

DECEMBER 8, 2022

PORTION OF 3000 CALUMET TRACE

ZONE CHANGE

From: B-4 General Business	
To: R-3MF Multi-Family Residential	
Proposed Use: Multi-Family Residential	
Acreage: 6.647	
Applicant: Gateway Land, LLC (2212.2237)	
Surrounding Zoning Classifications:	
North: R-3MF	South: B-4 & P-1
East: B-4 & P-1	West: B-4

Proposed Zone & Land Use Plan

The applicant is seeking an R-3MF Multi-Family Residential zone. The subject property is located in a Business Plan Area and a Professional/Service 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 Low-density Residential uses should occur only when 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 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 map dated March 6, 1990.
- It appears that the subject property is not located within the Owensboro Wellhead Protection area per the OMU map dated 2015.
- The subject property is not located in special flood hazard area per FIRM Maps 21059C0139D and 21059C0143D.
- 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 an 11+ acre tract of that is zoned B-4 General Business and located at the intersection of Hayden Road and Calumet Trace. The applicant intends to rezone 6.647-acres to R-3MF Multi-Family Residential.

The subject area is adjoined by existing R-3MF zoning to the north, across Hayden Road. However, it should be noted that the adjoining property is not utilized in a multi-family residential manner, but rather is a portion of the Daviess County Middle School property. Located to the east of the subject area is P-1 Professional/Service zoning, which obtained a Conditional Use Permit to operate an Assisted Living Facility in October of 2020; a use that is conditionally permitted in both the P-1 zone and in the proposed R-3MF zone.

Also to the east of the subject area is a remainder of the subject property which is zoned B-4 General Business and serves solely as the drainage basin for this portion of Gateway Commons. The final remainder of the subject property is located to the west and at the southeast intersection of Hayden Road and Calumet Trace.

To the south is additional P-1 zoning and B-4 zoning, including the Commonwealth of Kentucky property and the existing Walmart property, both located along Highway 54.

The subject area only adjoins Calumet Trace which, in this vicinity is to be classified as a Major Collector roadway with a 250-foot spacing standard; as well as a 60-foot building setback and a 30-foot roadway buffer, each measured from the centerline of Calumet Trace. In addition to spacing standards, building setbacks, and roadway buffers, development of this site shall comply with landscaping requirements. Such requirements include the necessity to establish a 10-foot wide landscaping buffer with a 6-foot tall continuous element and 1-tree per 40-linear-feet where the residential zoning will adjoin B-4 General Business zoning.

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 major street oriented. The proposed multi-family zoning is a logical expansion of R-3MF zoning to the north and residential uses to the east. Lastly, compliance with the access management manual should ensure that the proposal does not overburden the capacity of roadways and other necessary urban services that are available within the affected area.

Planning Staff Recommendations

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

Conditions:

1. Obtain approval of a Final Development Plan; and,
2. Direct access to Calumet Trace shall be in compliance with the Access Management Manual.

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 a Business Plan Area and a Professional/Service Plan Area, where urban mid-density residential uses are appropriate in limited locations;
3. The proposed use, multi-family residential, conforms to the criteria for Urban Residential Development;
4. Existing sanitary sewer is available to the subject property;
5. The proposed R-3MF Multi-Family Residential zoning is a logical expansion of R-3MF zoning to the north, and a logical expansion of multi-family uses to the east;
6. The subject property, located along Calumet Trace, is Major Street Oriented; and,
7. Compliance with the access management manual should ensure that the proposal does not overburden the capacity of roadways and other necessary urban services that are available within the affected area;