

# 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 6.5965 acres, located on Scott Lane. The proposed amendment would allow for the creation of one (1) additional single-family residential lot. This property is zoned **RS-1A** (Single Family Residential) with Binding Elements.

<b>Docket Number:</b> 2011-05-DP	<b>Owners:</b> J. Richard & K. Shea Rogers
<b>Public Hearing Date:</b> May 5, 2011	<b>Address:</b> 210 Scott Lane Bowling Green, KY 42103
<b>Pre-application Conference:</b> March 28, 2011	

<b>Development Plan:</b> This requested amendment to Binding Elements was filed under Section 3.11.8 of the Zoning Ordinance.	<b>Request:</b> To amend the existing Development Plan (Binding Elements) currently zoned <b>RS-1A</b> (Single Family Residential).
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<b>Location of Proposed Zone Change:</b> 210 Scott Lane (Lots 1-5 of the Pine Terrace Subdivision) <b>Acres or Square Footage of Tract:</b> 6.5965 Acres <b>PVA Parcel Numbers:</b> 051B-15-000	<b>Site District:</b> Urban Density Development District <b>Focal Points:</b> 114-1 Mt. Ayr <b>Development Status:</b> Stable <b>Infra Status:</b> S (Sanitary sewer available)  <b>Characteristics:</b> Residential. Low density single family attached and detached. Garden apartments in fringe.
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<b>Existing Land Use:</b> Residential.  <b>Zoning History:</b> The original zoning of the property was <b>AG</b> (Agriculture). The property was rezoned to <b>RS-1A &amp; RS-1C</b> (Single Family Residential) in July of 2005.  <b>Surrounding Zoning, Land Use, and Subdivisions:</b> See attached maps.	<b>Soil Analysis:</b> <b>Approx. 54% CuC:</b> Crider-Urban land complex, 6-12% slopes <b>Approx. 46% CuB:</b> Crider-Urban land complex, 2-6% slopes <b>Flood Plain:</b> The property is not located in the 100-year flood area according to FEMA map # <b>21227C03115 E and #21227CO295 E</b>
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<b>Traffic Considerations:</b> The property has frontage on Scott Lane, an urban local roadway, with fifty (50) feet of right-of-way and eighteen (18) feet of pavement width.	<b>Additional Documentation Required:</b> <table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 100px;">N/A</td> <td style="border: none;">A Traffic Impact Study was submitted</td> </tr> <tr> <td style="border: none;">N/A</td> <td style="border: none;">Environmental Assessment</td> </tr> <tr> <td style="border: none;">N/A</td> <td style="border: none;">Other</td> </tr> </table>	N/A	A Traffic Impact Study was submitted	N/A	Environmental Assessment	N/A	Other
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N/A	Environmental Assessment						
N/A	Other						

<b>Water:</b> An 8" waterline providing more than 600 GPM with more than 20 PSI is available along Scott Lane. This meets the fire control standards of Bowling Green, KY, for domestic uses.	<b>Sewer:</b> A 12" sewer line is available along Scott Lane.
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## DEVELOPMENT PLAN REVIEW

The applicants propose to amend the Binding Elements that were approved in 2005. The proposed amendments are to revise the language in Binding Element I and III. The proposed revision to Binding Element I is as follows:  
*This property shall be developed with a maximum of six (6) single family residential lots.*

The applicants would also like to revise Binding Element III to read as follows:  
*Any accessory structures constructed or placed on Lots 1-1, 3, 4, or 5 shall be consistent with the architectural design and exterior finishes of the primary structure.*

