

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-16-00004: RML CONSTRUCTION, LLP

DESCRIPTION

Zone Change:	<u>REQUEST</u>		<u>ACREAGE</u>	
	<u>FROM</u>	<u>TO</u>	<u>NET</u>	<u>GROSS</u>
	I-1	B-4	12.03	15.75
	R-3	B-4	2.24	4.00
	Total		14.27	19.75

Location: 2551 Leestown Road and 745 Greendale Road (a portion of)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-3 & I-1	Agricultural/Vacant
To North	R-3	Vacant
To East	R-3 & I-1	Tree Service & Vacant
To South	I-1	Industrial
To West	R-3	Single Family Residential

URBAN SERVICES REPORT

Roads – Citation Boulevard is a four-lane minor arterial roadway, which was recently constructed in this vicinity, and is now a major connector roadway between Leestown Road (US 421) and Newtown Pike (KY 922). Sandersville Road is a local collector street that is planned to continue from its current terminus to the east of the subject property to a constructed intersection with Citation Boulevard, and on to Spurr Road to the north. Sandersville Road will bisect the subject property once completed. Access to both portions of the site is proposed via Sandersville Road, because access along Citation Boulevard is restricted. New local streets will be provided by the developer as residential development occurs in this vicinity.

Curb/Gutter/Sidewalks – Sidewalks, curb and gutter have been constructed along the new Citation Boulevard and will be required to be constructed by the developer along the new section of Sandersville Road. Additionally, a shared-use trail was constructed along Citation Boulevard, and runs parallel to the subject property's frontage.

Storm Sewers – The subject property is located within the Town Branch watershed. Storm drainage facilities are expected to be constructed when improvements to the overall site occur. A FEMA Special Flood Hazard Area (100-year floodplain) does run along the southern property boundary of the subject site. The floodplain is shown on the associated development plan, and the area nearest the floodplain is depicted as an area of "future development."

Sanitary Sewers – The subject site is located within the Town Branch sewershed. Sanitary sewer treatment is provided by the Town Branch Wastewater Treatment Plant for properties within this portion of the Urban Service Area, which is located approximately three miles to the southeast. Prior to any construction on the site, the Division of the Water Quality's Capacity Assurance Program will evaluate the available capacity of the system compared to their specific request for sanitary sewer demand.

Refuse – The Urban County Government provides waste collection to this area on Thursdays.

Police – The site is located in Police Sector 1. The nearest police Roll Call Center is located on Old Frankfort Pike near New Circle Road, approximately two miles from the subject property to the southeast.

Fire/Ambulance – The subject property is approximately two miles from Fire Station 13, which is located on Leestown Road, approximately ½ mile southeast of the Leestown Road/New Circle Road interchange. A new fire station is proposed in the very near vicinity of the subject property at the intersection of Magnolia Springs Drive and Mable Lane, which is located about one-third of a mile to the north of the subject property.

Utilities – Private utilities, including natural gas, cable television, electric, telephone and water service are to be extended into the site by the developer.

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 Plan's 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 Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The petitioner proposes a rezoning to a Wholesale and Warehouse Business (B-4) zone in order to construct an automobile service station and three office/warehouses buildings for a total of 33,200 square feet of space, and associated off-street parking areas.

CASE REVIEW

The petitioner has requested a zone change from a Light Industrial (I-1) zone and a Planned Neighborhood Residential (R-3) zone to a Wholesale and Warehouse Business (B-4) zone for approximately 14 acres, located at the future intersection of Citation Boulevard and Sandersville Road.

The subject property is comprised of one property intended for light industrial land use and a portion of a tract that has been planned to be a single family residential subdivision. Citation Boulevard was recently completed in this portion of the Urban Service Area. It now provides a vital access for residents and businesses in the northern portion of the Urban County – connecting Leestown Road to Newtown Pike. The immediate area is characterized by industrial land uses to the south of the Sandersville corridor and planned residential uses to the north.

The subject property is situated on the east side of Citation Boulevard at the future intersection of that roadway with Sandersville Road. The associated development plan depicts two developable lots on the north side of future Sandersville Road, and three lots to the south. The industrially zoned portion of the property was rezoned in 1994, although it has remained vacant because it was not accessible by any public streets. The residentially zoned portion of the site was rezoned in 2004 after Ball Homes purchased the property from the Hillenmeyer family. That site has also remained vacant for the past decade.

The petitioner proposes a Wholesale and Warehouse Business (B-4) zone in order to construct an automobile service station and three office/warehouses buildings for a total of 33,200 square feet of space, and associated off-street parking areas, on four lots that would have frontage along the future Sandersville Road. A fifth lot is also shown as a site of “future development,” closer to the known environmentally sensitive areas on the property.

The 2013 Comprehensive Plan focuses on general land use policies, such as land use compatibility; well-designed neighborhoods; improving a desirable community; 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. The petitioner contends that the proposal is in substantial compliance with the 2013 Comprehensive Plan, specifically the “Land Use Change Considerations” developed by the staff following the adoption of the Plan. The petitioner also states that the existing combination of I-1 and R-3 zoning is inappropriate and that the B-4 zone would be appropriate at this location.

