

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

**PLN-MAR-18-00002: OVERBROOK FARM, LLC (AMD)**

**DESCRIPTION**

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

**Acreage:** 51.53 net (54.55 gross) acres

**Location:** 2451 & 2525 Armstrong Mill Road

**EXISTING ZONING & LAND USE**

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	A-R	Agriculture
To North	R-1D & R-1C	Church and Single-Family Residential
To East	A-R	Agriculture
To South	A-R & A-U	Agriculture and KU Substation
To West	R-1T & R-3	Townhouses and Single-Family Residential

**URBAN SERVICES REPORT**

Roads – Armstrong Mill Road is a minor arterial roadway from Tates Creek Road to Man O’ War Boulevard. It then becomes a collector roadway southeast of Man O’ War Boulevard to its intersection with Delong Road. The subject site is located along the collector portion of the roadway. It contains two lots on the northeast side of Armstrong Mill Road, between Kenesaw Drive and Delong Road, with Squires Hill Lane bordering the site to the west. Based on 2015 KYTC traffic counts, the average daily traffic volume is approximately 6,000 vehicle trips on Armstrong Mill Road between Kenesaw Drive and Delong Road. Access to the site is proposed from Squire Oak Drive, which will be extended from its existing stub on the northern border of the subject site to Armstrong Mill Road, connecting the proposed development to the Squire Oaks neighborhood north of the site. This entrance will be east of Squire Hill Lane. Road “C” is a proposed second access point, which would function as a local street internal to the development.

Curb/Gutter/Sidewalks – This portion of Armstrong Mill Road is a narrow, two-lane, sub-standard collector roadway without curbs, shoulders, or sidewalks. Drainage swales flank the 20’-22’ wide paved roadway, as is typical with a rural roadway. Improvements are proposed along Armstrong Mill to increase it to an 80’ right-of-way with curb and gutter. It will contain wider lanes and a 12’ wide multi-use path instead of a 4’ wide sidewalk. Curb, gutter, and sidewalks will be constructed along both sides of the internal roads and the access easement circulating through the multi-family development. Per the Bicycle and Pedestrian Master Plan, Squires Trail is planned along the existing Squires Hill Lane, which will require its closure to vehicles at the time of conversion and should be noted on the development plan. Both the multi-use path and the trail are connecting pieces within the Gainesway and Squires Trail system, which connect to Jacobson Park and Gainesway Park.

Storm Sewers – The subject property is located within the East Hickman watershed. Storm sewers to serve the site will be constructed by the developer. A floodplain runs through the property along the Armstrong Mill Road Tributary. It runs east to west, almost parallel to Armstrong Mill Road on the southern portion of the site, and then the tributary and floodplain branch off on the northeast side of the site, running north to south along the Delong Road Tributary. The western portion of the floodplain is proposed to be included in a community park area and the remaining floodplain is proposed to be protected as a greenway. No floodplain or stormwater issues have been identified. The topography

slopes downward toward the floodplain, with over 20' of topographic relief from the northwest portion of the site to the floodplain.

Sanitary Sewers – The subject property is located in the East Hickman sewershed, which is served by the West Hickman Wastewater Treatment Plant, located in northern Jessamine County. Sanitary sewers do serve the site and a pump station is located in the southwest corner of the property. The developer will construct the required sanitary sewers for the residential development. According to the Capacity Assurance Program, capacity has been reserved for the Harper Woods development to the northwest of the site, which reduced the bank to 15,800 gpd credits available for future developments in this area. The proposed residential development of the site would require over 61,000 gpd of sewer capacity. There is a known overflow issue at the pump station.

Refuse – The Urban County Government serves this portion of the Urban Service Area with collection on Fridays.

Police – The nearest police station is located approximately 1 3/4 miles northwest of the property, at the East Sector Roll Call Center (Police Sector 3) on Centre Parkway.

Fire/Ambulance – The nearest fire station to the subject properties is Station #16 on Man O' War Boulevard, which is about 3/4 mile away. It is located northwest of the subject properties.

Utilities – Natural gas, telephone service, electric, water, and cable television are all available to serve the subject properties. Street lights will need to be installed throughout the development.

### **COMPREHENSIVE PLAN AND PROPOSED USE**

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World. In addition, the Comprehensive Plan has established six themes, with goals and objectives to support each of the themes, which include: Growing Successful Neighborhoods (Theme A), Protecting the Environment (Theme B), Creating Jobs and Prosperity (Theme C), Improving a Desirable Community (Theme D), Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land (Theme E) and Implementing the Plan for Lexington-Fayette County (Theme F).

The petitioner has amended their zone change request, and now proposes an R-3 zone for the subject site in order to develop a mix of single family homes, townhouses, and apartment buildings on 51.53 net acres. A total of 319 dwelling units are now proposed, for a residential density of approximately 6.2 dwelling units per acre.

### **CASE REVIEW**

The petitioner has requested a zone change from an Agricultural Rural (A-R) zone to a Planned Neighborhood Residential (R-3) zone for 51.53 net acres of land.

