

# 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 5.1164 acres of property from **AG** (Agriculture) to **RS-1C** (Single Family Residential) in order to create fifteen (15) single family residential lots. The applicants have also agreed to certain site restrictions as outlined in the Binding Elements.

**Docket Number:** 2011-09-Z-CO  
**Public Hearing Date:** April 7, 2011  
**Pre-application Conference:** February 28, 2011

**Property Owner(s):** Ted and Sharon Goolesby  
**Address:** P.O. Box 51881  
Bowling Green, KY 42102

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

**Zone Map Amendment Request:**  
**FROM:** AG (Agriculture)  
**TO:** RS-1C (Single Family Residential)

**Location of Proposed Zone Change:**  
783 Blue Level Road  
**Acreage or Square Footage of Tract:**  
5.1164  
**PVA Parcel number:**  
029B-86

**Site District:** Urban Density Development District  
**Focal Point:** 111-2 Hillwood  
**Development Status:** Stable  
**Infra Status:** S (Sanitary sewer is available)  
**Characteristics:** Agriculture/Open Space. Rural conservancy with little pressure for development.

**Existing Land Use:** Residential/Vacant  
**Zoning History:** AG (Agriculture) is the original zoning for this property.  
**Surrounding Zoning, Land Use, and Subdivisions:**  
See attached maps.

**Soil Analysis:**  
**100% CrB:** Crider silt loam, 2-6% slopes, prime farmland  
**Flood Plain:** The property is **not** located in the 100 year flood area according to FEMA FIRM map #21227C285 E.

**Traffic Considerations:** The property has frontage on Blue Level Road (KY 432), a State maintained rural local roadway with sixty (60) feet of right-of-way and eighteen (18) feet of pavement width.

**Additional Documentation Required:**  
N/A Traffic Impact Study  
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 a portion of the property on Blue Level Road. This meets the Warren County Fire Protection Standards for domestic uses.

**Sewer:** There is an 8" sewer line available within 1,500 feet of the property – within Hillview Mills Subdivision along Rodeo Lane. The applicants will be required to connect to the existing public sanitary sewer system.

## DEVELOPMENT PLAN REVIEW

<b>Comprehensive Plan Element:</b>	<b>Application:</b>
<p><b>Intended use of the property and building(s).</b></p> <p><b>Maximum density level, intensity of use, or maximum number of lots.</b></p>	<p>The applicants propose to subdivide and rezone 5.1164 acres of land in order to create fifteen (15) single family residential lots creating a density of 2.93 units per acre. The proposed lots have a range in area from 8,699 square feet (0.20 acre) to 32,491 square feet (0.75 acre).</p>
<p><b>Design elements (facade treatments, signs, drainage, utilities, sidewalks, gutter and curb, etc).</b></p>	<p>All single family residential dwellings will be sided with seventy-five percent (75%) brick, stone, wood, EIFS, stucco, or similar masonry material with no more than two (2) homes having identical elevations. All utilities will be located underground and the proposed internal street will be installed with curb and gutter; with a sidewalk on one side.</p>
<p><b>General location of internal streets and travelways, average daily trips (ADT) generated by the proposed use, access points to existing streets and parking.</b></p>	<p>The applicants are proposing a maximum of six (6) access points onto Blue Level Road, including the proposed internal stub street as generally shown on Exhibit "B". All access points will be subject to the approval of the Kentucky Transportation Cabinet (KYTC).</p>

**Items of Concern:**

- *Access to the property (number of access points along Blue Level Road);*
- *Access to the property (internal roadway);*
- *Compatibility with surrounding development;*
- *Adequate Open Space;*

## COMPREHENSIVE PLAN COMPLIANCE

Comprehensive Plan Policy:	Application:
<p><b><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.</b></p>	<p>The Staff recommends to all applicants that they contact adjacent neighbors prior to the public hearing or have a neighborhood meeting. The applicants have informed the staff that their intention is to talk with each neighbor either by telephone or in person.</p>
<p><b><u>LU-4B-1</u> Urban density residential development is permitted only in the Committed to Urban Density Development areas as defined in this Plan in Policy LU-2.</b></p> <p><b><u>LU-2C-1</u> Urban Density Development District. Areas within the corporate limits of Bowling Green, areas within the corporate limits of any 5th or 6th class city, or areas within 1,500 feet of public sanitary sewer are declared to be “potentially suitable for Urban Density Development”.</b></p>	<p>The property lies within the 111-2 Hillwood Focal Point which is characterized as: Agriculture/Open Space. Rural conservancy with little pressure for development. The property is at the edge of the Hillwood Focal Point - adjacent to the Walnut Valley Focal Point, an Urban Growth Focal Point - and within 1,500 feet of public sanitary sewer. Therefore, according to the definition of the development district in the Warren County Comprehensive Plan – the property would be considered “potentially suitable for Urban Density Development.”</p>
<p><b><u>LU-4B-4</u> All urban density residential development shall be served by public sanitary sewer.</b></p>	<p>There is an 8” sewer line available within 1,500 feet of the property – within Hillview Mills Subdivision along Rodeo Lane. The applicants will be required to connect to the existing sewer system due to the proximity of the system being within 1,500 feet of the proposed development. The applicants have stated in the Binding Elements that any development on the property shall be connected to sanitary sewer. (Binding Element 7)</p>
<p><b><u>LU-4B-2</u> 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.</b></p>	<p>A 4” waterline providing more than 250 GPM with more than 20 PSI is available along a portion of the property on Blue Level Road. This meets the Warren County Fire Protection Standards for domestic uses. All fire control standards of Warren County will be met. ( Binding Element 1)</p>
<p><b><u>LU-4B-5</u> Electric, telephone and CATV utilities should be placed underground in urban density residential developments.</b></p> <p><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></p> <p><b><u>LU-4B-10</u> All urban density single family residential development shall maintain at least 6.5 percent common open space, as defined by the Subdivision Regulations for Warren County.</b></p>	<p>All utilities shall be underground, including gas, electric, water, sewer, telephone and cable for CATV, (and) will be extended to the property. (Binding Element 2)</p> <p>The applicants have proposed to construct an internal roadway to serve approximately ten (10) lots. The proposed internal roadway will be constructed with curb, gutter and sidewalk on one side of the internal street as generally shown on Exhibit “B”. (Binding Element 3)</p> <p>All areas from the back of curb to the proposed right-of-way line on the proposed internal street will be counted toward the 6.5 percent open space as outlined in the Subdivision Regulations of Warren County, Kentucky. The applicants have also committed that the developer will meet all requirements of the Subdivision Regulations of Warren County. (Binding Element 8)</p>

