

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2012-1: RML CONSTRUCTION

DESCRIPTION

Zone Change: From a Neighborhood Business (B-1) zone
To a High Density Apartment (R-4) zone

Acreeage: 14.78 net (17.47 gross) acres

Location: 3600 & 3652 Winthrop Drive

EXISTING ZONING & LAND USE

| <u>Properties</u> | <u>Zoning</u> | <u>Existing Land Use</u> |
|--------------------------|----------------------|---------------------------------------|
| Subject Property | B-1 | Vacant |
| To North | R-3 | Single Family Residential |
| To East | R-4 | Four-plexes and Townhouse Residential |
| To South | R-4 | Multi-Family Residential |
| To West | R-3 | Church, Single Family Residential |

URBAN SERVICES REPORT

Roads – The subject property is bounded to the north by Man o’ War Boulevard, and to the west by Winthrop Drive. Man o’ War Boulevard is a four-lane divided arterial roadway, and Winthrop Drive is classified as a collector street. Winthrop Drive narrows from five lanes at its signalized intersection with Man o’ War Boulevard to a more standard two-lane cross-section, with parking on both sides of the street, about 700 feet south of Man o’ War Boulevard. Winthrop Drive extends to the north as far as Shillito Park and continues south to the Fayette-Jessamine County line, connecting residential developments on either side of Man o’ War Boulevard. The properties are proposed to be served by internal access via parking lots and drive aisles, so, no new public streets are planned to be constructed by the developer.

Curb/Gutter/Sidewalks – Curbs, gutters and sidewalks exist along Winthrop Drive and Man o’ War Boulevard in this area. Such features may be necessary internally, and if needed, should be provided by the developer.

Storm Sewers – The subject properties are located in the South Elkhorn watershed. A retention basin, which was designed and constructed to serve The Glen at Lochdale subdivision, including the subject properties (a portion of Unit 4) that has been planned for multi-family residential, is located on the southernmost of the two properties. Storm sewers exist in the surrounding residential area and are believed to be adequate for the proposed development. No known flooding problems exist on the subject property or in the immediate area.

Sanitary Sewers – The subject property is located in the South Elkhorn sewershed and is served by the West Hickman Wastewater Treatment facility in northern Jessamine County. This portion of the Urban Service Area has access to sanitary sewer facilities; however, any on-site sanitary sewer improvements will need to be constructed by the developer at the time of any new development.

Refuse – The area surrounding the site is served by the Urban County Government with trash collection on Mondays. Supplemental service or use of compactors, provided by private refuse companies, is often desirable for multi-family residential uses.

Police – The properties are located in Police Sector 1, and are served by the West Sector Roll Call Center, located on Old Frankfort Pike, approximately six miles to the north of the subject properties.

Fire/Ambulance – The nearest fire station (#15) is located in Shillito Park near West Reynolds Road, less than two miles to the northeast of this location.

Utilities – Electric, gas, water, phone and cable television service are all existing in the area and can be extended into the subject properties when developed.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 11) recommends High Density Residential land use for the entire subject property. The petitioner proposes an apartment complex for 252 dwelling units (444 bedrooms), with an accessory clubhouse and associated off-street parking.

CASE REVIEW

The petitioner has requested a zone change from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone for approximately 15 acres, located at 3600 & 3652 Winthrop Drive.

The site is located at the southeast corner of the signalized intersection of Man o' War Boulevard and Winthrop Drive. The subject properties are currently vacant, with the exception of a detention basin that serves the larger Glen at Lochdale subdivision developed to the south of Man o' War Boulevard in this area. Winthrop Drive is a collector street which extends south to the Jessamine County line. The subject properties are bordered by multi-family and townhouse residential uses to the south and east, by the Anchor Baptist Church and single family residences to the west, and by single family residences to the north, across Man o' War Boulevard.

The subject properties were originally rezoned in 1996 from the Agricultural Urban (A-U) zone to the R-4 zone as part of a larger zone change for the area. These two parcels comprising the subject property were subsequently rezoned in 2007 to the current B-1 zone. At that time, this portion of the Glen at Lochdale subdivision had remained undeveloped for over a decade. Although a mixed-use project was approved for these properties in 2007, no development has occurred on the site over the last four years. The applicant is now proposing to rezone the subject properties back to the R-4 zone in order to construct an apartment complex for 252 dwelling units (444 bedrooms), with an accessory clubhouse and associated off-street parking.

The 2007 Comprehensive Plan recommends High Density Residential future land use for the subject property, defined as 10-25 dwelling units per net acre. The Urban County Council granted approval to the B-1 zone change and accepted the applicant's justification that it was in agreement with the Comprehensive Plan for the following reasons: the applicant's project met the residential portion of the land use recommendation; the application was in agreement with several of the goals and objectives and the land use principles of the Plan; and that the proposed development agreed with the "Interpretation of the Land Use Maps" section of the Plan.

Currently, the properties remain vacant and they are bank-owned. The applicant is proposing to develop the properties at a density of 17.05 dwelling units per acre, which is in agreement with the residential density recommended by the 2007 Comprehensive Plan for this location.

The current zoning of the properties includes a conditional zoning restriction that the staff believes should carry forward for screening and buffering along the southern property boundary of the existing retention basin. This would provide a landscape screening for the adjoining residential development and has been agreed to by the applicant.

The Staff Recommended: Approval, for the following reason:

1. The requested High Density Apartment (R-4) zoning is in agreement with the 2007 Comprehensive Plan for the following reasons:
 - a. The 2007 Comprehensive Plan recommends High Density Residential future land use for the subject property, which is defined by the Plan as 10-25 dwelling units per net acre.
 - b. The applicant proposes to construct multiple apartment buildings for 252 residential units (with 444 bedrooms) at a residential density of 17.05 dwelling units per net acre. The applicant's proposed residential development falls within the density range recommended by the Plan for the subject site.
2. This recommendation is made subject to approval and certification of ZDP 2012-2: The Glen at Lochdale, Unit 4 (Amd.), 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 buffering restriction is required for the subject property via conditional zoning:
 - A. There shall be planted and maintained along the southern boundary of the retention basin located on the subject property eight foot (8') evergreen trees, staggered ten feet (10') on center.

This restriction is appropriate and necessary to provide a natural screen of the retention basin for the adjoining less intense residential development, and the applicant has agreed to provide this landscape buffer.