

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2013-21: DR. ANDREW SCHROYER, DVM

DESCRIPTION

Zone Change:

<u>REQUEST</u>		<u>ACREAGE</u>	
<u>FROM</u>	<u>TO</u>	<u>NET</u>	<u>GROSS</u>
A-U	P-1	1.47	1.77
A-U	R-3	<u>3.57</u>	<u>3.57</u>
TOTAL		5.04	5.34

Location: 3581 Harrodsburg Road

EXISTING ZONING & LAND USE

Properties

Subject Property
To North
To East
To South
To West

Zoning

A-U
R-2 & R-3
R-3
R-3 & P-1
R-3 & P-1

Existing Land Use

Residential
Single Family Residential
Multi-Family Residential
Day Care Center, Offices & Vacant
Single Family Residential & Offices

URBAN SERVICES REPORT

Roads – Harrodsburg Road (US 68) is a four-lane divided arterial highway that provides access to the subject property. Wellington Way is a collector street just to the west of this location that provides a connection from Harrodsburg Road to Lyon Drive. The vacant subject property also has frontage on Palomar Trace Drive, a local street (cul-de-sac) that was developed almost two decades ago to serve 23 single family homes. The single family lots proposed on the south side of that street (on the subject property), would only access that street. The professional office development proposed along the frontage of Harrodsburg Road is to access that road, and Palomar Centre Drive, an access easement that also intersects with Wellington Way.

Curb/Gutter/Sidewalks – The petitioner is expected to complete the curb, gutter and sidewalks along the frontage of Palomar Trace Drive, which will tie into the existing facilities to the north and west of the subject property. No improvements are expected along Harrodsburg Road, which has curbing and gutters, but no sidewalks.

Storm Sewers – The developer will need to provide stormwater management in accordance with the adopted Engineering Manuals. This property is within the South Elkhorn Creek watershed, and there are not any floodplain problem areas on or near the subject property denoted in the Floodplain Management Plan.

Sanitary Sewers – Sanitary sewers are available in the area and should be able to be extended into this property at the time of development. Most properties surrounding this land have already been developed. This property lies within the South Elkhorn sewershed and is served by the West Hickman sewage treatment plant. The South Elkhorn pump station serving this area has recently been upgraded.

Refuse – The Urban County Government serves this area with collection on Mondays. Commercial developments, including some office buildings, often contract for more frequent service.

Police – The nearest police station is the Headquarters located on East Main Street downtown, approximately 5 miles to the northeast of the subject property.

Fire/Ambulance – The nearest fire station (#20) is located about one mile to the northeast, at the corner of Arrowhead Drive and Harrodsburg Road.

Utilities – All utilities, including phone, electric, water, natural gas, cable television, and streetlights are available in the areas surrounding this development, and can easily be extended to serve this property.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan recommends Low Density Residential future land use for the subject property, which is defined as 0-5 dwelling units per net acre. The petitioner proposes to rezone the front 1½ acres of the property to P-1 in order to develop a new office building, and the remainder of the subject property for a single-family residential development of 16 lots.

CASE REVIEW

The petitioner has requested a zone change from an Agricultural Urban (A-U) zone to a Professional Office (P-1) zone for about 1.5 acres and to a Planned Neighborhood Residential (R-3) zone for about 3.5 acres of property located a short distance east of Palomar Shopping Centre on Harrodsburg Road.

The subject property is located a short distance east of the Palomar Shopping Centre on Man O' War Boulevard, and it is currently being used as a five-acre single family residential lot. The property is accessed from Harrodsburg Road, and that access is proposed to remain. A small office complex has developed along the southern edge of the property. The Palomar Trace Subdivision abuts two office buildings in that complex, on the northeast side of Wellington Way. On the southern edge, closer to Harrodsburg Road, is located a veterinarian's office (owned by the petitioner), a daycare center, and several banks near the entrance to the Palomar Shopping Centre. Until recently, the subject property was owned by the Dozier family, and was reputed to have one of the finest celestial observatories in the state, until it was removed from the site.

The petitioner proposes to develop a 27,000 square-foot office building on the east end of the subject property. It would be accessed from Harrodsburg Road and by the access easement through the Schroyer Property, which extends to Wellington Way. Office buildings exist on both sides of that collector street.

The 2007 Comprehensive Plan recommends that the subject property should be used for Low Density Residential purposes, defined as 0-5 dwelling units per net acre. Therefore, the applicant's proposal for Professional Office (P-1) zoning is not in agreement with the Plan's land use recommendation. However, a portion of the property is in complete agreement with the Plan's recommendation for a future low density residential land use. Some 16 dwelling units are proposed on 3.57 net acres, resulting in a density of 4.48 dwelling units per net acre.

The petitioner's justification for this change is based on the fact that the requested R-3 zone is in agreement with the 2007 Plan, the appropriateness of the requested P-1 zone and the inappropriateness of the existing A-U zone. Their proposal would result in the classic planning principle of "step-down" in land uses, and would permit a professional services use to be located directly adjacent to Harrodsburg Road. There are several nearby areas where P-1 zoning is located adjacent to, or in close proximity to, residentially zoned properties - the closest example of which is the adjacent office buildings on Wellington Way, just to the south of the subject property, and their proximity to the Palomar Trace Subdivision to the west and north.

The staff agrees with the applicant that the P-1 zoning is more appropriate for the front portion of the subject property than the existing A-U zone. The property, even in its entirety, is too small to be very productive from an agricultural perspective. The P-1 area can be accessed from two directions, assuming that the Transportation Cabinet would agree that the existing access to Harrodsburg Road may be retained. It would provide a use that is consistent with those immediately adjacent to the southwest of this site.

Based on the proposed use of the subject property, this zone change request did require the submission of a traffic impact study. The staff of the Metropolitan Planning Organization (Transportation Planning Section) will report their findings of that study at the scheduled public hearing on this rezoning request.

The Staff Recommends: Approval, for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2007 Comprehensive Plan, for the following reasons:
 - a. The Plan recommends a Low Density Residential land use for this portion of the subject property, defined as 0-5 dwelling units per net acre.
 - b. The petitioner proposes 16 single family lots on 3.57 net acres, and a density of 4.48 units per acre.
2. The existing Agricultural Urban (A-U) zone is inappropriate, and the requested Professional Office (P-1) zone is appropriate for the front 1.5 acres of the subject property, for the following reasons:
 - a. The site is too small to yield a productive agricultural use, and has not been farmed for many years.
 - b. P-1 zoning would permit an office building to be developed in a manner consistent with other existing office buildings in this general area. Several of those are adjacent to low density residential uses.
 - c. The P-1 zone could be accessed from the Wellington Way collector street via Palomar Centre Drive, which serves most other professional office uses located in this general vicinity.
 - d. A "step-down" in land use intensity would result from this proposed development pattern, with offices abutting lower density residential uses.
3. This recommendation is made subject to approval and certification of ZDP 2013-102: Dozier Property, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of any Planning Commission approval.