

**STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT**

**MAR 2012-8: THE FAIRWAYS AT ANDOVER, LLC**

**DESCRIPTION**

**Zone Change:** From an Agricultural Urban (A-U) zone  
To a Planned Neighborhood Residential (R-3) zone

**Acreage:** 18.23 net and gross acres

**Location:** 3435 McFarland Lane

**EXISTING ZONING & LAND USE**

<b><u>Properties</u></b>	<b><u>Zoning</u></b>	<b><u>Existing Land Use</u></b>
Subject Property	A-U	Agricultural
To North	R-1D, R-3	Golf Course, Single Family Residential
To East	R-1D, R-3	Single Family Residential
To South	R-1D, R-1E	Single Family Residential
To West	R-1D, R-3	Golf Course, Single Family Residential

**URBAN SERVICES REPORT**

**Roads** – The subject property is located at the terminus of McFarland Lane, a sub-standard public street that is approximately 10 feet wide. McFarland exists solely to serve the subject property as all other parcels that previously accessed the street have been developed with an alternative internal street system, which are now the public streets within the Brighton East subdivision. McFarland Lane creates a T-intersection with Todds Road (KY 1927) to the southeast of the subject property. Todds Road, an arterial roadway, transitions from a two-lane cross section to a three-lane cross section in the immediate vicinity of its intersection with McFarland Lane. It is programmed for widening in the State’s improvement plan. The subject property has a total of four public streets that stub into the parcel: Kavenaugh Lane, Lawson Lane and Marco Lane from the southwest, and Autumn Ridge Drive from the southeast. The connection of Kavenaugh Lane to Autumn Ridge Drive, as proposed by the applicant, will complete the collector street system recommended by the 2007 Comprehensive Plan in this portion of the Urban Service Area.

**Curb/Gutter/Sidewalks** – Sidewalks, curbs and gutters do not exist along either Todds Road or McFarland Lane. The local streets surrounding these neighborhoods do have these facilities, which would need to be extended to serve the subject property.

**Storm Sewers** – The subject property is located in the East Hickman watershed. Storm sewers are not currently located anywhere on the subject property; however, nearby subdivisions have been developed with storm sewers. The developer will be required to provide these facilities at the time this property is developed. The subject property does have a FEMA designated Special Flood Hazard Area where there is a 1% annual chance of flooding; however, the applicant has worked with FEMA, the Department of Environmental Quality, and the Division of Engineering to remove the mapped floodplain. They have obtained approval for a Conditional Letter of Map Revision (C-LOMR), which will allow for alteration of the floodplain, and will require a secondary filing to FEMA of the final engineering design, at which time FEMA will issue a Letter of Map Revision (LOMR).

**Sanitary Sewers** – The subject property is located in the East Hickman sewershed and is served by the West Hickman Wastewater Treatment facility in northern Jessamine County. The developer will be providing an extension of the sanitary sewers as a part of the proposed residential development of the subject property.

**Refuse** – The Urban County Government serves this portion of the Urban Service Area with refuse collection to residences on Tuesdays.

**Police** – The nearest police station is located near the Eastland Shopping Center at the Central Sector Roll Call Center, about 4½ miles northwest of the subject property, just off Winchester Road.

**Fire/Ambulance** – The nearest fire station (#21) is located less than one mile west of the subject property on Mapleleaf Drive, just south of Man O’ War Boulevard and west of Todds Road.

**Utilities** – All utilities including natural gas, electric, water, cable television, telephone, and streetlights should be able to be extended to serve the subject property, as they have been provided to the surrounding residential developments in this area.

### **LAND USE PLAN AND PROPOSED USE**

The 2007 Comprehensive Plan (Sector 9) recommends Low Density Residential (LD) future land use for the subject property. The Plan also recommends a collector street connection between Kavenaugh Lane and Autumn Ridge Drive. The petitioner proposes to develop 110 single family residential lots on the subject property, which would yield a density of 6.03 dwelling units per acre.

### **CASE REVIEW**

The petitioner has requested a zone change from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for approximately 18 acres of property, located at 3435 McFarland Lane.

The subject property is located on the north side of Todds Road at the terminus of McFarland Lane. The Andover Country Club golf course and Andover Forest subdivision are located to the northwest, the Brighton East and Scully Property subdivisions are located to the southwest, and the Autumn Ridge subdivision is located to the northeast and southeast of the subject property. The subject property is surrounded by residential zoning – R-1D, R-1E, and R-3 – but all areas are detached single-family residential neighborhoods.

