

**APRIL 13, 2017**

**305 & 319 E. 2<sup>ND</sup> STREET**

## ZONE CHANGE

<b>From:</b> I-2 Heavy Industrial	
<b>To:</b> B-2 Central Business	
<b>Proposed Use:</b> Commercial	
<b>Acreage:</b> 0.556	
<b>Applicant:</b> Jordan Tong & Terry Woodward (1704.1997)	
<b>Surrounding Zoning Classifications:</b>	
<b>North:</b> I-2	<b>South:</b> B-2
<b>East:</b> I-2	<b>West:</b> I-2

### 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 located within the Owensboro Wellhead Protection area per the OMU map dated 2015
- 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 site.

##### Development Patterns

The subject property consists of two parcels that total 0.556 acres. 305 E. 2<sup>nd</sup> Street is a parking lot and 319 E. 2<sup>nd</sup> Street includes an existing building. The applicant proposes to rezone both parcels from I-2 Heavy Industrial to B-2 Central Business and intends to use them as office space for Frantz Building Services, Inc. Though zoned industrially these properties have consistently been used as commercial and office space along with their associated parking lot.

The subject property is located in the Historic Core Character Overlay District. The Downtown Design Administrator is required to review and approve any future development of the site for compliance with the site development requirements as established in Article 21 of the Owensboro Metropolitan Zoning Ordinance.

Properties in this area are zoned commercial and industrial. An I-2 zoned property owned by Yager Materials is located to the north of the subject property. An office building, zoned I-2, is located to the east. The Wax Works building, zoned B-2, is located to the south across E. 2<sup>nd</sup> Street. West of the subject property is a City of Owensboro owned parking lot, zoned I-2. Further to the west is the Glover Cary Bridge.

E. 2<sup>nd</sup> Street in this location is classified as a minor arterial roadway with a 500 foot access spacing standard. These properties have a 0' front setback/build-to line and do not have a roadway buffer since they are in the B-2 zone. Access to the parking lot at 305 E. 2<sup>nd</sup> Street shall be limited to the existing access on E. 2<sup>nd</sup> Street and the alley in the rear. Access to 319 E. 2<sup>nd</sup> Street shall be limited to the alley in the rear of the property.

Prior to occupancy of the property the applicant must obtain approval of a development plan to demonstrate compliance with zoning ordinance requirements including, but not limited to, parking, landscaping, building setbacks, access management and signage. Approval of the development plan by the Downtown Design Administrator is required before OMPC staff may approve the development plan. The OMPC Building, Electrical & HVAC Department shall be contacted before any construction activity takes place on the properties.

### SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use as central business conforms to the criteria for nonresidential development. The proposed B-2 Central Business zoning is a logical expansion of B-2 Central Business zoning to the south. At 0.556 acres, the proposal is not a significant increase in central business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

### Planning Staff Recommendations

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

#### Conditions:

1. Access to the parking lot at 305 E. 2<sup>nd</sup> Street shall be limited to the existing access on E. 2<sup>nd</sup> Street and the alley in the rear. Access to 319 E. 2<sup>nd</sup> Street shall be limited to the alley in the rear of the property.
2. Obtain approval of a development plan by the Downtown Design Administrator and OMPC.

#### 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 proposed use as central business conforms to the criteria for nonresidential development;
4. The proposal is a logical expansion of existing B-2 Central Business zoning to the south; and
5. At 0.556 acres, the proposal does not significantly increase the extent of central business zoning in the vicinity and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.