

FEBRUARY 14, 2019

**PORTION OF 3200-3400 BLOCK OF
HAYDEN ROAD**

ZONE CHANGE

From:	B-4 General Business
To:	R-3MF Multi-Family Residential
Proposed Use:	Multi-Family Development
Acreage:	1.228 acres
Applicant:	Gateway Land, LLC (1902.2075)
Surrounding Zoning Classifications:	
North:	B-4
South:	R-3MF
East:	A-U
West:	B-4

Proposed Zone & Land Use Plan

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

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 21059CO139D and 21059CO143D.
- 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, a 1.228 acre portion of the Gateway Commons development, is currently undeveloped and zoned B-4 General Business. This portion of Gateway Commons received preliminary plat approval most recently in May of 2017; however, this phase of the development has yet to be final platted.

While the majority of the land surrounding the project area is zoned B-4 General Business, the property immediately to the east is a large agricultural lot that is zoned A-U Urban Agriculture and appears to be residential in nature. Additionally, the adjoining land to the south is 21.143 acres of property with road frontage along Calumet Trace that is zoned R-3MF Multi-Family Residential.

The applicant intends to consolidate the project area with the rear of the preliminarily platted adjoining property to the south; thus, ultimately expanding the Urban Mid-density Residential use onto contiguous land. An expansion of 1.228 acres should not modify the housing density in a way that will alter the character of the streets or the urban services within the development.

Prior to any construction activity on 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. 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 subject property is in a development with available sanitary sewers. The proposal is a logical expansion of an existing Urban Mid-density Residential use which, at 1.228 acres in size, will not overburden the capacity of roadways and other necessary urban services that are available in the affected area. The proposal for a multi-family development will conform to the criteria for Urban Residential Development.

Planning Staff Recommendations

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

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 Business 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. The proposal is a logical expansion of the R-3MF Multi-Family Residential zoning to the south;
5. Sanitary sewer services are available to the subject property; and
6. At 1.228 acres, the proposal should not overburden the capacity of the roadways or other necessary urban services that are available within the affected area.