## COMPREHENSIVE PLAN COMPLIANCE (Cont.)

Comprehensive Plan Policy:	Application:
<p><b><u>LU-4A-6</u></b> 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>LU-4B-6</u></b> Urban density residential development shall provide for the continuity of the interior streets 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-2A</u></b> Adjacent developments shall provide for internal circulation between them in accordance with the subdivision regulations.</p> <p><b><u>TR-2B</u></b> At least one stub street should be constructed into each adjacent undeveloped property of 10 acres or more. The design of future alignment of street extensions onto adjacent tracts should benefit the surrounding community. Subsequent development of these adjacent tracts must then connect to the original stub street.</p> <p><b><u>TR-2D</u></b> All residential developments of more than 10 lots should be served by an interior street system. Within the Rural Density Development District, private access to existing state and county roads should be spaced at least 200' apart. Joint access easements providing one access point for two properties are encouraged.</p>	<p>The property has frontage on Blue Level Road (KY 432), a State maintained rural local roadway with sixty (60) feet of right-of-way and eighteen (18) feet of pavement width</p> <p>There shall be a maximum number of six (6) access points onto Blue Level Road including the proposed road, existing drives and proposed drives. All the access points will be subject to the approval of the Kentucky Transportation Cabinet (KYTC) (Binding Element 4). The applicants have also committed that all driveways in the subdivision shall be paved with hard surface material. (Binding Element 10)</p> <p>The applicants have also tried to mitigate any impact on Blue Level Road by proposing that all residences shall face the deepest setback line and all entry to corner lots will be from the lower classification street. (Binding Element 6)</p> <p>As can be seen from Exhibit "B", the applicants are also proposing a stub street to the southeast property line. This would provide access for any future development of the 68.63 acres adjacent to the proposed zone change. (See Exhibit "B")</p>

## COMPREHENSIVE PLAN COMPLIANCE (Cont.)

Comprehensive Plan Policy:	Application:
<p><b><u>LU-4A-1</u> New Residential areas should provide for a mix of housing densities.</b></p> <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-9</u> Residential development should not exceed the density of surrounding developments by more than 50 percent.</b></p>	<p>The applicants have committed that all houses shall be sided with seventy-five percent (75%) brick, stone, wood, EIFS, stucco, or similar masonry material. No more than two (2) homes shall be constructed with identical elevations. (Binding Element 9)</p> <p>The applicants have also committed that all detached garages or storage buildings will be constructed of the same quality and (type of) material as the principal structures. No single family residential lots will exceed two and one half (2 ½) stories in height. (Binding Element 5)</p> <p>The proposed development is fifteen (15) single family residential lots on 5.1164 acres resulting in a density of <b>2.93</b> units per acre. Staff evaluated several other developments in the general area and found the following densities: <b>Hillview Mills</b> (platted residential section only) has 65 lots on 17.52 acres resulting in a density of <b>3.71</b> units per acre. <b>Windmill Heights</b> has twenty-four (24) lots on 24.28 acres resulting in a density of <b>0.99</b> units per acre. <b>Brentwood Place</b> (platted residential section only) has thirty-four (34) lots on 9.16 acres resulting in a density of <b>3.71</b> units per acre. The <b>Tee to Green</b> Zone change proposed two hundred and thirty (230) multifamily residential units on 13.72 acres resulting in a density of <b>16.76</b> units per acre. The <b>Bogle</b> zone change proposed sixty (60) single family residential units on 19.23 acres resulting in a density of <b>3.12</b> units per acre.</p>

## COMPREHENSIVE PLAN COMPLIANCE SUMMARY

The staff evaluated the following eighteen (18) policies for compliance:

### POLICIES IN COMPLIANCE

- LU-1A-2
- LU-2C-1
- LU-4A-1, 3, 4, 6 & 9;
- LU-4B-1, 2, 4, 5, 6, 7 & 10;
- TR-2, 2A, 2B & 2D

### POLICIES **NOT** IN COMPLIANCE

- LU-4A-4

## MOTIONS

I make the motion to **approve** the proposed zoning map amendment, together with and conditioned upon the General Development Plan, docket number, **2011-09-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-2C-1***

***LU-4A-1, 3, 4, 6 & 9;***

***LU-4B-1, 2, 4, 5, 6, 7 & 10;***

***and TR-2, 2A, 2B & 2D***

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 **2011-09-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]***

***LU-4A-4***

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.