

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2011-19: TRINITAS VENTURES, LLC

DESCRIPTION

Zone Change:	<u>REQUEST</u>		<u>ACREAGE</u>	
	<u>FROM</u>	<u>TO</u>	<u>NET</u>	<u>GROSS</u>
	B-4	R-5	2.03	2.40
	I-2	R-5	<u>8.10</u>	<u>8.29</u>
	TOTAL		10.13	10.69

Location: 474, 497 and 498 Angliana Avenue

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	B-4 & I-2	Vacant (formerly Warehousing)
To North	R-4	Multi-Family Residential, Vacant
To East	I-2	Railroad R-O-W
To South	B-4 & I-2	Residential, Dog Kennel, & Wholesale/Warehousing
To West	B-4	Horse Race Track, Residential & Wholesale/Warehousing

URBAN SERVICES REPORT

Roads – Angliana Avenue is a two-lane collector street that connects South Broadway (US 68) to Versailles Road (US 60), and generally parallels the Norfolk-Southern Railroad at this location. Angliana Avenue has a 50-foot right-of-way and approximately 32 feet of pavement. Approximately 2,300 vehicles travel along this collector street daily. South Broadway and Versailles Road are both five-lane major arterial roadways in this vicinity, and each has a signalized intersection with Angliana Avenue. Curry Avenue is a local street that connects to Angliana Avenue at both ends. Near its northern terminus, Curry Avenue borders a portion of the subject property to the north and the west, where the roadway makes a 90 degree turn. A small portion of the street was partially improved when the adjoining residential development was constructed within the last few years. The southern half of the street improvements are expected to be completed at the time of redevelopment of 498 Angliana Avenue.

Curb/Gutter/Sidewalks – Angliana Avenue has intermittent curb, gutter and sidewalk facilities. Recent improvements were constructed to the north of the subject properties, as multi-family residential and industrial properties redeveloped. Curry Avenue improvements, including curb, gutter and sidewalk were completed recently along the northern leg, adjacent to the new apartment complex, and for other parts of Curry Avenue years ago under a CDBG project. Similar street improvements would ordinarily likely be required of the developer at the time the subject property redevelops.

Storm Sewers – The subject property is located within the Town Branch watershed. Storm sewers exist in this portion of the Urban Service Area. Additional storm water facilities may be required to adequately contain any storm water impacts created by the proposed redevelopment. These properties and the immediate area have no known flooding or drainage problems.

Sanitary Sewers – The subject property is located within the Town Branch watershed. The property is served by the Town Branch Sewage Treatment Facility, located on Lisle Industrial Avenue, southeast of New Circle Road. Adequacy of sewer mains in the area was evaluated as the adjoining multi-family residential development occurred during the past four years. Improvements were made in the vicinity by the developer at that time. If further improvements are deemed necessary, they must be planned and constructed in accordance with the adopted Engineering Manuals.

Refuse – The Urban County Government serves this area with refuse collection on Mondays. Supplemental service may be required to serve the needs of the proposed residential land use. This can be accomplished by contracting with private refuse haulers, if desired.

Police – The subject property is located within the West Police Sector, although the nearest police station is the main headquarters, located downtown on East Main Street, approximately one mile to the east of the subject property.

Fire/Ambulance – The closest fire station (#6) is located less than one mile to the south at the intersection of Scott Street and South Limestone, across from the University of Kentucky's campus.

Utilities – All utilities, including gas, electric, water, phone, and cable TV are available in the area, and could be extended, as necessary, to serve the proposed redevelopment of the subject property.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 5) recommends Office/Warehouse (OW) and Downtown Master Plan (DTMP) future land uses for the subject property. The petitioner proposes an R-5 zone in order to develop a multi-family residential complex with 280 dwelling units (with 700 bedrooms) for a residential density of 27.6 units per net acre.

CASE REVIEW

The petitioner has requested a zone change from a Wholesale and Warehouse Business (B-4) zone and a Heavy Industrial (I-2) zone to a High Rise Apartment (R-5) zone for approximately ten net acres of property, located on Angliana Avenue.

The subject property is comprised of three parcels, two of which are located on the west side of Angliana Avenue, and the third parcel is located on the east side of the street at Curry Avenue. The subject property is located about 900 feet from the intersection of Angliana Avenue and S. Broadway. The parcels are the former site of a tobacco warehouse and a distribution facility, and are currently vacant.

Angliana Avenue has historically been characterized by a number of different uses, but primarily served as a location for tobacco warehouses and other industrial uses. A small residential area exists near the intersection of Angliana and Versailles Road, while more retail, commercial and industrial uses exist near South Broadway. Recent redevelopment occurred in 2008 for the first phase of a multi-family apartment complex on the west side of Angliana Avenue, and a few residential units also exist on Curry Avenue. The subject property is currently zoned consistently with the historical use of the corridor for industrial and warehousing land use.

The applicant proposes the rezoning in order to develop 280 dwelling units, with 700 bedrooms, primarily intended to house university students. This would result in a density of 27.6 dwelling units per net acre for the subject property, which is considered a Very High Density Residential land use as defined by the Comprehensive Plan (25–40 dwelling units per net acre).

The 2007 Comprehensive Plan recommends Office/Warehouse (OW) and Downtown Master Plan (DTMP) land use for the subject property. The Office/Warehouse future land use category was created as part of the South Broadway Corridor Plan, adopted by the Planning Commission in 1990 as an amendment to the 1988 Comprehensive Plan. The properties along the west side of Angliana Avenue have also carried the Office/Warehouse land use designation since the adoption of the Corridor Plan; the intent of which is to allow a mixture of office and warehouse uses, when appropriate. A later a text amendment added office/warehouse mixed use as an allowable use in the B-4 and I-1 zones, but only when a final development plan is approved by the Planning Commission. This land use designation applies to two of the three parcels that comprise the subject property.

