

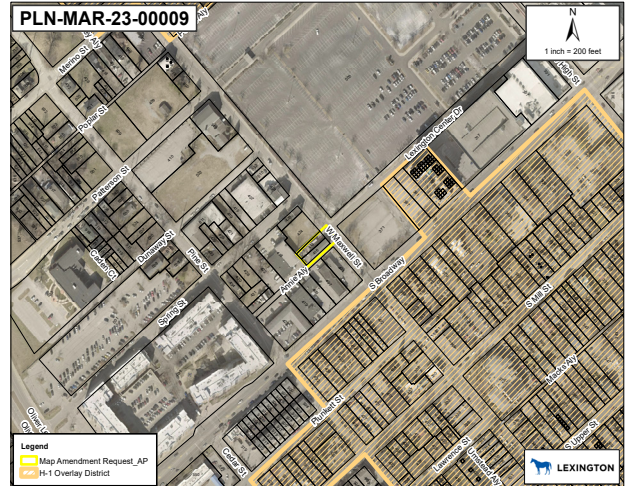
STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-23-00009: 214 WALLER AVENUE, LLC

DESCRIPTION OF ZONE CHANGE

Zone Change: From a Wholesale and Warehouse Business (B-4) zone
To a Lexington Center Business (B-2B) zone

Acreage: 0.1338 net (0.1868 gross) acres

Location: 416 & 418 W Maxwell Street



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	B-4	Auto Repair
To North	B-2B	Parking Lot
To East	B-1	Retail w/ drive though facility
To South	B-4	Commercial
To West	B-2B	Residential

URBAN SERVICE REPORT

Roads - W. Maxwell Street is a major arterial roadway that provides southeast bound, one-way traffic flow, extending from Versailles Road (US 60) to East High Street. Annie Alley bounds the property to the east, and provides connections to Pine Street and W. Maxwell Street. In the nearby vicinity, S. Broadway (US 68) is a two-way major arterial roadway.

Curb/Gutter/Sidewalks - W. Maxwell Street has been improved with curb, gutter and sidewalks. There are no sidewalks along Annie Alley.

Storm Sewers - The subject properties are located within the Town Branch watershed. Stormwater improvements may be required to address both water quantity and water quality. Any such improvements shall be designed and constructed in accordance with the LFUCG Engineering Manuals. There are no FEMA Special Flood Hazard Areas or known flooding issues within the immediate area.

Sanitary Sewers - The subject properties are located within the Town Branch sewershed and will be serviced by the Town Branch Wastewater Treatment Facility, located on Lisle Industrial Avenue inside New Circle Road, between Leestown Road and Old Frankfort Pike. Sanitary sewer capacity will need to be verified by the Capacity Assurance Program (CAP) prior to certification of the final development plan, as an increase in sanitary sewer flows are anticipated for the multi-family residential land use.

Refuse - The Urban County Government serves residences in this portion of the Urban Service Area with collection on Mondays.

Utilities - All utilities, including natural gas, electric, water, phone, and cable television are available in the area, and are available to serve the proposed development.

Police - The nearest police station is the main headquarters, located 1/2 mile east of the subject properties at East Main Street.

Fire/Ambulance - The nearest fire station (#3) is located approximately 0.2 miles northwest of the subject properties at the intersection of W. Maxwell Street and Merino Street. However, station #3 is dedicated to special operations. The property is most likely to be served by station #4 on Jefferson Street, located one mile to the northeast.

Transit- LextTran services area available in the immediate area, with routes #13 and #24 serving the intersection of W. Maxwell Street and S. Broadway, 150 feet southeast of the subject properties.

Parks- The Carver School Park is located approximately 600 feet southwest of the subject properties.

SUMMARY OF REQUEST

The petitioner has requested a zone change in order to convert an existing auto repair structure into a 4-plex multi-family residential use. The proposed residential density is 29.9 units per net acre.

PLACE-TYPE

DOWNTOWN

Downtown is the urban epicenter of commerce and entertainment. The core should be anchored by high-rise structures with ground-level pedestrian engagement opportunities surrounded by mid-rise buildings increasingly offering dense residential uses. Lexington’s Downtown should continue to be notable for its mix of uses and variety of transportation options. Parking should be addressed as a shared urban core asset, eliminating dedicated surface parking lots in favor of structures.

