

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

**MAR 2013-18: RK HOLDINGS, LLC**

**DESCRIPTION**

<b>Zone Change:</b>	<b><u>REQUEST</u></b>		<b><u>ACREAGE</u></b>	
	<b><u>FROM</u></b>	<b><u>TO</u></b>	<b><u>NET</u></b>	<b><u>GROSS</u></b>
	R-1B	R-3	0.00	0.26
	A-U	R-3	<u>9.77</u>	<u>10.29</u>
<b>TOTAL</b>			9.77	10.55

**Location:** 690 Woodward 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	Columbia Gas Facility, Cell. Tower & Vacant
To North	R-1B	Single Family Residential
To East	A-U & R-3	Single Family Residential
To South	R-3	Single Family Residential
To West	I-1	Railroad & Warehouse

**URBAN SERVICES REPORT**

**Roads** – The subject property is accessible from Liberty Road (KY 1927) by either Woodward Lane or Graftons Mill Lane via Checkerberry Drive in the Danby Woods Subdivision. Woodward Lane is a local street that serves approximately 25 single-family residences off of Liberty Road (KY 1927). This area was once a rural subdivision that is now surrounded by more urban residential development. Woodward Lane is considered a public street, but is sub-standard by current regulations due to its width of only about 16 feet of pavement. Checkerberry Drive is a local street in the Danby Woods Subdivision that runs parallel to the railroad track and stubs into the southwest end of the property. It is located less than a quarter of a mile to the northwest of the property. Liberty Road is a two-lane minor arterial roadway at this location. Future improvements are not currently scheduled for this portion of Liberty Road. Local streets to serve the development of the subject property are expected to be built to current standards.

**Curb/Gutter/Sidewalks** – Sidewalks, curbs and gutters do not exist along Woodward Lane, but are constructed within the Danby Woods Subdivision along Checkerberry Drive. The developer will be required to provide similar improvements for any new street construction at this location.

**Storm Sewers** – The subject property is located within the headwaters of the North Elkhorn Creek 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. No FEMA floodplain or major flooding problems exist within the immediate area.

**Sanitary Sewers** – The subject property is located in the West Hickman sewershed and is served by the West Hickman Wastewater Treatment facility located in northern Jessamine County. The subject property does not currently have sanitary sewer service, although the Urban County Government installed sanitary sewer lines to serve the Wilderness Road and Woodward Lane areas about 5 years ago; and the newer subdivisions in the area also have sanitary sewer lines nearby. The developer will need to connect to the sanitary sewers in this vicinity 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 on Tuesdays.

**Police** – The nearest police station is located near the Eastland Shopping Center at the Central Sector Roll Call Center, about 2 miles northwest of the subject property, just off Winchester Road.

**Fire/Ambulance** – The nearest fire station (#9) is located approximately 1½ miles southwest of the subject property on Richmond Road, near the Kentucky American Water company offices.

**Utilities** – Utilities including natural gas, electric, water, cable television, and telephone should be able to be extended to serve the subject property as it develops.

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

The 2007 Comprehensive Plan (Sector 8) recommends a mixture of Low Density (LD) and Medium Density (MD) Residential future land use for the property. The petitioner proposes developing 48 single-family residential units on the subject property, at an average density of 4.9 dwelling units per acre.

### **CASE REVIEW**

The petitioner has requested a zone change from an Agricultural Urban (A-U) zone and a Single Family Residential (R-1B) zone to a Planned Neighborhood Residential (R-3) zone for 9¾ acres of property, located at 690 Woodward Lane.

The subject property is located off of the south side of Liberty Road, outside of New Circle Road, at the terminus of Woodward Lane. The property is bounded on three sides by single family residential land use (R-1B, R-3 and A-U zoning) and to the rear by a railroad track and a warehouse development. Currently, the subject property is being partially used by Columbia Gas and a Cellular Tower, and the property is encumbered with numerous easements. The petitioner is proposing to rezone the property to develop 48 single family residential units. Access is proposed for 29 units from Checkerberry Drive to the southeast, and the remaining 19 units from Woodward Lane to the northeast.

The 2007 Comprehensive Plan recommends a combination of Low Density Residential (LD) future land use, defined as 0–5 dwelling units per net acre, for 2.93 acres of the subject property; and Medium Density Residential (MD) future land use for the subject property, defined as 5–10 dwelling units per net acre, for 6.84 acres of property. The applicant's proposal of 48 single-family dwelling units on the subject property would result in an average density of 4.9 units per net acre, which is within the density range recommended by the Comprehensive Plan. Therefore, this zone change is in agreement with the Comprehensive Plan.

Although the petitioner is proposing a density and development pattern in keeping with the surrounding single family residential land use, a conditional zoning restriction is recommended because the R-3 zone will allow multi-family residential development of the subject property. A conditional zoning restriction limiting the type of development to single family residential and no more than 83 dwelling units (8.5 dwelling units per net acre) will ensure that the proposed development will be of a consistent character as surrounding residential properties and will ensure that the density of the property does not exceed that recommended by the 2007 Comprehensive Plan.

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

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2007 Comprehensive Plan for the following reasons:
  - a. The Land Use Element of the Plan recommends Medium Density Residential (MD) future land use, defined as 5–10 dwelling units per net acre, for 6.84 acres of the subject property closest to Woodward Lane (front); and Low Density Residential (LD) future land use, defined as 0–5 dwelling units per net acre, for 2.93 acres of the subject property closest to the adjacent railroad (rear).
  - b. The Plan suggests a density range of between 34 and 83 dwelling units, in total, for the subject property.
  - c. The petitioner proposes to construct 48 single-family dwelling units on the site, with a residential density of 4.9 dwelling units per net acre, in agreement with the Plan's recommendation.
2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restriction is appropriate for the property via conditional zoning:
  - a. The property is to be developed with no more than 83 single-family residential units.

This use restriction is necessary and appropriate in order to maintain a character consistent with surrounding residential properties and the 2007 Comprehensive Plan Land Use Element.