The Downtown Master Plan land use category is depicted on the Land Use Element map within the boundary of the Lexington Downtown Development Authority's study area for the Downtown Master Plan. This land use category is intended to reflect the land use relationships and design concepts as recommended in the Downtown Master Plan. The Master Plan "presents the interrelationships of the neighborhoods and the interaction of people within the built environment, which relies on the size, location, and appearance of

structures – form-based design – rather than traditional land uses, as found elsewhere in the 2007 Comprehensive Plan” and should be consulted for redevelopment decisions in this area.

The Planning Commission also incorporated the core principles and 15 recommendations of the Downtown Master Plan as part of the Comprehensive Plan’s Land Use Element. The design concepts portion of the Master Plan identifies the east side of Angliana Avenue as an Industrial District, and notes that this area “has been home to industrial uses for the city for a long time and now consists of many abandoned warehouses. It is logical that this area retain the industrial land use and some of the existing buildings be creatively adapted or re-used.” This land use designation now applies to one of the three parcels that comprise the subject property.

The proposed R-5 zoning is not in agreement with the 2007 Comprehensive Plan’s future land use recommendations. Since the rezoning cannot be said to be in agreement with the Comprehensive Plan, the Planning Commission should consider whether there has been a major physical, economic or social change in the immediate area since the 2007 Plan was adopted, and the appropriateness of the applicant’s proposal.

Since the 2007 Comprehensive Plan was adopted, four large parcels comprising 19 acres were approved for rezoning to a High Density Apartment (R-4) zone contrary to the Plan’s land use recommendation. Three of the properties on the west side of Angliana Avenue (520, 534, and 544 Angliana Avenue) have been developed with 228 dwelling units (740 bedrooms); and the second phase of their project, located on the east side of Angliana Avenue, is expected to add another 148 dwelling units and 320 bedrooms in the near future. The Planning Commission determined that high density residential land use was more compatible and appropriate than office/warehouse, wholesale or industrial land use for this part of the Urban Service Area, especially with the future land use recommendation for the Red Mile property, should it redevelop for a mixed-use entertainment district. This zoning decision by the Planning Commission and the Urban County Council constitutes a major change to this area of a physical and economic nature which was not anticipated by the 2007 Comprehensive Plan, thus justifying the current zone change request for the subject property.

The applicant contends that the proposed rezoning and redevelopment would be consistent with the approval of similar zone changes from B-4 and I-2 to R-4 for a multi-family residential project at South Broadway and Foreman Avenue (Newtown Crossing), and for the properties to the north and west of this location (5 Twenty-Four Angliana). The multi-family complexes that have been constructed in the area have utilized mass transit and a railroad bridge crossing to address non-vehicle access to the University campus. The applicant intends to do the same by providing a transit stop location and construction of sidewalks, and has considered a private shuttle service for their residents.

A very high density residential development would be consistent with the approved development to the immediate north and west, as well as numerous other student-oriented housing complexes in the Red Mile Road and South Broadway corridors.

The applicant also contends that there is a demonstrated demand for housing oriented toward the University of Kentucky student population, and such demand has been well documented. The University currently has approximately 28,000 students enrolled, with 5,145 on-campus beds for undergraduate students, and 861 apartments for family and graduate students (*UK Campus Housing White Paper 2011*). This represents an ability to house 21.5% of their current students.

The University’s housing plan has proposed a prioritized approach, which would replace much of their older dormitory stock, and add some new housing on campus. UK expects to grow its student population by another 10% (to 30,000 students) in the next few years, and expects to house about 30% of their student body on campus in the future, for a total of about 9,000 beds. In 2007, when the Planning Commission evaluated the adjoining student housing complex on Angliana Avenue, the University’s goal was to house 40% of students on campus by 2020, which means that the on-campus future supply is not as great as once anticipated.

The applicant also notes that the subject properties have had several redevelopment opportunities, all of which have not proceeded beyond the planning stage. Of specific interest was a mixed-use/adaptive reuse project that was approved by the Planning Commission since the major changes to the area have occurred, that failed to move forward.

Lastly, the applicant cites Goal 8 of the 2007 Comprehensive Plan, which identifies infill and redevelopment as a major strategy to revitalize established areas and neighborhoods. The proposed redevelopment of the subject property supports this goal by converting three vacant and underutilized lots into residential housing near the UK campus to partially meet existing demand, thereby relieving pressure on other areas of the community.

Article 6 of the Zoning Ordinance requires that a Traffic Study be submitted in association with this proposed zone change and corollary development plan. The Transportation Planning Section is currently reviewing the submitted study and will report to the Planning Commission at their public hearing.

The Staff Recommended: **Approval** for the following reason:

1. Although the requested High Rise Apartment (R-5) zoning for the subject property is not in agreement with the 2007 Comprehensive Plan, a zone change request has been granted in the immediate area that has created major changes of a physical and economic nature and that has altered the basic character of the area which were not anticipated by the 2007 Comprehensive Plan. The rezoning of adjacent properties to an R-4 zone, and the subsequent residential development on Angliana Avenue, has altered the type and character of land use in this area over that recommended by the 2007 Plan.
2. This recommendation is made subject to approval and certification of ZDP 2011-99: Angliana Avenue – Trinitas Housing Project prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

TLW/JWE/BJR/WLS

12/1/2011

Planning Services/Staff Reports//MAR/2011/MAR2011-19.doc