

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2013-20: ANDERSON CAMPUS RENTAL PROPERTIES, LLC

DESCRIPTION

Zone Change: From a Single Family Residential (R-1D) zone
To a High Density Apartment (R-4) zone

Acreage: 1.206 net (1.542 gross) acres

Location: 164 – 200 Simpson Avenue (even only); 1103 – 1111 Fern Avenue (odd only); and
1106 & 1108 Stillwell Avenue

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Properties	R-1D	Single Family Residences and Vacant
To North	R-4	Multi-Family Residential
To East	R-1D	Single Family Residential
To South	R-1D	Single Family Residential
To West	R-1D	Single Family Residential

URBAN SERVICES REPORT

Roads – Simpson, Stillwell and Fern Avenues are all local streets in a neighborhood that is located behind the arterial roadways of South Broadway (US 68) and Virginia Avenue. Simpson Avenue intersects South Broadway to the northwest of the subject property, and terminates near the Norfolk-Southern railroad tracks near its intersection with Prospect Avenue. Stillwell and Fern Avenues are sub-standard local streets, built many decades ago, that are perpendicular to Simpson Avenue and border the property to the east and west.

Curb/Gutter/Sidewalks – Along the subject property’s frontage, Simpson, Stillwell and Fern Avenues have no urban improvements. Other local streets in the vicinity are also lacking improvement due to the age of the subdivision. The north side of Simpson Avenue does have urban improvements, which were constructed with the development of several multi-family apartment and condominium projects. Curbing, gutters and sidewalks are typically required for existing public streets when redevelopment or new residential infill development occurs. This would also be appropriate at this location.

Storm Sewers – The subject property is located within the Wolf Run watershed. Currently, a regional detention basin exists on the University Village property, just to the southeast of the subject property, which drains significant areas on the east side of the railroad, including a portion of the University of Kentucky. The subject property is downstream of this facility; thus, additional stormwater management should occur on the subject site. Any improvements will be required to adequately contain storm water impacts created by the proposed redevelopment. The subject property has no known recent flooding problems.

Sanitary Sewers – The subject property is located in the Wolf Run sewershed and is served by the Town Branch Sewage Treatment Facility, located on Old Frankfort Pike, east of New Circle Road. The existing sanitary sewer lines in the area may need to be moved, replaced or repaired to ensure adequate sanitary sewer capacity for the proposed redevelopment project on the subject property.

Refuse – The Urban County Government serves this residential area with refuse collection on Mondays. Dumpsters are anticipated to be provided for this new development.

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 – The closest fire station (#11) is located less than one 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 area and could be either reconfigured or improved to serve the additional residential units proposed on the subject property.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 4) recommends Medium Density Residential (MD) future land use for the 17 parcels that comprise the property. The applicant proposes redeveloping the subject property with two apartment buildings for a total of 39 dwelling units, with 51 bedrooms, and associated off-street parking.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone for 1.2 acres of property along the south side of Simpson Avenue, the east side of Stillwell Avenue and the west side of Fern Avenue.

The subject property is generally bounded by Simpson, Stillwell and Fern Avenues and comprises about two-thirds of the block. The site is located within the Lynn Grove Addition subdivision, near the University Village apartments and Campus Downs Condominiums (along Export Street). Simpson Avenue runs southeast from South Broadway, and terminates near the Norfolk-Southern Railroad at its intersection with Prospect Avenue. Stillwell and Fern Avenues are two of the many cross streets within the P.B. Devereux/Lynn Grove subdivisions that connect Simpson and Burley Avenues and allow for access through the neighborhood. The subject property has R-1D zoning along the east, west and south, while R-4 zoning exists across Simpson Avenue in this area.

The petitioner proposes R-4 zoning for the 17 parcels that comprise the subject property in order to redevelop the site with two apartment buildings, with off-street parking.

The 2007 Comprehensive Plan (Sector 4) recommends Medium Density Residential (MD) future land use for the property, defined as 5–10 dwelling units per net acre. The corollary development plan depicts one building oriented toward Simpson Avenue, with off-street parking to the rear, and a second, very small building oriented toward Fern Avenue at the southern corner of the site. Some 36 dwelling units with a mixture of one- and two-bedroom units in the building along Simpson Avenue are proposed, and three one-bedroom dwelling units are planned in the building along Fern Avenue. A residential density of 32.34 dwelling units per net acre (25.29 units per gross acre) would result, which is well above the density recommended by the Plan.

The petitioner is proposing residential redevelopment of the property in keeping with the residential recommendation of the land use plan, and is requesting an R-4 zone, similar to that which is in place for the condominiums and the University Village developments to the north. Additionally, a majority of the proposed density and building mass is located along Simpson Avenue, farther from existing single-family residences along Burley Avenue. The University Village property was rezoned in 1995 to allow greater density in the immediate area, and Simpson Avenue has served as a logical boundary for the much higher density land use since that time.

In 2012, properties along Burley Avenue were rezoned to permit higher density development of townhomes, which extended the high density residential land use into the existing single-family neighborhood. Also in 2012, a second zone change for properties between the Burley Avenue townhouse development and the University Village apartments was approved to expand the apartments to the south and to close Prospect Avenue and a portion of Simpson Avenue. These recent zoning decisions by the Planning Commission and Urban County Council constitute a major change to this area of a physical and economic nature, which was not anticipated by the 2007 Comprehensive Plan, thus justifying this zone change request for the subject property.

The Staff Recommends: Approval, for the following reason:

1. The requested High Density Apartment (R-4) zoning for the subject property is not in agreement with the 2007 Comprehensive Plan's recommendation for Medium Density Residential land use, defined as 5–10 dwelling units per net acre. However, two recent zone change requests (in 2012 and 2013) have been granted in the immediate area that have resulted in a major change of a physical and economic nature, altering the basic character of the area. These two zone changes were not anticipated by the 2007 Comprehensive Plan. The rezoning of nearby properties to the R-1T and R-4 zones has increased the permitted density of land use in this area over that recommended by the Plan.
2. This recommendation is made subject to approval and certification of ZDP 2013-103: Lynn Grove Addition prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.