



MAY 9, 2002

200, 300 BLOCKS CINDERELLA DR

ZONE CHANGE

From: R-1A Single-Family Residential

To: R-1C Single-Family Residential

Acreage: 1.264 acres

Applicant: James Glenn Causey (0205.1477)

Property Zone Existing Use	to North R-1A Single-family residential, church	
to West R-1A Single-family residential	Subject R-1A ➔ R-1C Vacant	to East R-1A Single-family residential
	to South B-4 Manufactured home sales lot	

GENERAL LAND USE CRITERIA
Apply, if marked below:

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ☒

- U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- ❖ **D6** Residential Development
- D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an R-1C Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where urban low-density residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

- (a) **Building and lot patterns** should conform to the criteria for “Urban Residential Development (D6).
- (b) **Existing, expanded or new sanitary sewers** Urban low-density residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

Applicant's Findings

Applicant is seeking a R-1C Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where urban low-density residential use is appropriate in limited locations.

Subject property consists of 1.264 acres fronting along the southwest right-of-way line of Cinderella Drive. The applicant proposes to re-divide the existing 5 lots resulting in a 9 proposed lots with a minimum width of 60 feet and depth of approximately 100 feet. The property is served by sanitary sewer, which was recently constructed by RWRA. Existing service lines will be utilized with additional lateral lines to be installed by the developer to serve the additional lots. The previously approved plan, including widening Cinderella Drive with the construction of curb and sidewalk will remain unchanged and is currently bonded by the Owner.

Specific Land Use Criteria applicable to this application are as follows:

- (a) Building and lot patterns should conform to the criteria for (Urban Residential Development” (D6), as follows: Residential areas should promote a sense of community by providing a variety of housing types suitable to a variety of people. Housing densities should be consistent with the character of streets and urban services in the neighborhood. Buildings should be designed and arranged so they do not become irritants within the neighborhood.

The proposed lot re-divisions consists of lots ranging in width from 60 to 65 feet with depth approximately 100 feet, providing for a depth to width ratio of 1.5 to 1.7 to 1.

Existing lots in the W. H. Martin Subdivision situated along the northeast side of Cinderella Drive are typically 80 feet in width by 160 feet of depth. The property adjoining the proposed lots to the southwest is zoned B-4 and is utilized for Manufactured Home Sales. The subject property will have site built single family homes and will provide as a buffer between existing R-1A Residential and B-4 General Business.

Cinderella Drive is proposed to be widened to a 31-foot street in an existing 50-foot right-of-way with the construction of curb and gutter and sidewalks. These improvements were previously approved by OMPC and are currently bonded.

- (b) Urban low-density residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be properly established. Sanitary sewer service facilities have recently been constructed by RWRA along Cinderella Drive. Existing lateral lines will be utilized with additional laterals installed to serve the new lots.

The proposed zoning change is in compliance with the comprehensive land use plan and meets all applicable criteria thereof.

Planning Staff Review

The subject property is located in the 200 and 300 block of Cinderella Dr. A preliminary subdivision plat has been submitted for review. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

No important environmental criteria apply to the subject property.

Urban Services

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

Development Patterns

The subject property is currently platted as 5 lots in an R-1A zone. The adjoining property to the southeast, northwest and northeast across Cinderella Dr is zoned R-1A and is developed with single-family residences. Property to the southwest of the subject property is zoned

B-4 General Business and is in use as a manufactured home sales lot. The proposed preliminary subdivision plat provides for a 10-foot wide landscape buffer along the southwest boundary of the proposed lots with a 6-foot high continuous element and one tree for every 40 linear feet.

The previous preliminary and final approvals for the subject property included widening of Cinderella Dr to 31 feet in width with curb and gutter and sidewalk on the southwest side. The new preliminary subdivision plat submitted for approval also includes the widening of Cinderella Dr to a 31 feet in width, curb and gutter installation along the south side of the street and the installation of a 4-foot wide sidewalk along the southwest side of the street.

The proposal to change the zoning classification to R-1C Single-family Residential will maintain the permitted uses as single-family, but will allow an increase in the density of the neighborhood. The applicant indicates that the current lot sizes in the immediate vicinity measure approximately 80 feet by 160 feet, or an average 12,800 square feet per lot, for a density of approximately 3.4 lots per acre. The original 6 lots platted on the southwest side of Cinderella Dr resulted in a density of 3.67 lots per acre. The original plat included a lot that fronts on US 60 E that contains an existing residence and is not being re-platted or included in the zoning request to R-1C. The rezoning of the subject property to R-1C and the re-platting of the lots as proposed on the new preliminary plat would increase the density to 7.12 lots per acre on the subject property.

In general, residential areas should promote a sense of community by providing a variety of housing types suitable to a variety of people. Housing densities should be consistent with the character of streets and urban services within the area. The subject property is currently served by sanitary sewers that were recently constructed by RWRA along Cinderella Dr. The preliminary plan submitted for the subject property includes provisions to construct additional lateral lines to serve the additional lots proposed.

Established lots in a built-up neighborhood should not be rezoned to allow an increase in residential density, unless such change is acceptable to neighboring residents.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is within the Urban Service Area and sanitary sewers serve the subject property. Urban low-density residential uses should occur only where sanitary sewer systems exist or may be expanded.

The Goals and Objectives of the Comprehensive Plan are supportive of concentrating urban development within the Urban Service Area as exemplified by those goals listed below:

- 4.1.2 Deliver desired urban services efficiently.
- 4.1.3 Protect our rural areas from intrusion by incompatible urban activities by encouraging growth in the Urban Service Area and Rural Communities.
- 4.1.1 Concentrate Daviess County's urban development inside the Urban Service Area by reducing urban sprawl.

The general criteria for residential development (D6) specifically address housing densities within the neighborhood. These densities should not be increased unless acceptable to neighboring residents. The specific criteria of the Comprehensive Plan support a zoning change to R-1C, an urban low-density zone because sanitary sewers serve the subject property. However, the residential development criteria require neighboring residents' acceptance if a change in density is proposed in established neighborhoods. The Planning Commission must consider the input of neighboring residents in deciding whether a recommendation of approval for this zone change is warranted.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the adopted Comprehensive Plan, if evidence is presented showing neighboring residents' acceptance of a change in density in the neighborhood. This recommendation is made subject to the findings of fact that follow:

1. The subject property is located in an Urban Residential Plan Area, where urban low-density uses are appropriate in limited locations;
2. The subject property is contiguous to low-density residential uses; and
3. The subject property is served by a sanitary sewer system, where urban low-density residential uses should occur.