The subject property is located on the north side of Armstrong Mill Road, at its intersection with Squires Hill Lane on the west and the Urban Service Area boundary on the east. St. Elizabeth Ann Seton Church and school, along with the Squire Oak neighborhood, are located north of the site, with a Kentucky Utility substation and the main section of the Overbrook Farm to the south. The subject site contains two agricultural lots with one barn on each lot, along with the Armstrong Mill Road Tributary of the East Hickman Creek running east-west through the subject site and the Delong Road Tributary running north-south on the eastern end of the property.

The Armstrong Mill Road corridor between of Man O' War Boulevard and the Urban Service Area boundary is characterized by a mixture of residential zones, including R-1C, R-1D, R-1T, R-3, and R-4. The type of residential development is also varied and includes single-family residential subdivisions (Hartland, The Vineyard, and Summerhill), townhomes (Squire Mill Townhomes), duplexes, and closer to

Man O' War there are apartment complexes, including The Veridian. A number of parcels also remain in an A-U zone, which accommodates navigational equipment for the airport, a church, and a Kentucky Utilities sub-station. The subject property and the land south of it are the only parcels that remain zoned A-R along this corridor within the Urban Service Area boundary.

The applicant now proposes construction of a mixture of single-family homes (81), townhouse dwelling units (22), and an apartment complex with nine buildings (216 units with a total of 384 bedrooms) for an average density of 6.2 dwelling units per net acre. A greenway and open space is proposed in the southwest corner of the site along Armstrong Mill Road (adjacent to the apartment complex) between Squires Hill Lane and Squire Oak Drive. The greenway is proposed to extend across Squire Oak Drive to the east, which will help protect the floodplain along the Armstrong Mill Road Tributary.

The 2013 Comprehensive Plan focuses on general land use policies, such as land use compatibility; well-designed neighborhoods; improving a desirable community; creating an effective and comprehensive transportation system; protecting natural landscapes and the environment; and making the best use of land inside the Urban Service Boundary for the protection of the surrounding rural areas. The Plan no longer relies upon a future land use map with specific land use recommendations. However, the general concepts, policies and guiding principles of the Plan should always be considered by the Planning Commission and the Urban County Council.

The applicant opines that the requested zone change is in agreement with the 2013 Comprehensive Plan. They cite the following goals and objectives as relevant and supported by the proposed mixed housing development: expand housing choices (Theme A, Goal #1); support infill development on vacant land as a strategic component of growth (Theme A, Goal #2); provide well-designed neighborhoods and communities, including neighborhoods that are connected for pedestrian and various modes of transportation (Theme A, Goal #3; Theme D, Goal #1); and uphold the Urban Service Area concept through absorption of vacant or underutilized land, while maintaining current boundaries (Theme E, Goal #1 & #3). The petitioner also contends that the proposed R-3 zone is appropriate and the existing A-R zone is not appropriate, as infill development is desired by the Comprehensive Plan within the Urban Service Area boundary so that the rural area can maintain its historic character.

The Planning Commission must also consider the 2018 Comprehensive Plan's Goals and Objectives, along with chapters (based around the identified themes) from the 2013 Comprehensive Plan. Based upon the 2018 Goals and Objectives, considerations pertaining to the existing tributaries, floodplains, and topography on the site include: identify and protect natural resources before development occurs (Theme B, Goal #3b.); incorporate green infrastructure principles (Theme B, Goal #3b.), and coordinate interrelated planning that impacts the protection, conservation, and restoration of landscapes and natural resources (Theme B, Goal #3.d). The 2013 Plan's *Chapter 4: Protecting the Environment*, states that development needs to respect the natural topography, provide green infrastructure and low impact development practices (if possible), and provide water resource protection. The petitioner proposes maintaining the existing greenway area along the tributaries, as has been identified in the Greenway Master Plan and several Comprehensive Plans.

In the 2018 Comprehensive Plan, Theme A, Goal #2.b states "respect the context and design features of areas surrounding development projects...to ensure compatibility with existing urban form;" and Theme A, Goal #3 states "provide well-designed neighborhoods and communities." Additional policy statements in the 2013 Plan support these recently adopted Goals and Objectives, and are relevant to the proposed zone change request, especially within *Chapter 3: Growing Successful Neighborhoods*. These include the following five items:

1. creating inviting streetscapes and walkable neighborhoods;
2. providing varied housing choices;
3. providing abundant open space, such as neighborhood parks or shared-use trails (as referenced in the Greenway Master Plan and Bicycle & Pedestrian Plan);

4. incorporating focal points within neighborhoods; and
5. providing quality connections with parks, schools and stores.