### Items of Concern:

- *Total number of Residential lots;*
- *Access to Scott Lane.*

## COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy:	Application:
<p><b><u>LU-1A-2</u></b> 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><b>LU-4B-2</b> Urban density single family detached residential development must be served by a public water supply capable of 250 GPM at 20 PSI residual pressure (600 GPM within the city limits of Bowling Green). Fire hydrants must be provided to meet the fire protection standards of the applicable jurisdiction.</p>	<p>An 8" waterline providing 944 GPM at 60 static PSI with a residual of 25 is available along Scott Lane. This is adequate for domestic uses, and to meet the fire control standards of Bowling Green.</p>
<p><b>LU-4B-4</b> All urban density residential development shall be served by public sanitary sewer.</p>	<p>A 12" sewer line is available along Scott Lane. The development will be required to connect to public sanitary sewer.</p>
<p><b><u>LU-4B-5</u></b> Electric, telephone and CATV utilities should be placed underground in urban density residential developments.</p> <p><b><u>LU-4B-7</u></b> Urban density residential development shall have street lights, sidewalks, curbs, and gutters installed at the time of development.</p>	<p>The applicants are proposing the creation of one (1) additional lot along the existing right-of-way of Scott Lane. No other changes are proposed for the site.</p>
<p><b><u>LU-4B-6</u></b> Urban density residential development shall provide for the continuity of the interior street system and pedestrian linkages with streets already in place or planned in neighboring areas as well as provide for the coordination of this local street system with the major transportation network.</p> <p><b><u>TR-2</u></b> 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><b><u>TR-2H</u></b> Development within the City limits of Bowling Green shall comply with the City's adopted Traffic Access Management Manual.</p>	<p>The existing house, located at 210 Scott Lane already has its own driveway access onto Scott Lane, which will remain. The additional 5 lots to be created propose separate access points to Scott Lane as generally shown on Exhibit "B".</p> <p>Access to the property should be in compliance with the Bowling Green Access Traffic Management Manual. The applicants are proposing six (6) lots into Tract 2 of the Rogers Property Scott Lane Development Subdivision and must be in compliance with the Subdivision Regulations of Warren County.</p>

## COMPREHENSIVE PLAN COMPLIANCE (Continued)

Comprehensive Plan Policy:	Application:
<p><b><u>LU-4A-3</u> Residential neighborhoods are viewed as personal, economic and lifestyle necessities. Measures must be instituted for the protection of both existing and newly created residential neighborhoods.</b></p> <p><b><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.</b></p> <p><b><u>LU-4A-8</u> Infill residential uses should reflect the overall density and style of the neighborhood.</b></p> <p><b><u>LU-4A-9</u> Residential development should not exceed density of surrounding developments by more than 50 percent.</b></p>	<p>Homes constructed on the newly developed lots will have a minimum of 1,800 square feet with a two-car attached garage. The minimum ground floor living space will be 1,400 square feet. Each home will be constructed of 90 percent brick, stone, dryvit or concrete-based siding exterior finishes, excluding soffits and porch ceilings (Existing Binding Element 2 to remain).</p> <p>A 10' natural landscape and buffering easement shall be placed along the common boundary of this property with Indian Hills Subdivision. Any gaps within the existing tree line shall include additional evergreen tree plantings to provide additional screening (Existing Binding Element 4 to remain).</p> <p>A 10' landscape buffer consisting of evergreen trees shall be placed on this property at the common boundary with Tract 1 to provide screening between the two parcels of this development. (Existing Binding Element 5 to remain)</p> <p>The property to be developed is adjacent to the following zones and subdivisions: <b>Indian Ridge Subdivision</b> (PUD, B.E.); <b>Indian Hills Subdivision</b> (RS-1A); <b>Winfield Acres</b> (RS-1A and RM-3); <b>River Hills Subdivision</b> (RS-1A); and <b>Mt. Ayr Estates</b> (AG). Some subdivisions in the surrounding area include: <b>Talbott Place</b> (RS-1A); <b>Cherry Hill Subdivision</b> (RS-1A and AG); <b>Walkerhurst Subdivision</b> (RS-1A, B.E.); <b>Nob Acres</b> (RS-1B, B.E.); <b>Windsor Meadows</b> (RS-1B, B.E.); and <b>Knox Manor Apartments</b> (RM-3).</p> <p>A total of 6 lots will be developed. This calculates to a density of 0.91 units/ acre. The staff did evaluate densities of other residential areas in the general vicinity. They are as follows: <b>Indian Hills Subdivision</b>-density of 2.76 units/ acre; <b>Indian Ridge Subdivision</b>-density of 5.26 units/ acre; <b>Talbott Place</b>-density of 1.31 units/ acre; <b>Mt. Ayr Estates</b>-density of .46 units/ acre; and <b>Winfield Acres</b>-density of 2.65 units/ acre.</p>

## COMPREHENSIVE PLAN COMPLIANCE SUMMARY

The staff evaluated the following twelve (12) policies for compliance

### POLICIES IN COMPLIANCE

- LU-4A-3, 4, 8 & 9
- LU-4B-2, 4, 5, 6 & 7;
- TR-2 & 2H;

### POLICIES NOT IN COMPLIANCE

- LU-1A-2

## MOTIONS

I make the motion to **approve** the proposed General Development Plan Amendment, together with and conditioned upon the General Development Plan docket number, **2011-05-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-4A-3, 4, 8 & 9;**

**LU-4B-2, 4, 5, 6 & 7;**

**and**

**TR-2 & 2H;**

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 **2011-05-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, such as :)**

**LU-1A-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.