DEVELOPMENT TYPE

LOW DENSITY RESIDENTIAL

Primary Land Use, Building Form, & Design

Primarily attached and detached single-family homes of varying formats, including accessory dwelling units. Homogeneous neighborhoods that do not include a mix of housing types should be avoided. Low density residential is only appropriate as a component of “Enhanced Neighborhoods” and “New Complete Neighborhoods” and should be supplemented by a variety of uses and housing options to create sustainable places.

Transit Infrastructure & Connectivity

Multi-modal network connections, including connected streets, are required to keep an efficient transportation network that provides viable options for all users.

Quality of Life Components

These development should include intentional open spaces designed to fit the needs of area residents, and be in walking distance of nearby neighborhood serving commercial/ employment uses.

PROPOSED ZONING



The intent of this zone is to ensure compatible land uses, the preservation of existing attractions compatible with the Lexington Center, and the encouragement of new uses necessary to the proper development of the downtown area. The permitted land uses in the zone should have a logical relation to the Lexington Center and to the downtown core, should promote tourism, should promote the economic health of the community, should provide for an aesthetically pleasing environment, and should prevent the creation of influences adverse to the prospering of the Lexington Center and the downtown area. Development within this zone should coordinate with adopted plans and studies, including corridor studies and streetscape plans. This zone should be located and developed within the Downtown Place-Type and should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

PROPOSED USE



The petitioner is proposing to modify an existing 3,874 square-foot structure to establish four dwelling units, for a density of 29.9 units per acre. The applicant is proposing an access drive from W. Maxwell Street leading to an unloading area behind the building, with no on-site parking proposed.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant has indicated that they have spoken to neighboring property owners regarding the request, but have not undertaken any larger community outreach efforts at this time.

PROPERTY & ZONING HISTORY



The subject properties have been zoned Wholesale and Warehouse Business (B-4) since before to the 1969 comprehensive rezoning of the Urban County. The property at 416 W. Maxwell contains a structure constructed in 1965 that was historically utilized as a shop of specialty trade, and most recently a minor auto repair use. The parcel at 418 W. Maxwell was used as parking for the adjoining use.

In the nearby vicinity, the South Hill Historic Overlay (H-1) zone is located one block to the east of the subject properties.

COMPREHENSIVE PLAN COMPLIANCE



GOALS, OBJECTIVES, AND POLICIES

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. 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 applicant briefly touches on the Goals and Objectives of the Imagine Lexington 2045 Comprehensive Plan within their letter of justification, stating that the proposal will expand housing choices (Theme A, Goal #1), while also supporting infill and redevelopment (Theme A, Goal #2). Staff agrees that the proposal intensifies an underutilized parcel by providing new housing units, but further information should be provided about how this request meets the Comprehensive Plan. The applicant should provide information on how they are meeting the following Goals and Objectives of the Imagine Lexington 2045 Comprehensive Plan:

1. *Accommodate demand for housing in Lexington responsibly, prioritizing higher-density and a mixture of housing types (Theme A, Objective #1.b).*
2. *Respect the context and design features of the areas surrounding development projects and develop design standards that ensure compatibility with the existing urban form (Theme A, Objective #2.b)*
3. *Implement the Complete Streets policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit, and other vehicles (Theme D, Objective #1.a)*

The letter of justification provided by the applicant does not address any of the Policies of the Comprehensive Plan. The applicant should review these policies and provide information on how they are being met with this request.



PLACE TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject properties. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2018 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant has indicated that the site is located within the Downtown Place-Type and is seeking to redevelop the property as a Low-Density Residential Development Type. Staff concurs with the applicant's assessment of the Place-Type, as the site is located within close proximity to the downtown core, and is located across the street from the proposed future expansion development of the High Street parking lot.

However, Staff does not agree with the appropriateness of the applicant's proposed Low-Density Residential Development Type at this location. The Downtown Place-Type specifically calls for dense, medium to high rise structures, and only recommends the High Density Development Type within these locations. Furthermore, the subject properties are located near the intersection of two major corridors, which also emphasize significant increases in density. In the description of the applicant's chosen Low Density Residential Development type, it specifically states that "Low density residential is only appropriate as a component of Enhanced Neighborhoods and New Complete Neighborhoods"(Pg 271). The applicant should provide further information to justify the chosen Development Type within this downtown context.