During the initial staff review, several improvements were recommended to the petitioner in order to more fully meet the recommendations of the 2013 Comprehensive Plan, specifically to create a well-designed neighborhood. The petitioner made minor changes to their corollary development plan to reduce the multi-family residential density so that the entire project could meet the requirements of the R-3 zone. They also modified the layout of the multi-family residential buildings to establish a sizable open space/recreation area within the middle of the complex, provided a connection to the proposed Squires Trail (planned for the Squire Hill Lane right-of-way), and created a more pronounced visual connection to the greenway and open space along Armstrong Mill Road. However, the petitioner has not utilized the existing assets of the subject property, namely the Armstrong Mill Road tributary, to create a neighborhood focal point with single-loaded streets, as recommended by the Comprehensive Plan. Throughout the review of this application, the staff has emphasized that it is important to provide the best design around the neighborhood focal point, the greenway. The Comprehensive Plan recommends the use of single-loaded streets in order to avoid developments “turning their back” to a neighborhood focal point, such as a neighborhood center, school, park or trail system. Single-loaded streets have been utilized around greenways and open space to create a neighborhood focal point directly to the north within the Squire Oak neighborhood, as well as in the Zandale and Chilesburg neighborhoods. The staff will continue to discuss ways to improve the design of the neighborhood as it moves through the planning process.

The staff is generally favorable about the requested zone change because the residential use and varied housing types are supported by the Comprehensive Plan, the shared-use trail is included in the development plans, the greenway around the tributary is being preserved and protected, and the residential zone is considered compatible in this location. In order to mitigate some of the impacts of new development, the staff is recommending conditional zoning restrictions. Along Armstrong Mill Road, if the rear of the single-family homes are to be oriented to the collector roadway, than a landscape buffer will help to create an aesthetic that is consistent along this portion of the corridor.

The Metropolitan Planning Organization/Transportation Planning is reviewing the Traffic Study that was filed in association with the zone change and will provide a recommendation at the public hearing.

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

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan and the Goals and Objectives of the 2018 Comprehensive Plan, for the following reasons:
  - a. The Comprehensive Plan recommends *Growing Successful Neighborhoods* (Theme A, and Chapter 3), which encourages expanding housing choices that addresses the market needs for all of Lexington-Fayette County’s residents (Goal #1b.); encourages infill, redevelopment and adaptive reuse that respects the area’s context and design features (Goal #2a); and providing well-designed neighborhoods, including neighborhoods that are connected for pedestrian and various modes of transportation (Goal #3 and #3b.). The petitioner has proposed a mixture of single-family, townhouses, and multi-family residential dwelling unit types to meet the needs of the community at a density of 6.2 units per net acre.
  - b. The 2013 Plan recommends *Protecting the Environment* (Theme B and Chapter 4) by encouraging sustainable use of natural resources (Goal #2b.) and management of green infrastructure, which includes the protection of environmentally sensitive areas, before development occurs. The petitioner proposes, through the corollary development plan, to maintain the floodplain and its associated greenway, as well as significant trees along the tributary of East Hickman Creek. The petitioner is also protecting an established tree line along the northern boundary of the site.

- c. The 2013 Plan recommends *Improving a Desirable Community* (Theme D and Chapter 6) by working to achieve an effective and comprehensive transportation system (Goal #1). The petitioner is proposing the extension of Squire Oak Drive, a collector street, and will be required to make necessary improvements to Armstrong Mill Road to meet collector roadway standards. Within the right-of-way of Armstrong Mill Road, the corollary development plan also depicts a shared-use path as proposed by the Pedestrian Bicycle and Pedestrian Master Plan, (Gainesway Trail), which will allow for a connection to Gainesway Park.
  - d. The 2013 Plan recommends compact and contiguous development within the Urban Service Area through absorption of vacant and underutilized land (Theme E, Goal #1), which is being met by the petitioner's proposal. The Plan also emphasizes the importance of infill development being compatible with the existing uses surrounding the subject property. The petitioner is providing a fifty foot (50') landscape buffer along the existing Squire Oak subdivision, and locating single-family residential development adjacent to existing single-family residences.
2. This recommendation is made subject to approval and certification of PLN-MJDP-18-00008: Samford & McCracken Farms, Unit 2 and Alford Property (Overbrook Farm, LLC), 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 use and buffer restrictions are recommended for the subject property:
    - a. Along the northeastern boundary of the subject property, shared with the Squire Oak Subdivision, there shall be a fifty-foot (50') landscape buffer area. All existing trees shall be maintained, unless such trees have been identified as dead, diseased or dying and approved for removal by the Urban Forester.
    - b. Along the northwestern property line shared with the Squire Hill Lane right-of-way, there shall be a twenty-foot (20') landscape buffer area. All existing trees shall be maintained, unless such trees have been identified as dead, diseased or dying and approved for removal by the Urban Forester.
    - c. A twenty-foot landscape buffer shall be provided along the rear of any single-family residential lot that adjoins a collector street. The twenty-foot buffer shall include a 6-foot tall berm and combination of shrubs, evergreen and deciduous trees. Such landscape planting shall meet the opacity standards established in Article 18-3(a) of the Zoning Ordinance (double frontage lots).

These restrictions are appropriate and necessary for the subject property in order to protect the established tree lines (northwest and northeast) that serve to buffer new development and to buffer any potential double frontage lots along Armstrong Mill Road.