

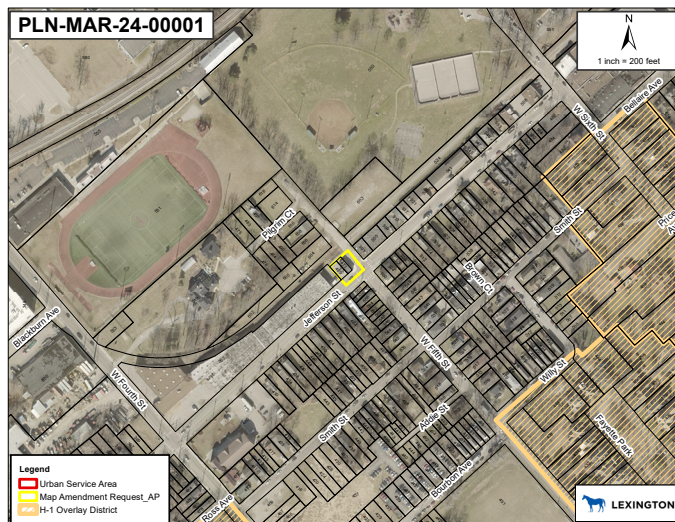
STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00001: PIZZA PIOS, LLC

DESCRIPTION OF ZONE CHANGE

Zone Change	From an Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone
Acreage:	0.0573 net (0.1265 gross) acres
Location:	469 & 471 Jefferson Street

EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	I-1	Coffee Shop
To North	I-1	Parking Lot/Coolivan Park
To East	R-3/ R-4	Residential
To South	I-1/R-3	Warehouse/ Residential
To West	I-1	Vacant



URBAN SERVICE REPORT

Roads - The subject properties are located at the western intersection of Jefferson Street, a two lane collector roadway, and W. Fifth Street, a two lane local road.

Curb/Gutter/Sidewalks - Jefferson Street has curb, gutter, and sidewalk facilities. The portion of W. Fifth Street east of the subject properties has curb, gutter, and sidewalk facilities; however, these facilities are not present where the roadway terminates to the west of the site. The subject properties also adjoin the Legacy Trail to the north, across W. Fifth Street.

Storm Sewers - The subject properties are located in the Town Branch watershed. No known flooding problems exist within the immediate vicinity of the subject site. Stormwater detention may not be required for this redevelopment site; however, water quality will need to be addressed by the developer in accordance with the Engineering Stormwater Manuals.

Sanitary Sewers - The subject properties are located within the Town Branch sewershed, and are served by the Town Branch Wastewater Treatment Facility on Lisle Industrial Avenue.

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

Refuse - The Urban County Government serves this area with refuse collection on Thursdays. The petitioner may also choose to supplement this service with a private refuse hauler.

Police - The nearest police station is the Main Headquarters located on East Main Street, about ¾ mile to the southwest of the subject properties.

Fire/Ambulance - The nearest fire station (#4) is only about two blocks to the southwest of the subject properties, located on Jefferson Street between W. Second and W. Third Streets.

Transit - The nearest transit stop is located at the intersection of 4th Street and Jefferson Street, approximately 750 feet south of the subject properties (Route #4).

Parks - The closest park to the subject property is Coolilvan Park, which is located approximately 150 feet north of the subject properties.

SUMMARY OF REQUEST

The applicant is seeking a zone change from the Light Industrial (I-1) zone to the Neighborhood Business (B-1) zone in order to utilize an existing structure for a restaurant use.

PLACE-TYPE

ENHANCED NEIGHBORHOOD
The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. Development should be context sensitive to surrounding areas and should add to the sense of place. Incorporating multi-modal connections is crucial to neighborhood success and viability.

