



NOVEMBER 13, 2003

113 W 18TH ST

ZONE CHANGE

From: P-1 Professional/Service		
To: R-4DT Inner-City Residential		
Acreage: 0.364 acres		
Applicant: Habitat for Humanity of Owensboro-Daviess County, Inc, John C. Howard & Shirley F. Howard (0311.1540)		
Property Zone Existing Use	to North R-4DT Single-family residence	
to West R-4DT Single-family residence	Subject P-1 ⇌ R-4DT Vacant	to East R-4DT Single-family residence
	to South R-4DT Single-family residence	

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-4DT Inner-City Residential zone. The subject property is located in a Professional/Service Plan Area, where urban low-density residential uses are appropriate in very 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.
- (c) **Only logical expansions** – In Professional/Service Plan Areas, completely new locations of urban low-density residential use should not be established. However, existing areas of this use may be expanded onto contiguous land.

Applicant's Findings

The subject property is located at 113 W 18th St, Owensboro, Kentucky about midway between Frederica St, to the west, and Daviess St, to the east. As shown by the Property & Notification Area Map accompanying this application, the subject property is surrounded by residential properties all of which are zoned R-4DT. The subject property currently is zoned P-1 Professional/Service.

The applicant, Habitat for Humanity of Owensboro-Daviess County, Inc. (“Habitat”), holds a contract to purchase the subject property from the owner subject to obtaining the requested zone change and the approval by the Commission of a minor subdivision plat dividing the subject property into two lots. Habitat plans to build residential homes on the two lots and to sell those homes to qualified buyers.

While Habitat does seek a zoning map amendment, which is not in compliance with the Comprehensive Plan, the applicant believes the existing P-1 zoning classification is inappropriate and that the proposed zoning classification is appropriate for the following reasons:

1. The subject property is surrounded by property which is zoned R-4DT Inner-City residential and the surrounding property is being used for residential purposes.
2. The subject property previously was zoned R-

4DT in the past. Habitat seeks to return the property to a zoning classification of R-4DT Inner-City Residential.

3. The Comprehensive Plan notwithstanding, the north side of 18th St has not developed into location for Professional/Service businesses. Instead, the neighborhood has retained its previous residential character.
4. The subject property is within a Professional/Service area on the Comprehensive Plan. The Plan permits urban low-density residential in very limited locations within Professional/Service areas if the subject property meets land use criteria (4). Habitat can meet those criteria. First, its development of the property should comply with all urban residential development criteria contained in D6. The Habitat residence to be constructed will promote a sense of community by helping to provide a variety of housing types suitable for a variety of people. The density (one house per lot) will be consistent with the character of the streets in the neighborhood. Habitat homes are not irritants within the neighborhood, and Habitat will develop each lot as a regular subdivision. The second requirement Habitat must meet is that there should be sanitary sewers in existence. That requirement is met on 18th St. The third criteria which must be met is designated “only logical expansions.” Habitat meets this criteria because the surrounding use presently is residential and Habitat seeks to expand this use onto contiguous land (i.e., the subject property)

Planning Staff Review

The subject property is located in the 101 block of W 18th St. Land use criteria applicable to this request 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 adjoins R-4DT zoning to the east, the west, the north, and to the south across W 18th St. Single-family residences adjoin the subject property. The applicant is proposing to zone the subject property to R-4DT in order to construct two new single-family homes. A property division has been submitted for consideration at this meeting creating two lots that are consistent with the existing lot pattern in the area. The subject property was zoned to P-1 in 1988 in anticipation of professional/service development in this area. Since that time, no professional/service use has developed on the subject property and the property remains vacant.

Intersection & Driveway Spacing

W 18th St is classified as a major collector roadway with a 250-foot access spacing standard. The entire frontage of the subject property is 91 feet. There is no existing curb cut to the existing property and a city sidewalk exists between the property line and the street pavement edge. Access to the property can be achieved from the alley that runs along the property's north and rear line. Access should be limited to the alley.

SPECIFIC LAND USE CRITERIA

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. Where logical expansions of existing uses are acceptable, the zoning should be the same as the zone of the existing use being expanded. The applicant is proposing expansion of the existing R-4DT zone that adjoins the subject property. A minor subdivision submitted in conjunction with this zone change request proposes to establish two regular lots, each approximately 45 feet in width and about 7900 square feet in area, which is consistent with the lot development and density in the existing neighborhood. The applicant's request is a logical expansion of existing R-4DT zoning and existing single-family residential use in the immediate vicinity.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. This recommendation is made subject to the condition and findings of fact that follow:

Condition:

1. No direct access to W 18th St shall be permitted. Access shall be limited to the alley running along the subject property's north and rear line.

Findings of Fact:

1. The subject property is located in a Professional/Service Plan Area, where urban low density residential uses are appropriate in very limited locations;
2. Existing sanitary sewers are available to serve the subject property;
3. The subject property is adjacent to existing R-4DT zoning to the east, west, north and south;
4. The applicant's proposal is a logical expansion of the existing R-4DT Inner-City Residential zone in the vicinity; and,
5. The applicant's proposed lot division respects the pattern of development and the density of the existing established residential area.