

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MARV 2015-17: CAPKY BLUEGRASS PROPERTIES, LLC

DESCRIPTION

Zone Change: From a Professional Office (P-1) zone
To a Wholesale and Warehouse Business (B-4) zone

Acreage: 3.05 net (3.29 gross) acres

Location: 353 Waller Avenue

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	P-1	Vacant (formerly a nursing home)
To North	R-1C	Single-family Residential
To East	P-1	Professional Office
To South	P-1	Professional Office & Service Business
To West	R-4 & P-1	Multi-family Residential & Professional Offices

URBAN SERVICES REPORT

Roads – Waller Avenue is a minor arterial roadway that is part of a system that connects Versailles Road to Chinoe Road. It is a two-lane roadway with approximately 18,000 average daily vehicle trips at this location. The subject property is less than ½ mile from the signalized intersection of Harrodsburg Road/South Broadway (US 68) and Waller Avenue. Two access points on Waller Avenue exist for the development, and no significant modifications are proposed.

Curb/Gutter/Sidewalks – Curb, gutter and sidewalks do not exist along the subject property's frontage along Waller Avenue. These standard urban improvements are ordinarily required to be constructed by the developer.

Storm Sewers – The subject property is located within the Wolf Run watershed. Currently, a small detention basin exists at the front of the property, parallel to the right-of-way of Waller Avenue, to accommodate the site's stormwater. Additional assessment will be necessary to verify that the existing basin is adequate to serve the proposed development and to address water quality requirements of the LFUCG Stormwater Manuals. No FEMA special flood hazard area exists on the property or in its general vicinity.

Sanitary Sewers – The subject property is located in the Wolf Run sewershed and is served by the Town Branch Sewage Treatment Facility, located on Lisle Industrial Road, inside of New Circle Road. Since the use of the property is proposed for a major redevelopment, the petitioner will need to secure Capacity Assurance Program approval prior to the final development plan being certified.

Refuse – The Urban County Government serves this residential area with refuse collection on Mondays; however, commercial developments often contract with a private collection service to address their specific needs.

Police – The subject property is located within the Division of Police's West Sector; however, the closest police station is the main headquarters, located approximately 1½ miles to the northeast, on East Main Street.

Fire/Ambulance – Fire Station #11 is located less than ½ mile to the southwest on Harrodsburg Road, near its intersection with Clays Mill Road.

Utilities – All utilities, including gas, electric, water, phone, and cable TV currently serve the existing buildings and could be reconfigured or improved to serve the proposed warehouse use of the subject property.

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 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.

The petitioner proposes to construct a self-storage facility, with one multi-story structure, and seven one-story buildings. The proposed facility will be approximately 95,700 square feet of space, with a small off-street parking lot along the Waller Avenue frontage.

CASE REVIEW

The petitioner has requested a zone change from a Professional Office (P-1) zone to a Wholesale and Warehouse Business (B-4) zone for slightly more than three acres of property. The site is located on the north side of Waller Avenue, between the signalized intersection at Harrodsburg Road/South Broadway and the CSX Railroad line.

The subject property is the former location of the Kenton Healthcare nursing home facility, which was closed about six years ago. The immediate area along Waller Avenue is characterized by professional office and services (P-1 zoning), and multi-family residential (R-4 zoning), with a small shopping center located to the west of the subject property, which includes convenience retail and restaurants (B-1 zoning). The property also borders an established single-family residential neighborhood (Simpson, Burley, American, Prospect, Southern and Camden Avenues) (in an R-1C zone), which has experienced some recent redevelopment pressures due to its proximity to the University of Kentucky campus.

The petitioner requests a rezoning to B-4 in order to locate a self-storage (aka mini-warehouse) facility of almost 100,000 square feet in size. The proposal is for a mixture of one-story and multi-story buildings, with restricted access at the front of the property.

A dimensional variance is also being requested with the zone change application in order to reduce the 100-foot setback from a residential zone for the overhead door openings (along the western and northern property boundaries). The petitioner has offered to prohibit two use categories on the property via conditional zoning restrictions to limit the impact of the proposed zone: 1) establishments and lots for the display, rental, sale and repair of farm equipment, contractor equipment, automobiles, trucks, mobile homes, recreational vehicles, motorcycles, bicycles, boats or supplies for such items; and 2) truck terminals and freight yards.

The property was the subject of a zone change in 1993 from a High Density Apartment (R-4) zone to the current P-1 zone in order for the nursing home facility to expand, and prior to that it had been zoned R-4 prior to the 1969 comprehensive update to the County’s Zoning Atlas.

The 2013 Comprehensive Plan no longer includes a parcel-based land use element; rather, it encourages land use decisions to be made based upon small area plan recommendations, policy statements and the Goals and Objectives of the Plan. The petitioner opines that this request is both in agreement with the policies, goals and objectives of the Plan, and also that the proposed Wholesale and Warehouse Business (B-4) zone is appropriate and that the Professional Office (P-1) zone is inappropriate at this this location.

