

STAFF REPORT ON AMENDED PETITION FOR ZONE MAP AMENDMENT

MARV 2013-3: PATRICIA DONOGHUE (AMD.)

DESCRIPTION

Zone Change: From a Single Family Residential (R-1D) zone
To a Townhouse Residential (R-1T) zone

Acreage: 0.95 net (1.28 gross) acres

Location: 4145 Harrodsburg Road (a portion of)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-1D	Single-Family Residential
To North	R-1T & R-1D	Vacant & Single-Family Residential
To East	R-1T & R-4	Vacant & Multi-Family Residential
To South	R-1D & A-U	Vacant & Agricultural
To West	R-1D & R-1T	Vacant

URBAN SERVICES REPORT

Roads – The subject property is bordered to the southeast by Harrodsburg Road (US 68), a major arterial highway that has been improved in the past decade to serve this portion of Fayette County. Harrodsburg Road is one of two major commuter routes connecting Jessamine and Fayette Counties; it continues northward into downtown and becomes South Broadway. In front of the subject property, Harrodsburg Road has been widened to a four-lane, divided highway with a boulevard-style median. Harrodsburg Road intersects Man o' War Boulevard at a signalized intersection northeast of the site, and Military Pike (KY 1966) at a signalized intersection to the southwest. Syringa Drive, an existing stub street from the Palomar Subdivision to the north, is proposed to continue as a local residential street into the site. Because of this connection to the adjacent neighborhood, the existing residential driveway access to Harrodsburg Road is proposed to be eliminated as the subject property redevelops.

Curb/Gutter/Sidewalks – Harrodsburg Road does not have a curb, gutter or sidewalks along the frontage of this property, as it is a typical rural state highway arterial cross-section, and none are planned in the future. Syringa Drive and other residential streets in the adjacent Palomar subdivision do have curb, gutter and sidewalks; these same facilities will need to be continued and constructed by the developer at the time of development, unless a waiver of these standards is granted by the Planning Commission.

Storm Sewers – This property is located within the South Elkhorn watershed. No known flooding problems exist in the immediate area; although, historically, problems have been documented to the southwest of this location, along South Elkhorn Creek. Storm water detention may be required for the entire development to prevent additional storm water runoff onto surrounding properties.

Sanitary Sewers – This property is located in the South Elkhorn sewershed and is served by the West Hickman Wastewater Treatment Facility, in northern Jessamine County. Extension of the sanitary sewer system will need to be built by the developer in accordance with the adopted Engineering Manuals. Additionally, the larger site, like several other properties along Harrodsburg Road in this vicinity, has a topographic ridge that delineates two sub-sewersheds within the South Elkhorn sewershed. Based on existing topography, the rear one-third of the property should flow by gravity to a trunk line to the west in the Palomar subdivision. The portion of the site currently being proposed for a zone change is within the front two-thirds of the property, which should flow by gravity to a trunk on the opposite side of Harrodsburg Road in the Plantation and Grasmere subdivisions. The South Elkhorn pump station has experienced overflow problems during peak flow times in the past, although recent improvements as a result of the EPA Consent Decree, have significantly diminished, if not eliminated, the prior overflow problems.

Refuse – This area is served by the Urban County Government with refuse collection on Mondays.

Police – The nearest police station is the West Sector Roll Call Center, located approximately 6 miles to the north of the subject property on Old Frankfort Pike, near New Circle Road.

Fire/Ambulance – The nearest fire station (#20) is located on Harrodsburg Road and Arrowhead Drive, approximately 1½ miles northeast of the subject property.

Utilities – All utilities are available to serve the site, including natural gas, electric, streetlights, telephone, water, and cable television service. Utilities should be able to be extended from the adjacent Palomar subdivision to serve the development of the property.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 11) recommends Low Density Residential future land use for the subject property. The petitioner proposes to remove the existing residence and construct three townhouse units, for a density of 3.16 dwelling units per net acre.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1D) zone to a Townhouse Residential (R-1T) zone for approximately one acre of property located on a portion of 4145 Harrodsburg Road.

The subject property is located on the north side of Harrodsburg Road between its signalized intersections with Man o' War Boulevard and Old Higbee Mill Road. The property is a portion of a 3-acre tract that was rezoned in 2007 to permit a townhouse development to flank an existing single-family residence to the side and rear. The plan in 2007 was to retain the large home and many significant trees surrounding it, while allowing a denser development along the north and west edges of the parcel. Thus, the subject property is bounded to the north and west by a significant portion of the remaining tract, which is already zoned for townhouse development. The property is also bordered to the south by a portion of the parcel that is planned to remain in a Single Family Residential (R-1D) zone, and by agricultural land. The subject property is bordered to the east by Harrodsburg Road, and is across the road from the Higbee Mill Reserve apartments and townhouses (zoned R-4).

The petitioner proposes to rezone the subject property in order to develop three additional townhouse units in the area originally planned to retain the existing single family residence, known as the Bowman House. Besides one new single-family detached residence, 19 townhouses are now proposed for the entire site. The proposed residential development in whole is still planned to be connected to the adjacent Palomar Subdivision, via Syringa Court.

The 2007 Comprehensive Plan recommends Low Density Residential (LD) future land use for the subject property, defined as 0–5 dwelling units per net acre (or up to 4 units per gross acre). The petitioner's proposed residential density for the subject property is 3.16 residential units per net acre or 2.34 units per gross acre. The proposed development for the subject property is within the range recommended by the Comprehensive Plan, and thus is in agreement with the Plan. The existing conditional zoning restriction for a tree preservation buffer is recommended to remain in order to protect the existing mature trees on the site – specifically those trees between the new townhouse units and adjoining property, including Harrodsburg Road. This proposed conditional zoning restriction is appropriate in order to maintain the existing tree canopy and minimize the impacts of new development in the vicinity.

The Staff Recommended: Approval, for the following reason:

1. The requested Townhouse Residential (R-1T) zone is in agreement with the 2007 Comprehensive Plan, for the following reasons:
 - a. The Plan recommends Low Density Residential (LD) future land use for the subject property, defined as 0–5 dwelling units per net acre. This would suggest a maximum of 4 dwelling units for the subject property.
 - b. The applicant proposes 3 townhouse dwelling units on the 0.95-acre subject property, at an overall residential density of 3.16 units per net acre.
2. This recommendation is made subject to approval and certification of ZDP 2013-15: Ethington & Ethington Property (Bowman House)(Amd.), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the property shall be subject to the following use and buffering restrictions via conditional zoning:
 - a. Existing trees shall be preserved for the area within thirty (30) feet of the southern and eastern property lines in the R-1T zone.
 - b. Within these areas, only damaged or diseased trees may be removed, but only with the permission of the Urban Forester. If removed, they shall be replaced in equal number to preserve the existing tree canopy and buffer.

These conditional zoning restrictions are appropriate and necessary for the following reasons:

1. Preservation of the existing tree canopy located adjacent to the Ethington & Ethington property will be ensured.
2. These conditions will minimize the impacts of new development on the remaining agricultural use adjacent to the subject property.