

JULY 12, 2007

915, 917, 919 FREDERICA ST, 225 W 10TH ST

ZONE CHANGE

From: I-1 Light Industrial		
To: B-2 Central Business		
Proposed Use:	Parking/Sculpture Exhibit and Landscaping	
Acreage:	0.55	
Applicant:	Owensboro Museum of Fine Art Foundation, Inc. (0707.1685)	
Property Zone Existing Use	to North B-2 Owensboro Museum	
to West B-2 Mid-Town Center, Convenient Store	Subject I-1 ↔ B-2 Vacant	to East I-1 Big Rivers Rubber and Gasket
	to South B-2 Offices/Parking, Big Rivers Rubber and Gasket	

GENERAL LAND USE CRITERIA Apply, if marked below:

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ☒

- ☒ **U1** Roadway Capacity
- ☒ **U2** Electricity Supply
- ☒ **U3** Water Supply
- ☒ **U4** Stormwater Disposal
- ☒ **U5** Sanitary Sewage Disposal

Development Patterns ❖

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- ❖ **D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- D6** Residential Development
- ❖ **D7** Non-Residential Development
- D8** Building Quality

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).

Applicant's Findings

The subject property is located in a Central Business Plan Area where Central Business uses are appropriate in general locations. Applicant proposes to rezone the property from I-2 Light Industrial to B-2 Central Business.

The subject property, consisting of approximately 0.55 acres, is a vacant lot adjoining the existing Owensboro Museum of Fine Art. The applicant proposes to develop the property to provide additional parking and other amenities, including expansion of the pedestrian walking area, art exhibit (sculpture), security and ambient lighting, bus drop-off area, park benches, bicycle racks, and landscaping.

The proposed rezoning is a logical expansion of B-2 Central Business and meets all applicable criteria for expansion of existing "Non-residential" uses and areas.

The proposed rezoning complies with all applicable requirements of the Comprehensive Land Use Plan.

Planning Staff Review

The subject property is located in the 901 block of Frederica Street and the 201 block of W 10th Street. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is not located in a special flood hazard area and floodway per FIRM Map 21059CO140 C. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

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

Development Patterns

The subject property is in an area of mixed commercial and industrial uses. The properties to the north, south and west are zoned B-2. Uses include the Owensboro Museum of Fine Art, Offices, the Mid-Town Center, and a convenience store. The property to the east is zoned I-1 and is part of the Big Rivers Rubber and Gasket operation.

The subject property has frontage on both Frederica Street and W 10th Street. At present it appears as though there are two access points from Frederica Street and two access points on W 10th Street. In the vicinity of the subject property Frederica Street is classified as a principal arterial roadway with an access spacing standard of 500 feet. W 10th Street is classified as a local roadway. Since access spacing cannot be accomplished along Frederica Street, the two existing access points shall be closed with no access permitted to Frederica Street. Access to W 10th Street shall meet the corner clearance requirement of 50 feet from the property line. The roadway buffer along Frederica Street is not applicable in a B-2 zone.

All vehicular use areas on the subject property shall be paved. Appropriate vehicular use area screening shall be installed as required by ordinance.

At present the subject property consists of four individual tracts. A minor subdivision plat to consolidate the four tracts shall be submitted to the OMPC office for review and approval.

SPECIFIC LAND USE CRITERIA

The proposed rezoning is in compliance with the Comprehensive Plan. Within a Central Business Plan Area, central business land uses are appropriate in general locations. The specific Comprehensive Plan criterion states that the use of the subject property shall be non-residential in nature. The property will be used to serve the needs of the existing established Museum of Fine Arts and is an appropriate use and zone in this location. Based on the use of the property as parking, sculpture exhibits and landscaping, uses meet the requirements for non-residential use.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The conditions and findings of fact that support this recommendation include the following:

Conditions:

1. No access shall be permitted to Frederica Street;
2. Access to W 10th Street shall be located a minimum of 50 feet from the Frederica Street right-of-way;
3. All vehicular use areas shall be paved; and,
4. A plat shall be submitted to the OMPC to consolidate the four separate tracts.

Findings of Fact:

1. The subject property is located in a Central Business Plan Area where central business uses are appropriate in general locations;
2. The request meets the specific criterion of the Comprehensive Plan in that the use of the property will be non-residential in nature;
3. The subject property will be used as part of the Owensboro Museum of Fine Art which is located immediately north of the subject property and is currently zoned B-2; and,
4. The proposed zoning of B-2 Central Business is a more appropriate zone within the Central Business Plan Area than the existing I-1 Light Industrial zone.