

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-19-00012: THE CLIFTON, LLC

DESCRIPTION OF ZONE CHANGE

Zone Change: From a High Density Apartment (R-4) zone
To a Downtown Frame Business (B-2A) zone
Acreage: 0.119 net (0.135 gross) acres
Location: 171 Saunier Street



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-4	Livery
To North	R-4	Multi-Family/Parking Lot
To East	R-4 / B-2A	Church
To South	R-4 / B-2A	Church/Funeral Home
To West	B-2B	Church/School

URBAN SERVICE REPORT

Roads - Saunier Street is a local road that extends between West Second Street and West Short Street. While the road is categorized as a street, it performs more like an alleyway. The road provides access to and from parking for the businesses, churches, and the school that front on North Broadway and West Short Street. Additionally, the cross-section for the street does not meet current standards.

Curb/Gutter/Sidewalks - Saunier Street has been improved with curb, gutter and sidewalks. The sidewalks in this location do not have any separation or greenspace, which is typical to accommodate utilities and street trees.

Utilities - All utilities, including gas, electric, water, phone, and cable TV are available in the area, and have served the properties for many years.

Storm Sewers - The subject property is located within the Town Branch watershed. Stormwater improvements may be required to address water quality. Any such improvements shall be designed and constructed in accordance with the LFUCG Engineering Manuals. There are no FEMA Special Flood Hazard Areas or known flooding issues within the immediate area.

Sanitary Sewers - The subject property is located within the Town Branch sewershed and will be serviced by the Town Branch Wastewater Treatment Facility, located on Lisle Industrial Avenue inside New Circle Road, between Leestown Road and Old Frankfort Pike. Sanitary sewer capacity will need to be verified by the Capacity Assurance Program (CAP) prior to certification of the final development plan, as an increase in sanitary sewer flows are anticipated for the multi-family residential land use.

Refuse - Refuse collection is provided by the Urban County Government to this portion of the Urban Service Area on Thursdays. Commercial uses often contract for more frequent service with private refuse haulers, as necessary.

Police - The nearest police station is the main headquarters, located about ½ mile south of the subject properties at East Main Street and Martin Luther King, Jr. Boulevard.

Fire/Ambulance - Fire Station #4 is the nearest station to the subject property. It is located approximately ½ mile to the north on Jefferson Street.

SUMMARY OF REQUEST

The petitioner has requested a zone change from a High Density Apartment (R-4) zone to a Downtown Frame Business (B-2A) zone for 0.119 net (0.135 gross) acres for the property located at 171 Saunier Street. The proposed development seeks to retain the current structure and adapt it for special event space.

PLACE-TYPE

DOWNTOWN

Downtown is the urban epicenter of commerce and entertainment. The core should be anchored by high-rise structures with ground-level pedestrian engagement opportunities surrounded by mid-rise buildings increasingly offering dense residential uses. Lexington’s Downtown should continue to be notable for its mix of uses and variety of transportation options. Parking should be addressed as a shared urban core asset, eliminating dedicated surface parking lots in favor of structures.

DEVELOPMENT TYPE

HIGH DENSITY NON-RESIDENTIAL / MIXED-USE

Primary Land Use, Building Form, & Design

Primarily regional-serving commercial uses, services, places of employment, and/or a mix of uses within high-rise structures with a high Floor Area Ratio. Mixed-use structures typically include an abundance of multi-family residential units, places of employment, and entertainment options, and the retail and commercial options generally draw from a regional geographic area. Screening and buffers should be provided to adjoining lower-density residential developments, however those adjoining neighborhoods should retain convenient access to the development.

Transit Infrastructure & Connectivity

These developments are generally located along higher intensity roadways. Mass transit infrastructure, on par with that of other modes, should be provided, and bicycle and pedestrian connections to adjoining developments are required. Internal multi-modal connectivity throughout the development is critical.

Parking

Parking is generally provided in structures with activated ground levels.

PROPOSED ZONING



This zone is intended to accommodate existing and proposed development in the transitional “frame,” which surrounds the downtown core area, by providing for comparable and compatible uses while anticipating the future expansion of the downtown core area.

PROPOSED USE



The petitioner is proposing the Downtown Frame Business (B-2A) zone to adaptively reuse the current structure for special events or as a banquet facility. The B-2A zone allows for such activities and provides for a reduction in the necessary parking due to the high level of walkability downtown and availability of on-street parking, as well as private lots and structured parking.

