

**APRIL 11, 2002**

**527, 531 BRECKENRIDGE ST**

**ZONE CHANGE**

**From:** B-4 General Business  
**To:** R-4DT Inner-City Residential

**Acreage:** 0.190 acres

**Applicant:** A & K Properties, LLC (0204.1473)

<b>Property Zone Existing Use</b>	<b>to North</b> B-4 Residence	
<b>to West</b> B-4 Residence, Sign Business	<b>Subject</b> B-4 → R-4DT Mobile home	<b>to East</b> R-4DT Residence
	<b>to South</b> B-4 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 Business/Industrial Plan Area, where urban low-density residential uses are generally not appropriate.

**SPECIFIC LAND USE CRITERIA**

No criteria are determined, as residential uses are generally not appropriate in a Business/Industrial Plan Area.

**Applicant's Findings**

The proposed zone is not in compliance with the adopted Comprehensive Plan. The existing zoning classification given to the property is inappropriate and the proposed zoning classification is appropriate because:

1. The business use anticipated in the Comprehensive Plan for the subject property and the adjoining properties has not developed.
2. The subject property has been and still is being used for residential purposes.
3. The property is surrounded by residential use and adjoins an R-4DT residential zone. The proposed zone would be a logical expansion of that residential zone.
4. The proposed zone will continue the current use of the property as residential. Applicant intends to build two single-family homes of the type and character shown on the attached exhibit, which the applicant recently constructed on the adjacent property.

**Planning Staff Review**

The subject property is located in the 501 block of Breckenridge St at the northeast intersection of Breckenridge St and E 6<sup>th</sup> St. 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 sewer.

**Development Patterns**

The properties surrounding the subject property are in residential use. The property adjacent to the subject property to the north and the property to the south across E 6<sup>th</sup> St are both zoned B-4 General Business, but are used as single-family dwellings. The property to the west across Breckenridge St is occupied by a residence and a sign company and is zoned B-4 General Business. There is a beer distributing business on the southwest corner of Breckenridge St and E 6<sup>th</sup> St. A manufactured home needing property maintenance is set up on 527 Breckenridge St. 531 Breckenridge St is a vacant lot.

The applicant proposes to remove the mobile home from the property and construct two new single-family residences on the property through the City of Owensboro's Community Development Program. The Comprehensive Plan promotes renewal for those properties beyond the stage of feasible repair. The properties located along E 6<sup>th</sup> St on the east of the alley are residential in nature and the applicant has constructed two new houses immediately east of the alley. It would be appropriate to reorient the subject lots so that both lots have frontage on E 6<sup>th</sup> St thereby continuing the development pattern along E 6<sup>th</sup> St and avoiding introducing new residential structures fronting Breckenridge St, which is a Business/Industrial Plan Area.

The construction of two new single-family homes fronting E 6<sup>th</sup> St could improve the appearance of the vicinity. The mobile home that is not well maintained would be removed and replaced with new dwelling units. The immediate vicinity is predominantly residential uses. Despite the Business/Industrial Plan Area, residential uses extend from the subject property north and south along the east side of Breckenridge St. Residential uses also extend from the subject property east along E 6<sup>th</sup> St within the Central Residential Plan Area that adjoins the subject property. The subject property is currently in residential use.

**Intersection & Driveway Spacing**

Breckenridge St is classified as a principal arterial with driveway spacing standards for existing residential lots of 250'. There is insufficient frontage for driveway access along Breckenridge St. Access should be limited to E 6<sup>th</sup> St and the alley.

**Roadway Buffer Standards**

A 40' roadway buffer from the street centerline applies along Breckenridge St.

**SPECIFIC LAND USE CRITERIA**

The applicant is requesting a zoning classification that is not generally appropriate in a Business/Industrial Plan Area. However, the property has been in residential use and surrounding property is also used for residential purposes within this plan area. The proposed R-4DT Inner-City Residential zone may be a more appropriate zone for the property than the current zoning classification of B-4 General Business, if the subject lots, which are substandard in width and area, are reoriented so that both lots front on E 6<sup>th</sup> St. If the new single-family residences face E 6<sup>th</sup> St, the development pattern and density along E 6<sup>th</sup> St would be maintained and the new residences would not be facing the Business/Industrial Plan Area, where new residential uses are not appropriate.

The proposed zoning classification of R-4DT Inner-City Residential is more appropriate than the current zoning classification of B-4 General Business if the subject lots front E 6<sup>th</sup> St, because the subject property and the surrounding property has remained residential in nature. Because business and industrial uses are encouraged to develop within this Plan Area along Breckenridge St, residential uses should face E 6<sup>th</sup> St.

Renewal of properties beyond a feasible state of repair is encouraged for sound building quality by the Comprehensive Plan. The applicant proposes to remove a deteriorated mobile home from 527 Breckenridge. Two new single-family site built residences are proposed to be placed on the subject property. A variety of housing types suitable to a variety of people should be provided. Housing densities will be consistent with the character of streets and urban services in the neighborhood. The applicant's proposal would continue redevelopment of the residential neighborhood along E 6<sup>th</sup> St. The applicant has previously constructed two new residences adjacent to the subject property, on lots that are smaller in area than the lots that would result if the subject property is redivided. Additional construction should be oriented toward E 6<sup>th</sup> St, continuing the residential nature of E 6<sup>th</sup> St.

**Planning Staff Recommendations**

Staff recommends approval because the current zoning classification is inappropriate and the proposed zoning classification is more appropriate. This recommendation is made subject to the conditions and findings of fact that follow:

**Conditions:**

1. The two subject lots shall be consolidated and redivided and reoriented so that each lot has frontage on E 6<sup>th</sup> St;
2. The single-family dwellings proposed for construction shall be faced toward E 6<sup>th</sup> St; and,
3. No driveway access points to Breckenridge St shall be permitted.

**Findings of Fact:**

1. The subject property is located within a Business/Industrial Plan Area, where low-density residential uses are not generally appropriate;
2. 531 Breckenridge St is currently in use as a residence;
3. Adjoining property along Breckenridge St is still in residential use;
4. The property adjacent to the subject property along E 6<sup>th</sup> St is zoned R-4DT Inner-City Residential with lots of substandard size, and the applicant's proposal would continue recent redevelopment along E 6<sup>th</sup> St, but at a lower density; and,
5. The R-4DT Inner-City Residential zone is a more appropriate zoning classification for the subject property than the current zoning classification of B-4 General Business, if the new development faces E 6<sup>th</sup> St, continuing the development pattern in the existing residential neighborhood.