

# DEVELOPMENT PLAN AMENDMENT STAFF REPORT

City-County Planning Commission  
1141 State Street  
Bowling Green, Kentucky 42101  
(270) 842-1953

**Summary:** The applicants have filed an application to amend the general development plan on 13.0122 acres, located off Cave Mill Road, approximately 1,580' from U.S 231 (Scottsville Road). This property is zoned **RM-4 & F** (Multi-Family Residential & General Flood Plain).

**Docket Number:** 2010-05-DP  
**Public Hearing Date:** May 6, 2010  
**Pre-application Conference:** April 5, 2010

**Petitioner(s):** <sup>1</sup>**Cave Mill Station, LLC**  
2424 Airway Court  
Bowling Green, KY 42103  
<sup>2</sup>**Cave Mill Properties, LLC**  
1601 Westpark Drive  
Little Rock, AR 72204

**Development Plan:** This requested amendment to Binding Elements was filed under Section 3.11.8 of the Zoning Ordinance.

**Request:** To amend the existing Development Plan (Binding Elements) currently zoned **RM-4 & F** (Multi-Family Residential & General Flood Plain).

**Location of Proposed Zone Change:**  
Off Cave Mill Road across from the intersection of Chandler Drive and approximately 1,580' from Scottsville Road  
**Acreeage or Square Footage of Tract:**  
13.0122 acres  
**PVA Parcel Number:** 053A-02

**Site District:** Urban Density Development District  
**Focal Points:** **107-3 Pascoe**  
**Development Status:** Growth  
**Infra Status:** **S** (Sanitary sewers are available.)  
**Characteristics:** Dominant Use Area. Planned shopping center and high density residential.

**Existing Land Use:** Vacant  
**Zoning History:** Zoned from **AG** (Agriculture) to **RM-4 & F** (Multi-Family Residential & General Flood Plain) in 2008.  
**Surrounding Zoning, Land Use, and Subdivisions:**  
See attached maps.  
**Flood Plain:** A portion of the property lies within the 100 year floodplain zone as located by flood insurance maps 21227C0308E, dated May 2, 2007.

**Soil Analysis:**  
**Approx. 46% CuB:** Crider-Urban land complex, 2-6% slopes  
**Approx. 44% CuC:** Crider-Urban land complex, 6-12% slopes  
**Approx. 7% Ub:** Urban land-Udorthents complex, 0-12% slopes  
**Approx. 3% PbA:** Pembroke silt loam, 0-2% slopes

**Traffic Considerations:** The subject property proposes access from an internal street to be constructed that intersects with Cave Mill Road. Cave Mill Road is an urban collector roadway with 100 feet of right-of-way and varying pavement widths.

**Additional Documentation Required:**  
  N/A   Traffic Impact Study  
  N/A   Environmental Assessment  
  N/A   Other

**Water:** This property has a 20" waterline providing 1309 GPM with a static pressure of 60 PSI and a residual pressure of 50 PSI available along Cave Mill Road. This is sufficient to meet the minimum fire control standards of Bowling Green.

**Sewer:** An 8" sewer line is will be extended from Pascoe Boulevard. All improvements to the site will be connected to public sanitary sewer.