The subject property is the last of several agricultural tracts in this vicinity to develop between Todds Road and Interstate 75. The surrounding neighborhoods are mostly low density (0-5 dwelling units per acre), with the exception of the Pleasant Ridge Drive portion of the Autumn Ridge subdivision, which has been developed as medium density (5-10 dwelling units per acre) according to the 2007 Comprehensive Plan.

The petitioner is proposing to rezone the subject property to develop 110 detached single family residential lots. The corollary development plan filed in conjunction with this zone change proposes connections to all four of the existing stub streets that abut the subject property; thus connecting the collector street system in this portion of the Urban Service Area via extension of Kavenaugh Lane and Autumn Ridge Drive.

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 0-4 dwelling units per gross acre of land. This area between Todds Road and Interstate 75 has been designated for residential development for many decades, and in the current land use configurations of low density with pockets of medium density since the 1996 Comprehensive Plan. The 2007 Comprehensive Plan also recommends collector street extensions of Kavenaugh Lane and Autumn Ridge Drive with an intersection on the subject property.

The applicant's proposal of 110 dwelling units on the subject property, for a residential density of 6.03 units per net acre, exceeds the maximum residential density of the Land Use Element of the Plan for this site. The applicant is proposing residential land use, and is willing to restrict the use of the property to single-family residential (presumably detached units rather than attached, i.e. townhouses) via conditional zoning.

The applicant cites several sections of the Comprehensive Plan in their justification of the requested zone change and density, including Goals #13, #15 and #19 in support of their residential development. The staff agrees that the Goals and Objectives support residential development of this property; however, these goals are equally or more supportive of the Low Density land use recommendation than developing at a higher density than the Plan suggests. The staff agrees that infill and redevelopment are important principles of the Comprehensive Plan in order to uphold the growth management ideals of our community; however, the approach of increasing residential units in any and every location cannot be found in the Plan. There must be a balanced and careful approach to densifying our community that does not create a negative impact on existing neighborhoods.

The applicant states that their application helps improve the transportation system by connecting stub streets and eliminating the use of McFarland Lane, but that is dependent on the street layout--not the overall number of lots in the proposed subdivision. Also, the applicant cites several times the importance of infill because the subject property is the last agricultural property to develop in the vicinity. Developing the property in accordance with the Land Use Element's recommendation will also provide for contiguous development and will relieve pressure on the Urban Service Area boundary – any new units inside the Urban Service Area would meet this objective.

In essence, the applicant is requesting 19 extra dwelling units beyond what the Plan recommends. Their justification is not compelling for the added density beyond that recommended by the Land Use Element of the Plan, and developing the property within the range of residential density recommended by the Plan will keep this area more harmonious and compatible with the subdivision that directly connects to the subject property to the south. For these

reasons, the staff cannot recommend approval of the requested residential density, but does support the zone change to a restricted R-3 zone.

The Staff Recommends: **Approval**, for the following reason:

1. A restricted Planned Neighborhood Residential (R-3) zone can be found to be in agreement with the 2007 Comprehensive Plan, for the following reasons:
  - a. 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 0-4 dwelling units per gross acre. With 18.23 acres of property (net and gross), the Comprehensive Plan recommends a maximum of 91 dwelling units at this location.
  - b. R-3 zoning with a conditional zoning restriction to limit the type of housing to single family residential would be most compatible with adjacent neighborhoods.
  - c. If restricted via conditional zoning to 91 dwelling units, an R-3 zone would be completely in agreement with the Comprehensive Plan's land use recommendation for Low Density Residential land use.
  - d. The proposal provides for the collector street system to connect via the intersection of Kavanaugh Lane and Autumn ridge Drive on the subject property, as recommended by the Land Use Element of the 2007 Plan.
2. This recommendation is made subject to approval and certification of ZDP 2012-30: The Fairways of Andover 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 following uses shall be restricted on the subject property via conditional zoning:
  - a. A maximum of ninety-one (91) residential dwelling units shall be permitted on the subject property.
  - b. The subject property shall be limited to detached single family residential use, allowable accessory uses and conditional uses approved by the Board of Adjustment.

These restrictions are appropriate and necessary for the subject property in order to ensure compatible development in agreement with the Comprehensive Plan, and appropriate density protections for the adjacent single family residential neighborhoods.

TLW/BJR/WLS/src

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