APPLICANT & COMMUNITY ENGAGEMENT



The petitioner has indicated that they have reached out to surrounding neighborhoods, but have not received any response. The representative has noted that the owner of The Clifton, LLC has spoken with the owners of the properties surrounding 171 Saunier Street, including the churches, the adjacent commercial lots, and the owners of 420 and 424 West Second Street. The petitioner has received one response from their notification letter from Mr. John Martin and Mr. Wendell Redding, the owners of 415 and 417 West Second Street, as well as 521 West Short Street (the Greentree Tea Room), a popular lunch and meeting venue. Their concerns were night-time noise and parking.

PROPERTY & ZONING HISTORY



The subject property is located within a mixed-use neighborhood that currently includes various residential, business, and office land uses. The zoning surrounding the property includes the High Density Apartment (R-4), Downtown Frame Business (B-2A), and Downtown Center Business (B-2B) zones. The B-2A and B-2B zones offer a wide variety of potential uses and the fewest site restrictions, which are meant to allow for the greatest utilization of the downtown landscape. Those properties that directly abut the subject property include two churches, Broadway Christian Church and St. Paul the Apostle Catholic Church, a private school, Sts. Peter and Paul Regional Catholic School, and a Funeral Home, Milward Funeral Directors. North of the subject property, is a parking lot owned by the Broadway Christian Church and a multi-family residential structure.

The subject property was previously within the General Business District (B-4) zone, which was changed to Wholesale and Warehouse Business (B-4) zone with the 1975 update to the LFUCG Zoning Ordinance. The subject property was rezoned from the B-4 zone to the High Density Apartment (R-4) zone in 1969, during the comprehensive modification of the county wide zoning. This change was made to allow greater continuity with the multi-family residential uses located along Second Street and Short Street.

The subject property borders the eastern edge of the Historic Western Suburb Neighborhood and the eastern edge of Historic Northside Neighborhood. The Western Suburb neighborhood achieved its Historic District (H-1) Overlay zone in 1975 and expanded the overlay in 2014. The Northside neighborhood achieved its H-1 overlay zone in two different sections in 1986. While this property does not fall under either of the H-1 overlay zones, the property does have a historic background. The property was originally constructed between 1890 and 1896 as a horse & carriage stable. Use as a livery continued until recently. The LFUCG mounted police utilized the site to stable their horses, before moving their facilities to Coolivan Park.

COMPREHENSIVE PLAN: GOALS & OBJECTIVES



The 2018 Comprehensive Plan, *Imagine Lexington*, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. 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.

The applicant opines that the proposed development is in agreement with the Goals and Objectives of the 2018 Comprehensive Plan. They state that the proposed rezoning supports infill and redevelopment (Theme A, Goal #2), by identifying areas of opportunity for adaptive reuse (Theme A, Goal #2.a), while also respecting the context and design features of surrounding development projects to ensure compatibility with the existing urban form (Theme A, Goal #2.b). Furthermore, the petitioner indicates that their plan seeks to support & showcase local assets to allow for the creation of a variety of jobs (Theme C, Goal #1), while also adding services that promote and enhance tourism in the area (Theme C, Goal #1.d). The applicant states that through the inclusion of the use, event space or banquet facility, that they will provide entertainment and other quality of life opportunities that attract young, and culturally diverse professionals, and a work force of all ages and talents to Lexington (Theme C, Goal #2.d). Finally, the applicant opines that their proposed rezoning will protect and enhance the natural and cultural landscapes that give Lexington-Fayette County its unique identity and image (Theme D, Goal #3), by protecting historic resources (Theme D, Goal #3.a), including the renovation, restoration and maintenance of a historic commercial structure (Theme D, Goal #3.c).

Staff agrees with these aspects of the applicant's proposal and that these specific goals and objectives can be met. However, within the applicant's justification, they state they are in agreement with several other Goals and Objectives that need greater discussion, are not applicable, or are not within the purview of the applicant. The applicant indicates that the proposed rezoning and the corollary development will enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing throughout Lexington-Fayette County (Theme A, Goal #3.a). This objective is inwardly



focused on the Urban County Government and Staff, and is not within the purview of the applicant as they are not seeking to improve regulation or expand opportunities. The applicant also indicates that they will strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation (Theme A, Goal #3.b). While the applicant is within a more walkable area, they are not including new elements or strategies that will increase the connectedness of the area beyond what is already available. Thus this objective is not applicable to their development unless additional modifications are proposed. Finally, the applicant has indicated that they will apply environmentally sustainable practices to protect, conserve and restore landscapes and natural resources (Theme B, Goal #3) by incorporating green infrastructure principles in new plans and policies, including, but not limited to, land use and transportation (Theme B, Goal #3.c). Staff needs additional information as to how this will be accomplished on this site.

