

NOVEMBER 12, 2020

**5260 WEST 5<sup>TH</sup> STREET ROAD****ZONE CHANGE**

<b>From: B-4 General Business</b>	
<b>To: R-3MF Multi-Family Residential</b>	
<b>Proposed Use:</b>	Multi-Family Residential
<b>Acreage:</b>	1.000
<b>Applicant:</b>	Ferman Burnette, LLC; Brad Cecil (2011.2140)
<b>Surrounding Zoning Classifications:</b>	
<b>North: A-U</b>	<b>South: R-1A</b>
<b>East: R-1A</b>	<b>West: R-1C</b>

**Proposed Zone & Land Use Plan**

The applicant is seeking an R-3MF Multi-Family Residential zone. The subject property is located in an Urban Residential 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 when sanitary sewer systems exist or may be expanded, or where new systems may be properly established.

**(d) New locations near major streets** – In Urban Residential, Professional/Service, Business, and Rural Community plan areas, new locations of Urban Mid-density Residential uses should be “**major-street oriented**” (D2).

**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.
- It appears that this property is designated as an urban and built up area per the US Department of Agriculture Soil Conservation Service map dated March 1980.
- The subject property is partially located in special flood hazard area per FIRM Map 21059C0115D.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA, the EPA, the OMPC

building/electrical/HVAC division or other state and federal agencies as may be applicable.

**Urban Services**

All urban services, including sanitary sewer, are available to the subject property.

**Development Patterns**

The subject property is 1.000 acre parcel of vacant land with road frontage along West 5<sup>th</sup> Street Road as well as along the West 5<sup>th</sup> Street Road stub street which services four homes along the south side of the roadway. The subject property is surrounded primarily by single family residential uses with the exception of the existing farmland to the east and south which is zoned R-1A Single Family Residential.

The proposed development shall be oriented towards West 5<sup>th</sup> Street Road which, in this vicinity, is classified as a major collector roadway with a 250-foot spacing standard, as well as a 60-foot building setback and a 30-foot road roadway buffer, each measured from the centerline of West 5<sup>th</sup> Street Road.

The subject property is approximately 230-feet wide spanning West 5<sup>th</sup> Street Road, limiting the site's ability to maintain compliance with the 250-foot spacing standard. Because this site has access on a public street off of West 5<sup>th</sup> Street Road, access to the subject property shall be limited to a single access point stemming from the West 5<sup>th</sup> Street Road service drive.

Prior to any changes to the subject 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 and 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 applicant's intent to utilize the subject property for multi-family residential purposes conforms to the criteria for urban residential development. Sanitary sewer systems are available to the subject property which is located along a major street, West 5<sup>th</sup> Street Road.

**Planning Staff Recommendations**

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

**Conditions:**

1. Approval of a Final Development Plan; and,
2. Access to the subject property shall be limited to a single access point stemming from the West 5<sup>th</sup> Street Road service drive.

**Findings of Fact:**

1. Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan;
2. The subject property is located in an Urban Residential Plan Area, where urban mid-density residential uses are appropriate in limited locations;
3. The proposed multi-family residential uses conform to the criteria for urban residential development;
4. Sanitary sewer systems are available to the subject property; and,
5. By facing West 5<sup>th</sup> Street Road, the development will be major-street oriented.