

APRIL 9, 2009

3100 BLK TRAILS WY

ZONE CHANGE

From: R-3MF Multi-Family Residential		
To: R-1C Single-Family Residential		
Proposed Use: Residential		
Acreage: 5.313+/-		
Applicant: Jagoe Development, LLC (0904.1747)		
Property Zone Existing Use	to North R-1C Residential	
to West R-1C Residential	Subject R-3MF → R-1C Vacant	to East A-U Horse Fork Walking Trail
	to South A-U Heartland Basins "F" & "G"	

GENERAL LAND USE CRITERIA
Apply, if marked below:

Described in Comprehensive Plan on pages 445-448

Environmental ☒

- ☒ **E1** Flood Plains
- E2** Steep Slope
- E3** Historical & Archaeological Sites
- E4** Soils
- E5** Plant & Animal Life

Urban Services ⌘

- U1** Roadway Capacity
- U2** Electricity Supply
- U3** Water Supply
- U4** Stormwater Disposal
- U5** Sanitary Sewage Disposal

Development Patterns ♦

- D1** Land-Use Intensity, Clusters and Buffers
- D2** Land Use versus Street Function
- D3** Intersection & Driveway Spacing
- D4** Roadway Buffer Standards
- D5** Lot Sizes & Proportions
- ♦ **D6** Residential Development
- D7** Non-Residential Development
- D8** Building Quality

Proposed Zone & Land Use Plan

The applicant is seeking an R-1C Single-Family Residential zone. The subject property is located in an Urban Residential Plan Area, where urban low-density residential uses are appropriate in limited locations.

SPECIFIC LAND USE CRITERIA

(a) Building and lot patterns - Building and lot patterns should conform to the criteria for "Urban Residential Development" (D6).

(b) Existing, expanded or new sanitary sewers - Urban Low-density Residential uses should occur only where sanitary sewer systems exist or may be expanded, or where new systems may be property established.

Applicant's Findings

The proposed rezoning is in compliance with the Comprehensive Plan. The Land Use Plan Map element of the Comprehensive Plan recommends urban residential use for this area. The urban low-density residential use is an appropriate land use within Urban Residential Plan Areas in limited locations. The development is contiguous to existing urban low-density residential development. The site is located inside the Owensboro beltline. Annexation of the site into the City limits has been initiated. The subject property is another phase of the ongoing Heartland residential subdivision.

Sanitary sewers exist on the site. All other services and utilities are available to serve the site. Storm water retention is provided for the site as a portion of the previous subdivision development. Some prime farmland exists at the site. Farming has not occurred on the site for approximately ten years. The Comprehensive Plan anticipates conversion of portion so prime agricultural land; particularly inside the Owensboro beltline; to urban residential uses.

The building and lot patterns will conform to the urban residential lot characteristics. The lot pattern will be typical of a "regular subdivision" as defined under the Specific Land Use criteria of the Comprehensive Plan. The concept plan for the overall site is specifically oriented toward promoting a sense of community for the district neighborhood units proposed. The anticipated density will be substantially less than the allowable established by the Land Use Plan criteria. The project development will be compatible with and consistent with the adjoining subdivision neighborhoods. The proposed rezoning is a logical expansion of the current R-1C zone.

Planning Staff Review

The subject property is located in the 3001 block of Trails Way. Land use criteria applicable to this proposal are reviewed below.

GENERAL LAND USE CRITERIA

Environment

According to a study prepared by the US Department of Agriculture Soil Conservation Service dated March 6, 1990, it appears that the subject property is not located in a wetlands area. The subject property is located in a special flood hazard area per FIRM Map 21059CO280 C. Based on the preliminary FIRM maps dated July 7, 2007, the subject property is located in a special flood hazard area per map 21059CO277 D. The developer is responsible for obtaining permits as may be required by the Division of Water, The Army Corp of Engineers, FEMA or other state and federal agencies as may be applicable.

It appears that the subject property is outside the Owensboro Wellhead Protection area according to a map created by the GRADD office dated March 1999.

Urban Services

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

Development Patterns

The subject property is currently zoned R-3MF Multi-Family Residential and is within the boundary of the Heartland Subdivision. The property to the north and east is zoned R-1C Single-Family residential as part of the same subdivision. The by-pass and retention areas are located to the east and the property to the south is zoned A-U and is the Yewell's Heritage Park.

The applicant proposes to rezone the subject property to be an additional single-family residential section of the Heartland Subdivision. As stated by the applicant, all urban services are available to the site include sanitary sewer service. Trails Way is currently stubbed to the property line of the subject tract and will be extended as part of the new phase of development. The applicant submitted a preliminary subdivision plat in conjunction with the rezoning application that demonstrates the proposed improvements.

A screening element is required where the residential subdivision adjoins the Wendell Ford Expressway. That applicant has the option to install a six foot element with

one tree every 40 linear feet or to install a double row of staggered pine trees to provide the necessary screening required by the zoning ordinance.

SPECIFIC LAND USE CRITERIA

The applicant's proposal is in compliance with the Comprehensive Plan. The proposed use of the subject property for a residential subdivision is consistent with the uses in the vicinity and the requirements of the Comprehensive Plan. Sanitary sewer service is currently available to the site along with all necessary urban services.

Planning Staff Recommendations

Staff recommends approval because the proposal is in compliance with the community's adopted Comprehensive Plan. The findings of fact that support this recommendation include the following:

Findings of Fact:

1. The subject property is located in an Urban Residential Plan Area, where urban low-density residential uses are appropriate in limited locations;
2. The use of the subject property as a residential subdivision conforms to the criteria for Urban Residential Development;
3. Sanitary sewer service is currently available to the site; and,
4. The proposed rezoning is a logical expansion of the adjoining R-1C zone and is consistent with the adjoining neighborhoods.