COMPREHENSIVE PLAN: DEVELOPMENT CRITERIA



The criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2018 Comprehensive Plan. The criteria for development represent the needs and desires of the members of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The criteria are refined by the applicant based on the proposed place-type and development type. The applicant has indicated that the site is located within the Downtown place-type and is seeking to create a High Density Non-Residential/Mixed-Use development. Staff concurs with the applicant's assessment of the place-type and agrees that High Density Non-Residential/Mixed-Use can be appropriate for the subject property within a Downtown Frame Business (B-2A) zone.

1. Site Design, Building Form and Location

The proposed rezoning addresses the majority of the criteria for Site Design, Building Form and Location. The site, as proposed, adaptively reuses an older structure that is located within an area with high levels of walkability. Additionally, the proposed rezoning seeks to add new job opportunities, while increasing potential entertainment and quality of life opportunities that can draw more people into our downtown commercial areas.

Despite compliance with the majority of criteria for Site Design, Building Form and Location, there is one area of concern that the applicant should expand upon. In response to Development Criterion B-SU11-1: Green infrastructure should be implemented in new development, the applicant stated that they would further contemplate the inclusion of green infrastructure, to the extent possible, at the time of submission of the final development plan and building permit applications. The corollary development plan that has been submitted with this zone change is a Final Development Plan; therefore, now is the time to contemplate the inclusion of green infrastructure and provide details.

2. Transportation and Pedestrian

The proposed rezoning meets the criteria for Transportation and Pedestrian. Due to the small size of the property and the fact that the applicant is adaptively reusing the structure, many of the Transportation and Pedestrian criteria are not applicable. However, the location of the site in the downtown area provides higher levels of walkability and a greater access to multi-modal transportation options. The applicant is also working with the surrounding property owners to provide shared parking arrangements that will reduce the proliferation of parking lots in the downtown area.

3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, limits the impacts on the surrounding environment, and does not impact the current tree lines and canopy. The subject property's location within the downtown environment and the size of the site limits the impacts that it may have on the surrounding environment. The required side yard setback and buffers adjacent to the existing residential dwelling units in the immediate area will help to mitigate the proposed structure, located at the rear of the subject property.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASON:



1. The requested Downtown Business Frame (B-2A) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning supports infill and redevelopment (Theme A, Goal #2), by identifying areas of opportunity for adaptive reuse (Theme A, Goal #2.a), while also respecting the context and design features of surrounding development projects to ensure compatibility with the existing urban form (Theme A, Goal #2.b).
 - b. The proposal seeks to support & showcase local assets to allow for the creation of a variety of jobs (Theme C, Goal #1), while also adding services that promote and enhance tourism in the area (Theme C, Goal #1.d).
 - c. The applicant states that through the inclusion of the use, event space or banquet facility, that they will provide entertainment and other quality of life opportunities that attract young, and culturally diverse professionals, and a work force of all ages and talents to Lexington (Theme C, Goal #2.d).
 - d. The proposed development of the subject property seeks to protect and enhance the natural and cultural landscapes that give Lexington-Fayette County its unique identity and image (Theme D, Goal #3), by protecting historic resources (Theme D, Goal #3.a), including the renovation, restoration and maintenance of a historic commercial structure (Theme D, Goal #3.c).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site adaptively reuses an older structure that is located within a highly walkable area. Additionally, the proposed rezoning seeks to add new job opportunities, while increasing potential entertainment and quality of life opportunities that can draw more people into our downtown commercial areas.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity, as the applicant is working with the surrounding property owners to provide shared parking arrangements that will reduce the proliferation of parking lots in the downtown area.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, limits the impacts on the surrounding environment, and does not impact the current tree lines and canopy.
3. This recommendation is made subject to approval and certification of [PLN-MJDP-19-00046: Saunier Livery](#), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.