DEVELOPMENT TYPE

LOW DENSITY NON-RESIDENTIAL/ MIXED USE
Primary Land Use, Building Form, & Design
Primarily neighborhood-serving commercial uses, services, places of employment, and/ or a mix of uses within low to mid-rise structures appropriately scaled to the surrounding neighborhood. Mixed-use structures can include a mix of residential, commercial, services, and/or employment uses, and an activated and pedestrian-scale ground level should be provided. Developments with a residential component are generally non-residential on the ground floor with units above, providing opportunities for live/work arrangements.
Transit Infrastructure & Connectivity
Bicycle and pedestrian connections to adjoining neighborhoods, and buildings oriented towards the street are required to ensure the non-residential enhances nearby neighborhoods by creating a truly walkable environment.
Parking
Parking should be minimized, and where necessary, located internally.

PROPOSED ZONING



The intent of this zone is to accommodate neighborhood shopping facilities to serve the needs of the surrounding residential area. This zone should be located in areas of the community where services and facilities are/will be adequate to serve the anticipated population. This zone should be oriented to support and enhance a residential neighborhood. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

PROPOSED USE



The applicant is seeking to utilize the existing 800 square-foot structure at 471 Jefferson Street for a restaurant use. The applicant is proposing to remove existing on-site parking areas on 469 Jefferson Street for use as outdoor seating and patio space, and are proposing to provide additional landscape perimeter plantings.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant indicated that they provided information about the project to the adjoining neighborhood associations, but did not indicate that they had conducted any further outreach with the surrounding area.

PROPERTY & ZONING HISTORY



The subject properties have been zoned Light Industrial (I-1) since before the comprehensive rezoning of Fayette County in 1969. Initially, the property at 469 Jefferson Street contained a single-family residence, and the property at 471 Jefferson Street was used as a liquor store. The residence at 469 Jefferson Street was demolished in 1969, and was later developed into a parking area for the adjoining property. In 2007, the properties received a conditional use permit in order to operate a place of religious assembly (C-2007-50). Most recently, the properties were used for a coffee shop use.

COMPREHENSIVE PLAN COMPLIANCE



GOALS AND OBJECTIVES

The 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 indicates that the proposed rezoning and the associated development are in agreement with the adopted Goals and Objectives of the 2045 Imagine Lexington Comprehensive Plan. They opine that the request will provide for a neighborhood scale use that will encourage social interaction and provide a neighborhood focal point. (Theme A, Goal #3.b; Theme A, Goal #3.d). They state that incorporation of outdoor patio space creates a more activated and engaging site for pedestrians (Theme D, Goal #2.a). While not stated by the applicant, staff finds that the request improves safety by removing on-site vehicular use area and emphasizing their multi-modal connections (Theme D, Goal#1.d).

POLICIES

The letter of justification provided by the applicant did not identify any specific policies of the Comprehensive Plan being met with the request; however, staff has identified several that would be achieved under the proposed rezoning. By shifting from an industrial zone to a neighborhood business zone, the request provides for development that is more sensitive to the surrounding residential context (Theme A, Design Policy #4). The request creates additional opportunities for neighborhood level commercial development to improve access to walkable dining options (Theme A, Design Policy #12; Theme A, Density Policy #3). By removing the on-site parking, the request promotes multi-modal transportation and reduces the amount of impervious surface on-site (Theme B, Sustainability Policy #4).



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 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 Enhanced Neighborhood Place-Type, and is seeking to utilize the property as Low Density Non-Residential / Mixed-Use Development Type. While the property does adjoin a industrial warehouse use, it also immediately adjoins a significant number of residential uses across Jefferson Street. As such, staff finds the applicant's proposed place type to be appropriate. Within the Enhanced Neighborhood Place-Type, the Low Density Non-Residential/ Mixed-Use Development Type is a recommended Development Type. The applicant is reusing the single story, 800 square-foot building, which is in line with the Low Density Non-Residential/ Mixed-Use Development Type. The applicant's proposed Neighborhood Business (B-1) zone is a recommended zone for the chosen Place-Type and Development Type. Staff concurs with the applicant's assessment of the Place-Type, Development Type, and zone.

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 2045 Comprehensive Plan. The criteria for development represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed Place-Type and Development Type.