## DEVELOPMENT PLAN REVIEW

Comprehensive Plan Element:	Application:
<b>Intended use of the property and building(s).</b>	The applicants intend to amend the original development plan to provide for an increase in dwelling units from 216 to 223. The amended Binding Elements propose an addition of seven (7) multi-family dwelling units and a new layout for the development's concept. The applicants also propose to amend the landscape buffer as generally shown on Exhibit "C". The natural landscape buffer has decreased in size.
<b>Maximum density level or maximum number of lots.</b>	The subject property (13.0122 Acres) to be developed as <b>RM-4</b> (Multi-Family Residential) will be developed with a maximum of <b>223</b> dwelling units as generally shown on Exhibit "B" with no single building containing more than 24 dwelling units. The property shall contain a management/pool building not to exceed 5,000 square feet in area. Lot coverage shall not exceed 70%. <b>(Binding Element IV, proposed amended Binding Element and Concept Plan from 216 dwelling units to 223 dwelling units)</b>
<b>Design elements (the treatments, signs, drainage, utilities, sidewalks, gutter and curb, etc).</b>	<p>Improvements on the property shall be constructed of at least 50% brick, masonry, wood, glass, stucco, EFIS, or other similar modern construction materials. Plain face block shall not be used. (Binding Element VI – original Binding Element – no proposed changes)</p> <p>The property will be developed with a community mailbox system and uniform streetlights (made) of metal, fiberglass or composite materials. (Binding Element VIII – original Binding Element – no proposed changes)</p> <p>The applicants have also agreed that the subject property shall meet the Phase II Stormwater Management requirements of the City of Bowling Green (Binding Element XII – original Binding Element – no proposed changes) and that no building shall exceed 3 stories or 42 feet above the finished grade. (Binding Element IX – original Binding Element – no proposed changes)</p>
<b>Lighting plans.</b>	Lighting for all parking areas shall be designed to minimize the light trespass on any adjoining properties and shall not exceed 0.5 foot-candles at the property line. (Binding Element XI – original Binding Element – no proposed changes)

### Items of Concern:

- *Compatibility with surrounding developments;*
- *Access to the site;*
- *Adequate open space;*
- *Adequate landscape buffer.*

## COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy:	Application:
<b><u>LU-1A-2</u> In preparing a general development plan, surrounding property owners must be consulted prior to submitting a zone change.</b>	The Staff recommends to all applicants that they contact adjacent neighbors prior to the public hearing or have a neighborhood meeting, if possible. No information concerning a neighborhood meeting has been given to staff.
<b><u>LU-4B-3</u> All multi-family and single family attached urban density residential development must be served by a public water supply capable of 600 GPM at 20 PSI residual pressure.</b>	<p>This property has a 20” waterline providing 1309 GPM with a static pressure of 60 PSI and a residual pressure of 50 PSI available along Cave Mill Road. This is sufficient to meet the minimum fire control standards of Bowling Green.</p> <p>The applicants have stated that the property will have sufficient water supply and fire hydrants to meet the fire control standards of Bowling Green, Kentucky, together with any necessary installation of the hydrants. (Binding Element III – original Binding Element – no proposed changes)</p>
<b><u>LU-4B-4</u> All urban density residential development shall be served by public sanitary sewer.</b>	Improvements to the site will be connected to public sanitary sewer. (Binding Element I – original Binding Element – no proposed changes)
<b><u>LU-4B-5</u> Electric, telephone and CATV utilities should be placed underground in urban density residential developments.</b>	The applicants have proposed that all utilities will be located underground. (Binding Element II – original Binding Element – no proposed changes)
<b><u>LU-4B-7</u> Urban density residential development shall have street lights, sidewalks, curbs, and gutters installed at the time of development.</b>	The applicants propose that the property shall be developed with an internal and external parking and traffic system. The system shall include curb and gutter. The system shall include four foot (4’) sidewalks located at each of the buildings. (Binding Element VII – original Binding Element – no proposed changes)
<b><u>LU-4A-10</u> All proposals for urban density residential development should make provisions for implementation of the Greenbelt System Master Plan.</b>	The applicants have proposed that the western property line of the property will be developed with a 25 foot landscape buffer in which a dense buffer consisting of existing wooded vegetation and augmented with 2 staggered rows of evergreens that shall be planted and maintained at (the) termination point of existing wooded vegetation as generally shown on Exhibit “C” ( <b>Binding Element V– original Binding Element – updated Exhibit “C”</b> )
<b><u>LU-4B-9</u> High density residential development should provide buffering (e.g. landscaping, fencing, etc.) from incompatible uses or lower density residential developments.</b>	The subject property will be developed with a maximum 223 dwelling units as generally shown on Exhibit “B” with no single building containing more than 24 dwelling units. The proposed site would also be limited to lot coverage not to exceed 70%. ( <b>Updated Binding Element IV – proposed amendment</b> )
<b><u>LU-4B-10</u> All urban density multi-family residential development should maintain a minimum of 25 percent open space, excluding paved areas and individual lots.</b>	The proposed residential development consists of 223 total dwelling units on 13.0122 acres making a density of 17.14 units/acre. Staff reviewed several surrounding developments as follows: <b>North Mill Village-Residential</b> lots only (including drainage lot), 16.39 total acres with 144 units for a density of 8.79 units/acre; <b>Sunnydale Acres</b> (Pascoe Blvd area), 36.77 total acres with 423 units for a density of 11.50 units/acre; <b>Three Springs Hollow</b> (Residential lots only), 39.77 total acres with 370 units for a density of 9.30 units/acre; <b>Chandler Park</b> (Apartment Complex only), 17.20 total acres with 320 units for a density of 18.60 units/acre; <b>Cedargate Apartments</b> , 7.58 total acres with 118 units for a density of 15.57 units/acre; <b>Eaglestone Villas</b> , 15.94 total acres with 80 units for an average density of 5.02 units/acre; <b>Nick’s Landing Apartments</b> , 2.59 total acres with 48 units for a density of 18.53 units/acre; and the <b>Crossings at Cave Mill</b> , 44.53 total acres with 167 total lots for a density of 3.75 units/acre.
<b><u>LU-4A-9</u> Residential development should not exceed density of surrounding developments by more than 50 percent.</b>	

