

APRIL 12, 2012**600, 624 W 2ND ST; 230 CEDAR ST****ZONE CHANGE**

From: I-2 Heavy Industrial	
To: B-2 Central Business	
Proposed Use: Business Offices	
Acreage: 1.863	
Applicant: Riverfront Jam, LLC; Moore Properties (1204.1837)	
Surrounding Zoning Classifications:	
North: B-2	South: B-2
East: B-2, B-4	West: B-2

Proposed Zone & Land Use Plan

The applicant is seeking an B-2 Central Business zone. The subject property is located in a Business/Industrial Plan Area where central business uses are appropriate in very-limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns – Building and lot patterns should conform to the criteria for “**Nonresidential Development**” (D7).

(b) Only necessary, logical expansions – The Central Business districts of Owensboro and Whitesville are generally fixed areas, and expansion of their boundaries should be based upon significant findings that a community need exists for these districts to be expanded.

(c) To serve the needs of existing establishments – In Business/Industrial plan areas, such an expansion should be contiguous to an existing boundary of the Central Business district, and should serve the needs of establishments that are already located within the district.

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.
- The subject property is not located in a special flood hazard area per FIRM Map 21059CO138 D.
- It appears that the subject property is not within the Owensboro Wellhead Protection area per the GRADD map dated March 1999.
- The developer is responsible for obtaining permits from the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

Urban Services

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

Development Patterns

The subject property is almost an entire city block bounded by W 2nd Street and W 3rd Street to the north and south and Cedar Street and Walnut Street to the east and west. The site is currently vacant but was previously a Don Moore dealership.

The subject property is located in a Downtown Transition overlay district per the Downtown Master Plan adopted by the City of Owensboro in October 2009 and adopted within the land use portion of the Comprehensive Plan. As part of the overall redevelopment of the downtown area, areas within the downtown overlay districts are considered ideal candidates for B-2 Central Business zoning as a means to promote the City’s goal of a vibrant downtown. The redevelopment of this site will also work in conjunction with City of Owensboro plans for future redevelopment in the vicinity. The site is near the planned events center, downtown hotel and other uses that have been proposed in the vicinity. The development of this property will allow the relocation of Boardwalk Pipeline Partners, LP to the downtown area. This proposed rezoning is a portion of an overall City of Owensboro initiative to promote redevelopment of the area and one of the projects proposed to enhance implementation of the Downtown Master Plan.

Since the subject property is located within a downtown overlay district, the downtown design administrator who is employed by the City of Owensboro, is required to review and approve any use prior to occupancy. All site development requirements are established in Article 21 of the Owensboro Metropolitan Zoning Ordinance. In the vicinity of the subject property, W 2nd Street is classified as a principal arterial roadway with an access spacing standard of 500 feet.

SPECIFIC LAND USE CRITERIA

The applicant’s proposal is in compliance with the Comprehensive Plan. The proposed B-2 Central Business zone and use will be nonresidential in nature. The subject property is immediately adjacent to B-2 Central Business zoning on all sides of the subject property. The logical expansion of the B-2 zoning is necessary to promote a City of Owensboro initiative for redevelopment of the area. The subject property is located within the downtown overlay districts and this request is in accordance with the design concept for this area.

Planning Staff Recommendations

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

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/Industrial Plan Area, where central business uses are appropriate in very-limited locations;
3. The subject property is located within the downtown overlay districts as adopted by the City of Owensboro and the request is consistent with the concepts of the plan;
4. The use of the property for business offices will be nonresidential in nature;
5. The proposed zoning change is a logical expansion of existing B-2 zoning on all sides; and,
6. The B-2 zoning classification will promote the redevelopment of the downtown consistent with the downtown master plan.