1. Land Use

Staff finds that the request meets the criteria for Land Use, as the request provides for low intensity neighborhood scale commercial activity that is well connected to the surrounding residential areas (E-GR9-2). The proposed restaurant use will be a community oriented place and service. In addition, the re-use is a pedestrian oriented commercial opportunity near several neighborhoods (A-DN3-1; E-ST8-2)

2. Transportation Connectivity, and Walkability

Staff finds that the request meets the criteria for Transportation Connectivity, and Walkability as it retains the existing sidewalk network that serves the site (A-DS4-1), provides for access to the Legacy Trail network, creates a walkable street edge(A-DS5-2), and provides for a pedestrian connection to the transit stop at 4th Street (A-DS1-2).

3. Environmental Sustainability and Resiliency

The proposal meets the requirements for Environmental Sustainability and Resiliency, as the rezoning reduces the current amount of impervious surface and vehicular use area on site (B-SU4-1), and works to increase the tree canopy (B-REI-1).

4. Site Design

Staff finds that the request meets the criteria for Site Design, as the request activates the road frontage by providing outdoor patio areas (A-DS5-4), avoids overparking (C-PS10-2), retains the existing public art mural on the structure(D-PL10-1), and provides connections to the surrounding residential uses (C-LI8-1).

5. Building Form

Staff finds that the request meets the criteria for Building Form by adaptively re-utilizing the existing structure into a more compatible neighborhood-oriented use (E-GR4-1), and creating a pedestrian friendly atmosphere through the inclusion of the outdoor patio space (A-DS5-3).

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed use will provide for a neighborhood scale use that will encourage social interaction and provide a neighborhood focal point. (Theme A, Goal #3.b; Theme A, Goal #3.d).
 - b. The incorporation of outdoor patio space creates a more activated and engaging site for pedestrians (Theme D, Goal #2.a).
 - c. The request improves safety by removing on-site vehicular use area and emphasizing their multi-modal connections (Theme D, Goal#1.d).
2. The requested Neighborhood Business (B-1) is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal adaptively reuses an existing structure to provide a use that is more appropriate for the surrounding residential context (Theme A, Design Policy #4).
 - b. At the proposed scale, the development provides an accessible, neighborhood level commercial area (Theme A, Design Policy #12).
 - c. The request introduces a neighborhood restaurant use into an area that lacks walkable dining options (Theme A, Density Policy #3).
 - d. The request reduces the amount of impervious surface on-site, and eliminates on-site vehicular use areas (Theme B, Sustainability Policy #4).
3. The request is in agreement with the Development Criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use as the request provides for low intensity neighborhood scale commercial activity that is well connected to the surrounding residential areas (E-GR9-2). The proposed restaurant use will be a community oriented place and service. In addition, the re-use is a pedestrian oriented commercial opportunity near several neighborhoods (A-DN3-1; E-ST8-2)
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability, s it retains the existing sidewalk network that serves the site (A-DS4-1), provides for access to the Legacy Trail network, creates a walkable street edge(A-DS5-2), and provides for a pedestrian connection to the transit stop at 4th Street (A-DS1-2).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency as the rezoning reduces the current amount of impervious surface and vehicular use area on site (B-SU4-1), and works to increase the tree canopy (B-REI-1).
 - d. The proposal meets the criteria for Site Design, s the request activates the road frontage by providing outdoor patio areas (A-DS5-4), avoids overparking (C-PS10-2), retains the existing public art mural on the structure(D-PL10-1), and provides connections to the surrounding residential uses (C-LI8-1).
 - e. The proposal meets the criteria for Building Form by adaptively re-utilizing the existing structure into a more compatible neighborhood-oriented use (E-GR4-1), and creating a pedestrian friendly atmosphere through the inclusion of the outdoor patio space (A-DS5-3).
5. This recommendation is made subject to approval and certification of [PLN-MJDP-23-00082 Warfield Bell Subdivision \(For Fox Sake Property\)](#), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.