

**APRIL 10, 2008**

**10363 HIGHWAY 54**

## ZONE CHANGE

<b>From:</b> R-1A Single-Family Residential		
<b>To:</b> R-3MF Multi-Family Residential		
<b>Proposed Use:</b> Apartment Complex		
<b>Acreage:</b> 0.329+/-		
<b>Applicant:</b> Parkside Rentals, Inc., Jerry Morris (0804.1711)		
<b>Property Zone Existing Use</b>	<b>to North</b> R-1A Whitesville City Park	
<b>to West</b> R-1A Residential	<b>Subject</b> R-1A ➔ R-3MF Vacant	<b>to East</b> R-1A Park Entrance, Residential
	<b>to South</b> R-1A Residential	

## 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 a R-3MF Multi-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where multi-family 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 property established.

**(d) New locations near major streets** - In Urban Residential plan areas, new locations of Urban Mid-density residential use should be “major-street-oriented” (D2).

## Applicant's Findings

All urban services are available to the site. The site is compatible to the neighborhood including residential use, with park facilities and the Senior Citizen Center. The renters will be older residents and there will be a sidewalk to the Senior Citizen Center from the apartments.

## Planning Staff Review

The subject property is located in the 10301 block of Highway 54. Land use criteria applicable to this proposal are reviewed below.

## GENERAL LAND USE CRITERIA

### Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is not located in a special flood hazard area per FIRM Map 21059CO340 C. Based on the preliminary FIRM maps dated July 7, 2007, the subject property is not located in a special flood hazard area per map 21059CO340 D. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

**Urban Services**

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

**Development Patterns**

The subject property is located in the City of Whitesville and is just south of the Whitesville City Park and the Senior Citizen Center. The uses to the east, south and west are all residences. All surrounding properties are zoned R-1A Single-Family Residential.

The site is served by the City of Whitesville sanitary sewer system which is a requirement of the Comprehensive Plan for a new location of multi-family residential use. There is an existing drive on the west side of the property that is in alignment with Durinda Street. As the site redevelops, drive access to the subject property shall be coordinated with the Kentucky Department of Transportation Madisonville office.

Required parking must be provided on site for the apartments and is determined by the size of the apartment. An efficiency or one-bedroom apartment requires 1.5 parking spaces per unit while any apartment with two or more bedrooms requires two parking spaces per unit. All vehicular use areas must be paved and vehicular use area screening shall be installed where adjoining road right-of-way. All zoning ordinance requirements for the proposed apartments shall be addressed on either a site plan or development plan submitted to the OMPC office for review and approval prior to the issuance of any building permits.

**SPECIFIC LAND USE CRITERIA**

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed rezoning meets all applicable criteria for a new location of multi-family residential zoning. The site is major-street oriented with frontage on Highway 54 which is a state maintained facility. Also, sanitary sewer service from the City of Whitesville is available to the subject property.

**Planning Staff Recommendations**

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The conditions and findings of fact that support this recommendation include the following:

**Conditions:**

1. All vehicular use areas shall be paved and appropriate vehicular use area screening shall be installed where adjacent to road right-of-way; and,
2. A site plan or final development plan shall be approved by the OMPC prior to the issuance of any building permits;

**Findings of Fact:**

1. The subject property is located in an Urban Residential Plan Area, where multi-family residential uses are appropriate in limited locations;
2. The use of the property as apartments conforms to the criteria for Urban Residential development;
3. The subject property is served by the City of Whitesville sanitary sewer system; and,
4. With frontage on KY 54 which is a state maintained roadway, the subject property is major-street oriented.