western and southern property lines where adjacent to B-3 and I-1 zoned properties.

The applicant must obtain approval of a final development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. Jim Mischel with the OMPC Building, Electrical & HVAC department shall be contacted before any construction activity takes place on the property.

In a related case also to be considered by the OMPC on 9/8/16, the applicant is requesting a variance related to the required 20' project boundary buffer.

### SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The use of the property as multi-family residential conforms to the criteria for Urban Residential development. This proposal is a logical expansion of existing R-3MF zoning to the north. At 2.0 acres, the proposal is not a significant increase in R-3MF zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area. Also, sanitary sewer service is available to the subject property.

## Planning Staff Recommendations

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

### Conditions:

- Approval of a final development plan to demonstrate compliance with zoning ordinance requirements including,

but not limited to, parking, landscaping, building setbacks, access management and signage.

**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 uses are appropriate in limited locations;
3. The use of the property as multi-family residential conforms to the criteria for Urban Residential development;
4. This proposal is a logical expansion of existing R-3MF zoning to the north;
5. At 2.0 acres, the proposal is not a significant increase in R-3MF zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area; and
6. Sanitary sewer service is available to the subject property.