

AUGUST 8, 2013

323 W 8TH ST

ZONE CHANGE

From: R-4DT Inner City Residential	
To: B-2 Central Business	
Proposed Use: Business	
Acreage: .087+/-	
Applicant: George J. Sparks (1308.1882)	
Surrounding Zoning Classifications:	
North: B-2	South: B-2 & R-4DT
East: B-2	West: R-4DT

Proposed Zone & Land Use Plan

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

SPECIFIC LAND USE CRITERIA

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

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 in an area of residential and central business zoning. Currently, a vacant residential structure sits on the subject property. According to the applicant’s findings, the owner is proposing to consolidate the subject property with the 3 properties to the east, 317 and 321 W 8th Street and 736 Frederica Street. The applicant states, the subject property along with the properties at 317 and 321 W 8th Street will provide parking, open space or detention for the existing central business building located at 736 Frederica Street.

The subject property is located in the Neighborhood Character 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 rezoning of the property to allow for possible parking for an existing vacant central business building could promote the redevelopment of the property at 736 Frederica Street. This proposed rezoning is a portion of an overall City of Owensboro initiative to promote redevelopment of the area and 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. The downtown design administrator, Nathan Nunley, has reviewed the rezoning request; he stated, through email, that the proposal is not in conflict with the guidelines of Article 21.

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 to the north, south and east. 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 Central Business Plan Area, where central business uses are appropriate in general 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 parking, open space or detention will be nonresidential in nature;
5. The B-2 zoning classification will promote the redevelopment of the downtown consistent with the downtown master plan.