

APRIL 14, 2022

408 FREDERICA ST

ZONE CHANGE

From: B-4 General Business
To: B-2 Central Business
Proposed Use: Mixed Use
Acreage: 0.495
Applicant: Rivercity Trio I, LLC (2204.2203)
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 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 map 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, including sanitary sewers, are available to the subject property, including sanitary sewer service.

Development Patterns

The subject property is a 0.495-acre tract of land located at the southwest intersection of Frederica Street and W 4th Street. This property along with the two properties to the west at 322 and 420 W 4th Street make up the former Jerry Ray Davis car dealership. A new mixed-use development is proposed for all three properties. The applicant intends to consolidate the subject property with the other 2 properties for this proposed development.

The subject property is located in the Downtown Core 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 this new proposed development will promote the redevelopment of this area as intended by the Downtown Master Plan.

Since the subject property is located within a downtown overlay district, the downtown design administrator is required to review and approve any use prior to occupancy. Dennis Wilson, Downtown Design Administrator, shall be contacted to ensure the use and all site development requirements of Article 21 of the Owensboro Metropolitan Zoning Ordinance are met. Such requirements shall include access management to the subject property. Frederica Street, in this vicinity, is classified as a Type A Street within the Downtown Overlay Districts and, as such, has very strict access limitations. Access to the subject property shall be assessed by the Downtown Design Administrator throughout the review of a submitted Final Development Plan.

Prior to any construction activity on the property the applicant must obtain approval of a final 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 mixed-use development is appropriate within the downtown area. The proposal is an expansion of existing B-2 zoning of adjoining properties surrounding the subject property. The proposed B-2 zoning will promote with the redevelopment of the downtown area consistent with the Downtown Master Plan and will serve the needs of the downtown 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 Downtown Master Plan;
4. The B-2 Central Business zoning classification is an expansion of existing B-2 zoning surrounding the subject property; and,
5. The B-2 Central Business zoning will promote the redevelopment of the downtown consistent with the Downtown Master Plan.