## COMPREHENSIVE PLAN COMPLIANCE (Continued)

Comprehensive Plan Policy:	Application:
<p><b><u>TR-2</u> Measures must be taken to ensure that all private and public development is undertaken in a manner which minimizes increased traffic congestion on existing streets, roads and intersections.</b></p> <p><b><u>TR-2A</u> Adjacent developments shall provide for internal circulation between them in accordance with the subdivision regulations.</b></p> <p><b><u>TR-2F</u> Increased building setbacks and more stringent sign controls on arterial and collector streets should be required.</b></p> <p><b><u>TR-2G</u> Traffic calming techniques should be included in all new developments, where appropriate.</b></p> <p><b><u>TR-2H</u> Development within the City limits of Bowling Green shall comply with the City's adopted Traffic Access Management Manual.</b></p> <p><b><u>TR-2I</u> Within urban areas, private access to existing state, county or city streets should be as restrictive as possible, of few as necessary and align with other existing entrances.</b></p>	<p>The subject property proposes access from an internal street to be constructed that intersects with Cave Mill Road. Cave Mill Road is an urban collector roadway with 100 feet of right-of-way and varying pavement widths</p> <p>Although there was no initial Traffic Impact Study performed for the site, the applicants have agreed that access to the site shall be from a proposed street to be constructed with sixty (60') of right-of-way that has 10 foot median separating the one entrance lane from the two exit lanes.</p> <p>The property shall be developed with an internal and external parking and traffic system. The system shall include curb and gutter. The system shall include four-foot sidewalks located at each of the buildings. (Binding Element VII – original Binding Element – no proposed changes)</p>

### STAFF REVIEW AND RECOMMENDATION

The Staff finds that the proposed Amendment to the General Development Plan is in agreement with the adopted Comprehensive Plan and recommends that the Amendment to General Development Plan and the revised Concept Plans be **APPROVED**.

### MOTIONS

I make the motion to **approve** the proposed General Development Plan Amendment, docket number, **2010-05--**

**DP.** My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing, that the General Development Plan Amendment is in agreement with the adopted Comprehensive Plan as demonstrated by its compliance with the Comprehensive Plan's following Policies:

**LU-1A-2;**

**LU-4A- 9 & 10**

**LU-4B-3, 4, 5, 7, 9, & 10**

**And TR-2, 2A, 2F, 2G, 2H, & 2I**

Further, I find that there have been major changes of an economic, physical or social nature within the area of the property in question and I request that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed amendment.

**OR**

I make a motion to **deny** the proposed General Development Plan Amendment, docket number **2010-05-DP**. My motion is based on the findings of fact as presented in the staff report and the testimony as presented in this public hearing that the zoning map amendment is not in agreement with the adopted Comprehensive Plan as demonstrated by its non-compliance with the Comprehensive Plan's following Policies:

**(State specific Policies)**

Further, I request that the findings of fact and recommendation include a summary of the evidence and testimony presented by the proponents and/or opponents of the proposed amendment.