

OCTOBER 4, 2018

1120 TAMARACK ROAD

ZONE CHANGE

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|--|------------------------|
| From: B-4 General Business | |
| To: R-3MF Multi-Family Residential | |
| Proposed Use: Multi-Family Development | |
| Acreage: 11.399 acres | |
| Applicant: Shoppes at 3800 Frederica, LLC; (1810.2063) | |
| Surrounding Zoning Classifications: | |
| North: B-4, P-1, R-1A | South: R-1C |
| East: B-4 | West: P-1, R-1B |

Proposed Zone & Land Use Plan

The applicant is seeking an R-3MF Multi-Family Residential zone. The subject property is located in a Professional/Service 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.

(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)

(e) New locations adjoining non-residential uses – If new locations of Urban Mid-Density Residential uses are located in Professional/Service or Business plan areas, they should be sited on the fringes of such areas where they would serve as “**buffer-uses**” (D1)

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 Maps 21059CO276D.

- 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 or other state and federal agencies as may be applicable.

Urban Services

All urban services are available to the site, including sanitary sewer service.

Development Patterns

The subject property is a portion of the former home of Texas Gas Pipeline. In November of 2017, 29.7 acres (which include the subject property) were rezoned from A-U Urban Agriculture and P-1 Professional/ Service to B-4 General Business. In December 2017, approval of a major subdivision preliminary plat illustrated the division of the entirety of the complex into 11 lots with an internal private street network, creating the development now known as ‘The Shoppes at 3800 Frederica’. One of the lots created is the 11.399 acre subject property which encompasses the entirety of the western portion of the development.

There are currently several structures on the subject property: the old Junior Achievement building and two storage/garages. All of the buildings have been vacant or used for storage since Texas Gas moved its operations downtown in 2012.

The Town and Country neighborhood borders the property to the west and along the southern boundary. To the north, across Tamarack Road, the properties are zoned P-1 Professional/Service with a mix of commercial and professional uses. Additionally, there is one parcel zoned R-1A Single Family Residential on the west end of the property and another zoned B-4 General Business along the northeast corner of Monticello Dr. and Tamarack Rd. The remaining lots within The Shoppes at 3800 Frederica are located to the east and remain zoned B-4 General Business. In the vicinity of subject property, Tamarack Road is classified as a minor arterial roadway with a 75 foot building setback, 40 foot roadway buffer and 500 foot access spacing standard.

In order to determine the impact the development will have on the transportation network in the area, the applicant submitted a Traffic Impact Study (TIS) in conjunction with the original rezoning request that was approved in November of 2017. The TIS included the possibility of a multi-family development

at the time of its completion and consideration. The intention of the TIS was to identify traffic generated by the site and ways to mitigate the impact of the increased traffic on the surrounding transportation network. The Kentucky Transportation Cabinet, the City of Owensboro Engineer and OMPC staff all reviewed the TIS and met to discuss the results prior to the November 2017 rezoning. The Kentucky Transportation Cabinet submitted, in writing, their approval of the TIS prior to the OMPC's approval of the preliminary subdivision plat.

The applicant would like to utilize the 11.399 acre subject property to construct an apartment complex. The conceptual plan, which is subject to change, consists of eight 3-story apartment buildings and a clubhouse/office with a swimming pool. In total, the conceptual plan includes 192 residential units. Such an activity provides approximately 17 units per acre on the subject property; well within the range for Urban Mid-Density Residential uses, which are classified as multi-family dwellings at densities that are generally a minimum of 10 units and a maximum of 25 units per acre.

The approved preliminary subdivision plat indicates that the existing access point directly across from Ashlawn Drive will remain, allowing access from Tamarack Road to the subject property. Additionally, the preliminary plat illustrates a private road network that includes an extension of Monticello Drive that will navigate the entire subdivision development. This private road provides the opportunity for an additional ingress/egress point for the subject property. The TIS approved both, the existing access point and the extension of Monticello Drive, while also prohibiting any additional access from the subject property to Tamarack Road.

Proposed vehicular use areas that are adjacent to residential areas or public rights-of-way will be required to be screened in compliance with the Owensboro Metropolitan Zoning Ordinance. Interior landscape areas within large parking lots will also be required according to the zoning ordinance.

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

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed multi-family development conforms to the criteria for urban residential development. Sanitary sewer service is existing and available to the subject property and the site is oriented along Tamarack Road, a major street. Additionally, the proposed multi-family residential use should effectively serve as a buffer-use between the single family residential homes to west and south and the general business uses to the east.

Planning Staff Recommendations

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

Conditions:

1. Direct access to Tamarack Road from the subject property shall be limited to the single access point as shown on the preliminary subdivision plat. Any additional access points to the subject property shall be provided by internal streets.
2. Approval of a Final Development Plan.

Findings of Fact:

1. Staff recommends approval because the proposal is in compliance with community's adopted Comprehensive Plan;
2. The subject property is located in a Professional/Service Plan Area, where urban mid-density residential uses are appropriate in limited locations;
3. The proposed use of the subject property as a multi-family residential development will conform to the criteria for urban residential development;
4. Existing sanitary sewer services are available to the subject property;
5. The subject property is oriented along a major street, Tamarack Road;
6. The proposed multi-family residential use should effectively serve as a buffer-use between the single family residential homes to west and south and the general business uses to the east; and
7. With limited access to Tamarack Road and previous approval of a Traffic Impact Statement from the Kentucky Transportation Cabinet, the proposed development should not overburden the capacity of the roadways or other necessary urban services that are available within the affected area.