The Planning Commission must look to the Comprehensive Plan for guidance as to whether the proposed B-4 zone is supported by the Plan at this location. The 2013 Comprehensive Plan encourages the consideration of how proposals relate to existing development in the immediate vicinity, as well as protecting neighborhoods and residential areas from incompatible land uses. The Goals and Objectives encourage creating jobs and prosperity (Theme C) and supporting infill and redevelopment if it is respectful of the area's context and design features (Theme A, Goal #2.a.). Beyond the goals and objectives, policy statements in the Plan focus on the need for the development of land in the most appropriate relationships, compatibility of land uses and creating neighborhood nodes of commercial development or a focal point.

Waller Avenue has been that neighborhood node to provide the necessary goods and services to the adjoining neighborhoods in this immediate vicinity. A self-storage facility generates very few jobs, is generally highly impermeable (with very little open or greenspace) and is not a neighborhood-oriented land use. Although the petitioner contends that the proposed use is a "community support facility," this is not the type of facilities that are discussed in the text of the Plan, which calls for healthcare services and hospitals, schools, libraries, and parks and recreation that the community truly needs. Self-storage facilities provide more of a convenience to local citizens. Lastly, the staff believes that the proposed zoning category is not compatible with the adjoining land uses or consistent with any of the nearby zoning in this corridor. The staff cannot agree with the applicant that the requested rezoning is in agreement with the 2013 Comprehensive Plan.

The petitioner also contends that the professional office zoning is no longer appropriate because the demand in this area has declined, and the subject property has remained vacant for six years since the nursing home closed and sold its certificate of need (beds) to newer facilities within Fayette County. Additionally, the petitioner claims that the proposed B-4 zoning and land use are appropriate for the subject property because there is an unmet demand for storage facilities inside New Circle Road, to serve the urban, rather than suburban customer base. The proposed self-storage units not only serve residential customers, but also businesses and offices. They also contend that the proposed use will have a lower traffic generation than the prior use and will generate very little noise.

The staff would note that, of 20 self-storage facilities currently located in Lexington-Fayette County, eight (40%) are located inside of New Circle Road, what is considered an urban environment. This is a higher percentage than the national average, which breaks down as follows: urban – 32%, suburban – 52% and rural – 16% ("2015-2016 Self Storage Industry Fact Sheet" by Self Storage Association International). The statistics would indicate that our community already has the right amount (or more than the right amount) of self-storage facilities inside New Circle Road, especially given the knowledge that two additional facilities of similar characteristics are planned/proposed for completion in the near future.

Again, no other B-4 zoning currently exists in the immediate vicinity or anywhere along Waller Avenue, which is primarily a neighborhood-oriented commercial corridor. Demand for the existing, abandoned building is clearly lacking, but interest in redevelopment for the site has been steady over the course of the past five years, at least in inquiries made to the staff. The existing zoning offers many land uses that would be considered compatible within the character of the corridor and the adjoining neighborhood. Ultimately, the staff finds that the existing P-1 zone is not inappropriate for the subject property as it is in keeping with the commercial zoning in the immediate area.

Lastly, the staff is not aware of any unanticipated changes of a physical, social or economic nature within the immediate area since the Comprehensive Plan was adopted in 2013 that would support B-4 zoning for the subject property.

The Staff Recommends: Disapproval, for the following reasons:

1. The requested rezoning to a Wholesale and Warehouse Business (B-4) zone is not in agreement with the 2013 Comprehensive Plan, for the following reasons:

- a. The Goals and Objectives and policy statements of the Plan encourage the consideration of how proposals relate to existing development in the immediate vicinity, and focus on protecting neighborhoods and residential areas from incompatible land uses. No B-4 zoning exists along the Waller Avenue corridor, and a self-storage facility is not a neighborhood-oriented land use.
 - b. The Goals and Objectives encourage creating jobs and prosperity (Theme C), but the proposed self-storage facility will generate very few jobs in support of this idea.
 - c. Policy statements in the Plan focus on the need for the development of land in the most appropriate relationships, compatibility of land uses and creating neighborhood nodes of commercial development or a focal point. Waller Avenue has been that neighborhood node that provides necessary goods and services to the adjoining neighborhoods in this immediate vicinity.
2. The existing Professional Office (P-1) zone remains appropriate at this location because it offers many land uses that would be considered compatible within the character of the corridor and the adjoining neighborhood. While there is no demand for the former nursing home building, there has been steady interest in redevelopment of the property over the past five years.
 3. The proposed B-4 zone is not appropriate for the subject property, for the following reasons:
 - a. Statistical information would indicate that our community already has the right amount (more than the national average of 32% for urban facilities) of self-storage facilities inside New Circle Road, especially given the knowledge that two additional facilities of similar characteristics are planned/proposed for completion in the near future.
 - b. There is no other B-4 zoning or land uses compatible with B-4 uses in the immediate vicinity, including the professional office, multi-family and single-family residential uses.
 - c. Lower traffic generation is not vitally important for a parcel of land that is situated on a minor arterial roadway.
 4. There have been no unanticipated changes of a physical, social or economic nature within the immediate area since the Comprehensive Plan was adopted in 2013 that would justify a B-4 zone for the subject property.

TLW/BJR/WLS

9/1/2015

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