

JUNE 8, 2006

3135 SETTLES RD

ZONE CHANGE

From: A-U Urban Agriculture		
To: R-1C Single-Family Residential		
Proposed Use: Low-Density Residential		
Acreage: 5.630		
Applicant: Lake Forest Community, LLC, George & Glenda Thacker (0606.1647)		
Property Zone Existing Use	to North R-1C Residential	
to West R-1C Residential	Subject A-U ⇄ R-1C Rural Residential	to East R-1B, A-U Residential, Power Station
	to South R-1A Rural Residential	

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 should conform to the criteria for “Urban Residential Development.”**
- (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 properly established.

Applicant's Findings

The proposed rezoning is in compliance with the Comprehensive Plan. The specific criteria that support the rezoning are as follows:

1. The subject property is located within a residential plan area, where urban low-density residential uses are appropriate in limited locations.
2. The subject property adjoins existing low-density residential zones and currently has a rural residence, which will be incorporated into Lake Forest Subdivision.
3. The proposed rezoning would be a logical expansion of the existing subdivision phase.
4. All urban services, including sanitary sewer are available to the site.
5. The Land Use Map/Comprehensive Plan recognizes that some prime farmland will be lost with urbanization; such loss is anticipated within the urban plan areas.
6. The site is not located within a flood hazard area based upon the flood insurance study dated March 3, 1997.
7. An Amended Preliminary Plan, including this area has been submitted to the OMPC for review and approval.

Planning Staff Review

The subject property is located in the 3101 block of Settles Road. 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 not located in a special flood hazard area per FIRM Map 21059CO285C. It appears that the subject property is not designated as prime agricultural land according to the "Important Farmlands" map created by the US Department of Agriculture Soil Conservation Service dated March 1980. 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 in an area of a developing subdivision, Lake Forest, and other rural, large-lot residential uses. The property to the north and west are both zoned R-1C and are part of the developing Lake Forest Subdivision. The property to the east and south is zoned single-family residential and urban agriculture and has larger-lot single-family residences.

The subject property currently has a residence on the lot with a single drive access to Settles Road. The applicant proposes to incorporate the subject property into the Lake Forest Subdivision and has submitted an amended preliminary plat/final development plan detailing the changes to the subdivision. Access for the subject property shall be limited to interior subdivision streets only and the existing access point to Settles Road should be eliminated. The preliminary plat/final development plan submitted in conjunction with the rezoning reflects this condition. In the vicinity of the subject property Settles Road is classified as a major collector roadway with a spacing standard of 250 feet.

SPECIFIC LAND USE CRITERIA

The proposed zoning change meets the criteria of the Comprehensive Plan. The subject property will be incorporated into a developing subdivision and will be consistent with urban residential development criteria. Also, as the applicant stated, all urban services, including sanitary sewer, are available to the site.

Planning Staff Recommendations

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

Condition: Access to the subject property shall be from interior subdivision streets only. No direct access to Settles Road shall be permitted.

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 subject property will be incorporated into the developing Lake Forest Subdivision;
3. The proposal will meet the criteria for urban residential development; and,
4. Sanitary sewer service is available to the subject property.