

OCTOBER 4, 2018

610, 614 & 616 ST ANN STREET

ZONE CHANGE

From:	B-2 Central Business & R-4DT Inner City Residential
To:	B-2 Central Business
Proposed Use:	College Dormitory
Acreage:	0.262
Applicant:	Brescia University, Inc. (1810.2062)
Surrounding Zoning Classifications:	
North: B-4	South: B-2 & R-4DT
East: R-4DT	West: B-2

Proposed Zone & Land Use Plan

The applicant is seeking a B-2 Central Business zone. The subject properties are located in a Central Residential Plan Area, where Central Business uses are appropriate in very limited locations, and within a Professional/Service Plan Area where Central Business uses are not generally recommended.

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 Central Residential, Business, and 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 21059CO138D.
- 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 are available to the subject property, including sanitary sewer service.

Development Patterns

The subject properties combine to form 0.262 acres of land that adjoin the Brescia University campus. The three pieces of property were, until recently, utilized for single family residences. Of which, all three homes have since been removed from the properties. The subject property located at 616 St Ann Street is located within a Professional/ Service Plan Area where central business uses are not generally recommended; however, this property is currently a split-zoned lot in which the rear half of the property is zoned B-2 Central Business and the front half of the property is zoned R-4DT Inner-City Residential. This block of St Ann Street contains a mixture of single family residential and college institution uses. The applicant proposes to consolidate the three subject properties and obtain a conditional use permit in order to construct and operate a college dormitory for Brescia University.

The subject properties are located in the Downtown Campus 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 properties to allow for a dormitory on vacant properties could promote the redevelopment of this area and provide much needed housing for the University. 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 properties are located within a downtown overlay district, the downtown design administrator 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, Dennis Wilson, has reviewed the rezoning request; he stated, through email, that the proposal is not in conflict with the guidelines of Article 21.

Prior to any construction activity on the property the applicant must obtain approval of a site plan or a 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 & 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 proposed use as a college dormitory will provide much needed housing within the Downtown area. The proposal is an expansion of existing B-2 zoning of adjoining properties to the south and to the west. The proposed B-2 zoning will promote with the redevelopment of the downtown area consistent with the downtown master plan and will serve the housing needs of Brescia University.

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 properties are located in a Central Residential Plan Area, where central business uses are appropriate in very limited locations and in a Professional/Service Plan area, where central business uses are generally not recommended;
3. The subject properties are 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 properties for a dormitory, although residential in nature, will provide much needed housing within the Downtown area for the existing university establishment;
5. The B-2 zoning classification is an expansion of existing B-2 zoning to the south and to the west; and,
6. The B-2 zoning will promote the redevelopment of the downtown consistent with the downtown master plan.