

**AUGUST 11, 2022**

**5008-5120 CAMBRIDGE DR**

**ZONE CHANGE**

<b>From:</b>	R-1A Single Family Residential
<b>To:</b>	<b>R-3MF Multi-Family Residential</b>
<b>Proposed Use:</b>	Duplex Development
<b>Acreage:</b>	3.336
<b>Applicant:</b>	Gary M. & Margaret Boswell (2208.2220)
<b>Surrounding Zoning Classifications:</b>	
<b>North: R-1A</b>	<b>South: R-1A</b>
<b>East: R-1A</b>	<b>West: A-U</b>

**Proposed Zone & Land Use Plan**

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

**(c) Logical expansions** – Existing areas of Urban Mid-density Residential uses may be expanded onto contiguous land. An expansion of this use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

**(d) New locations near major streets** – In Urban Residential, Professional/Service, Business, and Rural Community plan areas, new locations of Urban Mid-density Residential use 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 map dated March 6, 1990.
- The subject properties are not located in a special flood hazard area per FIRM Maps 21059CO141 D and 21059CO145 D.
- It appears that these properties are not designated as prime agricultural farmland per the US

Department of Agriculture Soil Conservation Service map dated March 1980.

- 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 are available to the subject property.

**Development Patterns**

This application has been submitted in conjunction with two other applications where the properties are all in close proximity to each other but since they are not contiguous, separate applications had to be submitted. The three applications include:

- 13 lots along the west side of Cambridge Drive (2208.2220)
- 13 lots along the east side of Cambridge Drive and 6 lots along the west side of Sturbridge Place (2208.2221)
- 4 lots along the north side of Sturbridge Place (2208.2222)

In total, the subject area consists of 36 undeveloped lots in the Greenbriar subdivision off Graham Lane and Reid Road which total 9.529 acres.

Greenbriar subdivision is a single-family residential subdivision developed in the mid 1960’s; most of homes in the subdivision were constructed around that time. The 36 lots included in these applications were never developed and Cambridge Drive was not constructed in this area even though it was final platted and all lots are considered legal lots of record. The applicant intends to rezone all 36 lots to R-3MF Multi-Family Residential in order to construct a duplex on each lot.

The subject properties are surrounded by Yellow Creek park to the west, single-family homes within the Greenbriar subdivision and an approximately 5-acre single-family residential property to the north. There is no multi-family residential zoning in the vicinity.

Cambridge Drive and Sturbridge Place are both classified as local streets with 25-foot building setbacks measured from the front property line.

If the rezoning is approved, the applicant will be required to install all public utilities as deemed necessary, whether shown on the previously approved final plat or not; including but not limited to

streets, sanitary sewers, fire hydrants, water lines, etc. All public utilities should be contacted prior to the development of any of the included lots.

Any future changes to the property shall comply with applicable portions of the Owensboro Metropolitan Zoning Ordinance and Subdivision Regulations. Before any construction activity takes place on the properties, the OMPC Building, Electrical and HVAC department shall be contacted regarding any necessary permits, inspections and certificates of occupancy and compliance that may be required.

#### **SPECIFIC LAND USE CRITERIA**

The applicant's proposal is not in compliance with the Comprehensive Plan. The proposed use as duplexes conforms to the criteria for urban residential development; however, the properties are surrounded by single-family residential and agricultural zoning and uses with no multi-family residential zoning in the vicinity. The subject properties are in the middle of a single-family residential neighborhood developed in the mid 1960's, all lots involved are located along local streets.

#### **Planning Staff Recommendations**

The planning staff recommends denial subject to the findings of fact that follow:

##### **Findings of Fact:**

1. Staff recommends denial because the proposal is not in compliance with the community's adopted Comprehensive Plan;
2. The subject properties are located in an Urban Residential Plan Area where Urban Mid-density uses appropriate in limited locations;
3. The proposed use as duplexes conforms to the criteria for urban residential development;
4. The proposal is not a logical expansion of existing R-3MF zoning as it is surrounded by single family zoning; and,
5. The subject properties are located within the middle of a single family residential subdivision developed in the mid 1960's and all properties involved are located along local streets, Cambridge Drive and Sturbridge Place.