

ZONE CHANGE STAFF REPORT

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

Summary: The applicants are proposing to rezone and subdivide 6.69 acres of property from **AG** (Agriculture) to **R-E** (Residential Estate) located on Claypool-Boyce Road, approximately 1,540' west of W.G Talley Road, in order to create five (5) single family residential building lots. The applicants have agreed to certain site restrictions as outlined in the Binding Elements.

Docket Number: 2010-07-Z-CO
Public Hearing Date: April 1, 2010
Pre-application Conference: March 1, 2010

Owner(s): Mark and Robin Douglas
Address: 1803 Allen Springs Road
Alvaton, KY 42122

Development Plan:
This zoning map amendment request was filed with a general development plan (Binding Elements).

Zone Map Amendment Request:
FROM: AG (Agriculture)
TO: R-E (Residential Estate)

Location of Proposed Zone Change:
Claypool-Boyce Road, approximately 1,540' west of W.G Talley Road.

Acreage or Square Footage of Tract:
6.69 Acres

PVA Parcel Number:
078A-03-002

Site District: Rural Density Development District
Focal Point: 115 Boyce/Alvaton
Development Status: Stable
Infra Status: U (Sanitary sewer not available)
Characteristics: Agriculture/Open Space. Mostly agriculture but with scattered low density single family residential. Experiencing market pressure for residential.

Existing Land Use: Vacant

Zoning History: AG (Agriculture) is the original zoning.

Surrounding Zoning, Land Use, and Subdivisions: See attached maps.

Soil Analysis:
100% NhB: Nicholson silt loam, 2-6 % slopes

Flood Plain: The property is not located in the 100-year flood area according to FEMA FIRM map # 21227C0450 E.

Traffic Considerations:
The property has frontage on Claypool-Boyce Road, a rural County roadway with fifty (50') feet of right-of-way and sixteen (16') feet of pavement width.

Additional Documentation Required:
N/A Traffic Impact Analysis
N/A Environmental Assessment
N/A Fire Protection Requirement Threshold Waiver.

Water:
A 4" waterline providing more than 250 GPM with more than 20 PSI is available along Claypool-Boyce Road. This meets the minimum fire control standards of Warren County.

Sewer:
There are no sanitary sewers within 1,500 feet of this property; on-site septic systems will be utilized for the property. The applicants should contact the Barren River District Health Department prior to the issuance of a building permit for the approval of a site evaluation.

DEVELOPMENT PLAN REVIEW

Comprehensive Plan Element:	Application:
<p>Intended use of the property and building(s).</p> <p>Maximum density level, intensity of use, or maximum number of lots.</p>	<p>The proposed property consists of two tracts of land. Tract one (1) as noted on the subdivision plat is 1.027 acres in size, and tract two (2) is 5.66 acres. The applicants are proposing to subdivide and rezone the two tracts of land (6.69 acres) to create five (5) single family residential building lots. Each lot must have a minimum lot area of one (1) acre for the proposed R-E (Residential Estate) zone classification being requested.</p>
<p>General location of internal streets and travelways, average daily trips (ADT) generated by the proposed use, access points to existing streets and parking.</p>	<p>There are five (5) building lots being proposed for residential use and access to each lot shall be approved by the Warren County Road Department prior to the issuance of a building permit.</p>

Items of concern:

- *Total number of residential lots;*
- *Access to the site;*
- *Compatibility with surrounding properties.*

COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy:	Application:
<p><u>LU-1A-2</u> In preparing a general development plan, surrounding property owners must be consulted prior to submitting a zone change request to the Planning Commission.</p>	<p>The Staff recommends to all applicants that they contact adjacent neighbors prior to the public hearing or have a neighborhood meeting. No information of a neighborhood meeting was forwarded to the Planning Commission Staff.</p>
<p><u>LU-4C-1</u> Rural density single family detached residential development may occur throughout Warren County on appropriately zoned AG, RR, and RE lots. Minimum lot sizes in these districts should be exclusive of drainage easements and flood plain areas.</p> <p><u>LU-4C-4</u> Lot sizes, lot widths and building setbacks in new rural density residential development should reflect the overall pattern of development in the surrounding area.</p>	<p>The subject property shall be developed into individual lots for single family residences with a maximum of five (5) lots; with a minimum lot size of one (1) acre. (Binding Element I)</p> <p>All principal structure located on any lot shall have either a split faced block or brick foundation. (Binding Element V)</p>
<p><u>LU-4C-2</u> Rural Density Residential development must be provided with public water supply with greater than 250 GPM and 20 PSI residual pressure.</p>	<p>A 4" waterline providing more than 250 GPM with more than 20 PSI is available along Claypool-Boyce Road. The applicants shall meet the minimum requirements for the Fire Control Standards of Warren County, Kentucky; including the installation of all required fire hydrants. (Binding Element III)</p>
<p><u>LU-4C-3</u> On-site waste disposal systems must be approved by the Barren River District Health Department prior to the issuance of a building permit.</p>	<p>There are no sanitary sewers within 1,500 feet of this property; on-site septic systems will be utilized for the property. The applicants should contact the Barren River District Health Department prior to the issuance of a building permit for the approval of a site evaluation.</p>
<p><u>LU-4A-4</u> Future growth and development must not jeopardize existing neighborhoods. Therefore, future growth and development shall be compatible with adjacent properties and neighborhoods with respect to (but not limited to) scale, identity, bulk, and site planning.</p> <p><u>LU-4A-9</u> Residential development should not exceed density of surrounding developments by more than 50 percent.</p>	<p>As can be seen from the zoning map, there are lots of similar size to the proposed residential building lots in the general vicinity.</p>
<p><u>LU-4C-5</u> All rural density residential development should maintain existing natural physical features such as woods, streams, green areas, etc. as open space.</p>	<p>No additional changes are proposed. The property is fairly wooded and some changes may occur during the construction of single family residential structures at the building permit level.</p>
<p><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.</p>	<p>The property has frontage on Claypool-Boyce Road, a rural county roadway with 50 feet of right-of-way and 16 feet of pavement width. All new access points shall be approved by the Warren County Road Department prior to construction. (Binding Element II)</p>

STAFF REVIEW AND RECOMMENDATION

The Staff finds that the proposed **zoning** is in agreement with the adopted Comprehensive Plan and recommends that the Zoning Map Amendment, together with the General Development Plan, be **APPROVED**.

MOTIONS

I make the motion to **approve** the proposed zoning map amendment, together with and conditioned upon the General Development Plan, docket number, **2010-07-Z-CO**. 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 zoning map 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-4 & 9;
LU-4C-1, 2, 3, 4 & 5;
and TR-2.

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.

OR

I make a motion to **deny** the proposed zoning map amendment, docket number **2010-07-Z-CO**. 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.