In terms of the Comprehensive Plan, they opine that the proposed zone is compatible with and enhances adjoining land uses, will enable the development of a critical vehicular connection (Sandersville Road), will redevelop underutilized land for a greater utility or function, will utilize the existing infrastructure and transportation networks (which are adequate to serve the use now that Citation Boulevard is open), the proposed land use will not impair existing environmental conditions on the site, and the use will provide neighborhood-oriented businesses and amenities in this area. The petitioner also states that the proposed development will be appropriately sited along a minor arterial roadway and will provide an effective transition between different intensities of land uses.

The 2013 Comprehensive Plan does not specifically address modest or minor changes in commercial land use that have a negligible impact on job creation or tourism. However, the general concepts, policies and guiding principles of the Plan should always be considered. As referenced in the petitioner’s justification, the staff can agree that the request, if restricted, is in substantial compliance with the recommendations of the 2013 Comprehensive Plan.

The site remains vacant even though it has been zoned for redevelopment for between 12 and 22 years, and now that access has improved, so have the options for development at Citation Boulevard and Sandersville Road. The B-4 zone can accommodate a number of compatible small businesses that would provide wholesale and business services for the neighborhood, a few professional offices, office/warehouse projects (including medical offices), animal hospitals or clinics, garden centers, and even automobile service centers, as proposed by the petitioner. The B-4 zone would be a step down in intensity from the I-1 zone to the south and would eliminate the possibility of the most intense land uses being located along Sandersville Road across the street from a new neighborhood. In

addition, the development will be able to use the existing infrastructure and transportation networks, which are adequate to serve both the traveling public and the proposed use. The new proposed land uses will not impair existing environmental conditions on the subject site and the redevelopment should create a more neighborhood-friendly entrance near the adjoining neighborhood.

Conditional zoning restrictions should be considered for the north side of Sandersville Road in order to ensure compatibility of the development with the proposed residential neighborhood to the north. An unrestricted Professional Office (P-1) or Neighborhood Business (B-1) zone could also meet the suggested purpose of creating a transition between different land use intensities. For these reasons, the staff is in support of the proposed zone change, if restricted.

The Staff Recommends: Approval, for the following reasons:

1. A restricted Warehouse and Wholesale Business (B-4) zone is in agreement with the policies general concepts, policies and guiding principles of the 2013 Comprehensive for the following reasons:
 - a. The site has been an underutilized/vacant site after more than a decade. The property should be considered for a possible change to an alternative zone for great utility and function in order to better serve the needs of the community and the immediate neighborhood within the Urban Service Area.
 - b. The proposed zoning and land use are generally compatible with the nearby industrial land uses to the south and would be less intense near the planned residential land use to the north. Conditional zoning restrictions to limit lighting and the most intense uses that may disturb residents are appropriate for the subject property north of Sandersville Road in order to ensure land use compatibility.
 - c. The proposed redevelopment will be able to use the existing infrastructure and transportation networks, which are adequate to serve the uses, including Citation Boulevard, along with the future connection of Sandersville Road through the site. The proposed B-4 zone can accommodate a number of small businesses that would provide important services within a neighborhood node, which is desirable near residential areas. These are consistent with the guiding principles of the Comprehensive Plan, specifically Chapter 6: "Improving a Desirable Community."
 - d. The proposed land use will not impair existing environmental conditions on the site. This is consistent with the guiding principles of the Comprehensive Plan, specifically Chapter 4: "Protecting the Environment."
 - e. The proposed B-4 zone would be a step down from the existing I-1 zone to the south, and would eliminate the possibility of the most intense land uses being located along Sandersville Road across from a new neighborhood.
2. This recommendation is made subject to approval and certification of PLN-MJDP-16-00007: RML-Citation (Hillenmeyer Interest, Ltd.), 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 restrictions shall apply to the portion of the subject property adjacent to residential zoning:
 - a. Prohibited Uses:
 1. Shops for major automobile and truck repairing or electroplating.
 2. Laundry, clothes cleaning or dyeing shop.
 3. Ice plant.
 4. Tire re-treading and recapping.
 5. Machine shop.
 6. Processors of agricultural products.
 7. Establishments and lots for the display, rental, sale and repair of farm equipment, contractor equipment, automobiles, trucks, mobile homes, recreational vehicles such as mini-bikes, motorcycles, bicycles, boats or supplies for such items.
 8. Truck terminals and freight yards.
 9. Establishments for the display and sale of precut, prefabricated or shell homes.
 10. Carnivals.
 11. Outdoor storage within 200' of Citation Blvd. or within 200' of a residential zone..
 - b. Other Use Restrictions:
 1. Any outdoor lighting shall be shielded and directed away from any residential zones.
 2. A fifteen-foot (15') landscape buffer shall be established along the northern property boundary, where adjacent to a residential zone. One tree every 20 feet of linear distance shall be planted along the boundary selected from Group A or B of the Planting Manual. These trees shall be planted in two rows so that they are staggered within the buffer area.

These restrictions are necessary and appropriate in order to ensure compatibility of the proposed development with the proposed residential neighborhood to the north of this location.

TLW/WLS

8/4/16

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