

JUNE 8, 2017

A PORTION OF 10031 WALNUT ST, WHITESVILLE

ZONE CHANGE

From: R-1C Single-Family Residential	
To: R-3MF Multi-Family Residential	
Proposed Use: Multi-Family Residential	
Acreage: 0.498	
Applicant: Roger Coomes and Michael Coomes (1706.2006)	
Surrounding Zoning Classifications:	
North: B-2	South: R-1B
East: R-1C	West: R-1C

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 21059CO340D.
- 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 sewer, are available to the site.

Development Patterns

The subject property is a 0.498 acre portion of a larger R-1C parcel located at 10031 Walnut Street within the City of Whitesville. The applicant proposes to rezone a 0.498 acre portion of the property to R-3MF Multi-Family Residential, which would leave two small portions of the property as R-1C Single-Family Residential. The area proposed for rezoning includes a detached garage, which would likely be removed if the property is ever redeveloped. A single-family residence is located on a portion of the property that will remain R-1C.

The applicant's desired lot configuration, as shown on the property notification map, will not meet the zoning ordinance requirements for road frontage. Each of the R-1C lots requires 50' of road frontage while the proposed R-3MF portion requires 70' of road frontage. 170' of road frontage is needed to be compliant, while the applicant's property only has 161.36' of road frontage.

This area includes a mixture of residential and commercial properties. To the north is the rear of a bank property, zoned B-2. To the west are single-family residential properties, zoned R-1C. To the east are single-family residential properties, zoned R-1C. To the south across Walnut Street are single-family residential properties, zoned R-1B.

Walnut Street in this location is classified as a local street which has a 25' building setback requirement. 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 it is located outside the urban service area.

If the rezoning is approved, the applicant will be required to provide vehicular use area screening compliant with Article 17 of the zoning ordinance around the perimeter of any proposed parking area that faces any residential property or Walnut Street right-of-way.

If approved, prior to occupancy of the property 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.

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 and the subject properties are in an area served by sanitary sewers. However, the proposal is not a logical expansion of existing R-3MF zoning in the area. The proposal is not major-street oriented. Furthermore, the proposed lot configuration will not be compliant with the zoning ordinance road frontage requirements.

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;

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2. The subject property is located in an Urban Residential Plan Area where urban mid-density residential uses are appropriate in limited locations;
 3. The proposed use as multi-family residential conforms to the criteria for urban residential development;
 4. The proposal is not a logical expansion of existing R-3MF Multi-Family Residential zoning in the area;
 5. The proposal is not major street oriented; and
 6. Furthermore, the proposed lot configuration will not be compliant with the zoning ordinance road frontage requirements.