As it is a recommended zone within the Downtown Place-Type, staff finds that Lexington Convention Center (B-2B) zone could be appropriate for this location, provided the applicant is able to demonstrate agreement with the Imagine Lexington Comprehensive Plan, and that the proposed development is reflective of the character and context of the downtown area.



DEVELOPMENT CRITERIA

The criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2018 Comprehensive Plan. The criteria for development represent the needs and desires of the members of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The criteria are refined by the applicant based on the proposed place-type and development type.

The following reviews the various Placebuilder criteria as provided to staff in the Letter of Justification, the associated plan, and the supplementary review of the Multi-Family Design Standards.

1. Site Design, Building Form and Location

A-DS3-1: Multi-family residential developments should comply with the Multi-Family Design Standards in Appendix 1; A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere; A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.

While staff does not require architectural plans prior to the Final Development Plan, there are several site design issues in this proposal that are not consistent with the Multi-Family Design Standards. Much of staff's concern is focused on the structure and its articulation to the pedestrian environment. The applicant's decision to utilize the existing structure and retain the existing driveway on W. Maxwell Street significantly limit the ability of the structure to reinforce the W. Maxwell Street streetscape (SP.1). This architectural interaction with the primary street is further limited, as only one of four entries to the proposed units is located on W. Maxwell Street (SP.2). The ability to meet the building orientation criteria is limited by the applicant's proposed access drive that serves the drop-off area. Eliminating this access drive that only serves the drop off area would serve to make the pedestrian experience along W. Maxwell Street safer, would afford the applicant the ability to provide additional building area to reinforce the roadway, and provide for additional density.

A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.

The applicant is proposing to reuse the existing auto repair building that has been present on the site since 1965, opining it is compatible scale with the other existing development along this portion of W. Maxwell Street. While the proposal matches the context of that time, it is out of context with the new growth in the area, and does not meet the calls for intensification along major corridors found in the Comprehensive Plan. The approved Request For Proposal (RFP) for the redevelopment of the large Lexington Center parking lot across the street from the property details 4-5 story mixed-use development, with an integrated parking structure. The adjoining parcel to the west at 424 W. Maxwell Street is beginning construction of three-story townhomes. The applicant's proposal is less dense and intense than both adjoining projects, and is out of



place in a downtown context.

A-DN1-2: High Density Residential development should be located on corridors and downtown.

The applicant's proposal for low density development is not appropriate for properties located in the downtown area, nor for a property located in close proximity to two major corridors.

2. Transportation and Pedestrian

A-EQ3-2: Development on corridors should be transit oriented (dense and intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities)

As proposed, the development does not meet the density or intensity called for along a corridor, and over 1/4 of the site is devoted to vehicular use areas for single-occupancy vehicles.

3. Greenspace and Environmental Health

The applicant is generally meeting the requirements for Greenspace and Environmental Health, as the request reduces the amount of impervious surface on-site, and increases the overall tree canopy. The applicant does need to make modifications to the right-of-way of W. Maxwell Street to meet the downtown streetscape requirements.

STAFF RECOMMENDS: **POSTPONEMENT**, FOR THE FOLLOWING REASONS:



1. The applicant should provide further justification for the appropriateness of the Low-Density Residential Development Type within the proposed Downtown Place-Type.
2. The applicant should address the following Goals and Objectives of the Comprehensive Plan:
 - a. Accommodate demand for housing in Lexington responsibly, prioritizing higher-density and a mixture of housing types (Theme A, Objective #1.b).
 - b. Respect the context and design features of the areas surrounding development projects and develop design standards that ensure compatibility with the existing urban form (Theme A, Objective #2.b).
 - c. Implement the Complete Streets policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit, and other vehicles (Theme D, Objective #1.a).
3. The applicant should provide information on how the request is in agreement with the Policies of the Comprehensive Plan.
4. The zone change application for the subject properties, as proposed, does not completely address the development criteria for a zone change within the Downtown Place Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
 - c. A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - d. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.
 - e. D-CO2-2: Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.
 - f. A-EQ3-2: Development on corridors should be transit oriented (dense and intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities).