JUNE 13, 2019

219 CEDAR ST, 511 W 3RD ST

ZONE CHANGE

From:	B-2 Central Business & B-4 General Business
To:	**B-2 Central Business**
Proposed Use:	Residential/Motel
Acreage:	0.599
Applicant:	Riverfront Brio, LLC (1906.2088)

Surrounding Zoning Classifications:

North: B-2	South: B-2
East: B-2	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 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 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 0.599 acres of land. 219 Cedar Street is split zoned B-2 and B-4 while 511 W 3rd Street is zoned entirely B-4. This block of W 2nd to W 3rd Street and Cedar to Locust Street is the proposed location for a new development that will include a parking garage, hotel and residential apartments/condos; the applicant intends to consolidate the two subject properties with the remainder of the block for this development. The Historic Preservation Board and the Owensboro Metropolitan Board of Adjustment approved a variance request for the project at their April meetings to allow the building to be up to fifteen stories tall.

The subject properties are located in the 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 rezoning of the properties to allow for this new development will promote the redevelopment of this area and provide much needed parking and housing for the downtown area. 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, reviewed the proposed uses during the Variance request hearings and found that the uses are not in conflict with the guidelines of Article 21.

Prior to any construction activity on 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. 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 parking garage, hotel and residential apartments will provide much needed housing and parking within the Downtown area. The proposal is an expansion of existing B-2 zoning of adjoining properties surrounding the subject properties. The proposed B-2 zoning will promote with the redevelopment of the downtown area consistent with the downtown master plan and will serve the parking and housing needs of the downtown area.

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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 Business/Industrial Plan Area, where central business uses are appropriate in very limited locations;
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 parking garage, hotel and residential apartments will provide much needed parking and housing within the Downtown area;
5. The B-2 zoning classification is an expansion of existing B-2 zoning surrounding the subject properties; and,
6. The B-2 zoning will promote the redevelopment of the downtown consistent with the downtown master plan.