

DECEMBER 12, 2024

1801, 1805, 1809 & 1813 FREDERICA STREET

ZONE CHANGE

From:	P-1 Professional/Service and R-4DT Inner-City Residential
To:	B-4 General Business
Proposed Use:	General Business
Acreage:	0.775
Applicant:	Ryan McDaniel; WZR Rentals, LLC (2412.2306)
Surrounding Zoning Classifications:	
North: B-4	South: B-4
East: R-4DT	West: P-1

Proposed Zone & Land Use Plan

The applicant is seeking a B-4 General Business zone. The subject properties are located in a Central Residential plan area where General Business uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns; outdoor storage yards – Building and lot patterns should conform to the criteria for “**Nonresidential Development**” (D7), and outdoor storage yards, with “**Buffers for Outdoor Storage Yards**” (D1).

(b) Logical zoning expansions of proportional scope – Existing General Business zones may be expanded onto contiguous land that generally abuts the same street(s). The expansion of a General Business zone should not significantly increase the extent of the zone in the vicinity of the expansion and should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.

Planning Staff Review

GENERAL LAND USE CRITERIA

Environment

- It appears that the subject properties are not located in a wetlands area per the US Department of Agriculture Soil Conservation Service map dated March 6, 1990.
- The subject properties are not located in a special flood hazard area per FIRM Map 21059CO138E.
- The subject properties are 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 or other state and federal agencies as may be applicable.

Urban Services

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

Development Patterns

The four subject properties are located along Frederica Street, spanning the majority of the block between W 18th and 19th Streets. The two lots nearest 18th Street have previously been rezoned (separately) from R-4DT Inner-City Residential to P-1 Professional/Service; however, they appear to have never been redeveloped and remain as rental homes. Meanwhile, the other two lots (mid-block) are zoned R-4DT Inner-City Residential and utilized as such.

The subject properties are surrounded by B-4 General Business zoning to the immediate south (a former bank facility that appears to be currently vacant) and to the north (a real estate office located across W 18th Street). Additional zoning includes R-4DT Inner-City Residential zoning across the rear alley, consisting of residential homes, and P-1 Professional/Service zoning across Frederica Street (Owensboro High School). At this time, the applicant proposes to rezone the four subject properties to B-4 General Business, consistent with the adjoining lots to the north and south – both of which front along Frederica Street, much like the subject properties.

Frederica Street, in this vicinity, is classified as a Principal Arterial roadway with a 500-foot access spacing standard; as well as a 75-foot building setback and a 60-foot roadway buffer, each measured from the centerline of Frederica Street. Due to the spacing standard, redevelopment of the site(s) shall prohibit direct access to Frederica Street. Direct access to W 18th Street shall be limited to the existing rear alley. This access limitation is consistent with current regulations and practices, but also consistent with conditions attached to the two previously mentioned rezonings from when 1801 and 1805 Frederica Street were rezoned from R-4DT Inner-City Residential to P-1 Professional/Service.

Prior to any construction activity at the subject properties, the applicant shall 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 and HVAC division should be contacted prior to any construction activity or changes.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use, general business, is nonresidential in nature and an approved final development plan will ensure compliance with the criteria associated with buffers for outdoor storage yards. The proposal is a logical expansion of existing B-4 General Business zoning to the north and south. Lastly, compliance with the access management manual ensures that the proposed use 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. Obtain approval of a Final Development Plan; and,
2. No direct access to Frederica Street shall be permitted. Direct access to W 18th Street shall be limited to the rear alley.

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 general business uses are appropriate in limited locations;
3. The proposed use, general business, conforms to the criteria for nonresidential development and compliance with an approved final development plan will ensure the criteria associated with buffers for outdoor storage yards is met;
4. The proposed B-4 General Business zoning is a logical expansion of B-4 zoning the north and south;
5. At 0.775 acres, the proposal does not significantly increase the extent of the B-4 General Business zoning in the vicinity; and,
6. By limiting direct access to the rear alley only, the proposed use should not overburden the capacity of roadways and other necessary urban services that are available in the affected area.