

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2012-16: HOMES BY ANDERSON TATE

DESCRIPTION

Zone Change: From a Planned Neighborhood Residential (R-3) zone
To a High Density Apartment (R-4) zone

Acreeage: 9.30 net (11.67 gross) acres

Location: 4250 & 4290 Harrodsburg Road and 4113 & 4204 Reserve Road

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-3	Vacant & Multi-Family Residential
To North	A-U, R-1D & R-1T	Vacant, Single Family Residential
To East	A-U & R-1D	Church, Single Family Residential
To South	A-U & R-3	Vacant & Condominiums
To West	A-U & R-1D	Vacant & Church

URBAN SERVICES REPORT

Roads – Harrodsburg Road (US 68) was widened almost a decade ago into the current five-lane arterial roadway cross-section along the frontage of the subject site. At about the same time, Stedman Lane, a barricaded local street, was extended into an intersection opposite Palomar Boulevard. Old Higbee Mill Road was also realigned as part of the US 68 Highway Department project within the last decade, and is now a signalized intersection that serves the subject property, the South Elkhorn Village Green and the South Elkhorn Christian Church properties to the west. Reserve Road is a linear access easement that extends through the center of the subject property, connecting Stedman Lane to Old Higbee Mill Road. That access easement is now proposed to be bifurcated to separate the condominiums to the south from the residential development now proposed for the subject property.

Curb/Gutter/Sidewalks – Harrodsburg Road and Old Higbee Mill Road do not have, and are not planned to have, curb, gutter or sidewalks. Reserve Road, being an access easement, does not have curb, gutter or sidewalks either. Stedman Lane has been built with curb and gutter, but sidewalks have not yet been constructed.

Storm Sewers – Storm sewers have been constructed for the residential development in this vicinity. The staff understands that they were done in accordance with the Engineering Stormwater Manuals adopted in 2001, and will be utilized by this developer, as well. Although the subject property is within the South Elkhorn watershed and is near the South Elkhorn Creek, it is not located within a floodplain, nor are there any known flooding issues in the immediate area.

Sanitary Sewers – Sanitary sewers are available to this property for new residential development. This property is within the South Elkhorn Sewershed, and is served by the West Hickman Wastewater Treatment Plant in northern Jessamine County.

Refuse – The Urban County Government services this area with refuse pickup on Mondays. Some apartment complexes will choose private refuse pickup to replace or supplement the Urban County Government service.

Police – The nearest police station is the Main Headquarters located on Main Street, five miles northeast of the subject property.

Fire/Ambulance – The nearest fire station (#20) is located near the corner of Harrodsburg Road and Arrowhead Drive, in the Indian Hills Subdivision, about 1½ miles to the northeast of the subject property.

Utilities – All utilities, including natural gas, electric, water, phone, and cable television exist in this area of the county and can be easily extended to serve this new development.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 11) recommends Medium Density Residential (MD) future land use for the subject property, defined as 5-10 dwelling units per net acre. The petitioner proposes a 168-unit residential apartment development, in addition to the existing 12-unit building on the property.

CASE REVIEW

The petitioner has requested a zone change from a Planned Neighborhood Residential (R-3) zone with conditional zoning restrictions to a High Density Apartment (R-4) zone for about nine acres of a 15-acre residential development located at the corner of Harrodsburg Road and Stedman Lane.

The property is located on Harrodsburg Road, well south of Man o' War Boulevard and the Palomar Shopping Centre. The property is adjacent to the First Alliance Church, located on Old Higbee Mill Road. South Elkhorn Creek is a short distance to the south of the subject property, and much of the subject site is physically lower than Harrodsburg Road. A small, vacant ¼-acre lot on Stedman Lane, at its barricade adjacent to the Grasmere Subdivision, is also part of this zone change request. Grasmere Subdivision, a single-family residential subdivision, is located to the east of the subject property.

In 2003, a 177-unit residential apartment and townhouse development was approved for the subject property, as part of a rezoning from A-U to R-3. Under the provisions of Article 6-7 of the Zoning Ordinance, the property was limited to a maximum of 177 dwelling units, via conditional zoning. Quoting from the previous staff report, this was because:

“...with the flexibility inherent in the R-3 zone, and the excess of open space being provided by the petitioner, a conditional zoning restriction limiting the total number of units on the property would be appropriate to ensure future compliance with the Comprehensive Plan's density recommendations.”

Both off-street parking and usable open space were proposed above the minimum requirements found in the R-3 zone. Like the original residential development proposal, the proposed development will stretch between Old Higbee Mill Road and Stedman Lane; but unlike the original proposal, it will be without a through vehicular connection from these two roadways, which will limit connectivity and could also impair emergency access to the multi-family development.

The 2007 Comprehensive Plan, like the 2001 Plan that preceded it, recommends Medium Density Residential future land use for the subject property, and for this entire residential development. Medium Density use is defined as 0-8 dwelling units per gross acre, or between 5 and 10 dwelling units per net acre. For the area of just the subject property of 11.67 gross acres, the plan would suggest that up to 93 dwelling units be developed on the subject property.

The staff does not see an appropriate justification for increasing the density and floor area ratio beyond that permitted by the existing zoning and conditional zoning restrictions. There have been no unanticipated changes in the immediate area; and the staff does not believe that the existing R-3 zone is inappropriate.

The conditional zoning restriction that is currently in place would permit another 99 dwelling units to be constructed at this location; however, because the applicant desires to construct 168 dwelling units, this actually increases the need, rather than decreases the demand for multiple ingress/egress points into the subject property. By cutting the development into two sections, residents on both sides suffer.

The Staff Recommended: Disapproval, for the following reasons:

1. This requested High Density Apartment (R-4) zone is not in agreement with the 2007 Comprehensive Plan for the following reasons:
 - a. The Comprehensive Plan recommends Medium Density Residential future land use for the subject property, which is defined as 0-8 dwelling units per gross acre.
 - b. For the area of just the subject property (11.67 gross acres), the plan would suggest that up to 93 dwelling units be developed on the subject property.
 - c. The petitioner proposes 180 units of residential development at a density of 15.42 dwelling units per gross acre, which exceeds the density range recommended by the Plan.
2. The existing Planned Neighborhood Residential (R-3) zoning of the subject property remains appropriate for the following reasons:
 - a. The subject property was restricted less than 10 years ago, because, as stated at that time, “with the flexibility inherent in the R-3 zone, and the excess of open space being provided by the petitioner, a conditional zoning restriction limiting the total number of units on the property would be appropriate to ensure future compliance with the Comprehensive Plan's density recommendations.”
 - b. The current density, floor area ratio and building height permitted on the property would provide an appropriate transition from the Harrodsburg Road corridor to the single-family Grasmere subdivision and

the First Alliance Church to the east. This would also be compatible with the already constructed multi-family buildings to the south of the subject property.

3. There have been no unanticipated changes in this area since adoption of the 2007 Comprehensive Plan that would warrant this zone change.

TLW/BJR/WLS

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