

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-0011: NORTH LEXINGTON HOLDINGS II, LLC

DESCRIPTION

Zone Change: From a Single Family Residential (R-1C) Zone
To a Planned Neighborhood Residential (R-3) Zone

Acreage: 0.49 net (0.75 gross) acre

Location: 912, 914, 916 and 918 North Limestone

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Properties	R-1C	Multi-Family Residential (non-conforming)
To North	MU-2 & R-1C	Mixed-Use & Single Family Residential
To East	R-1C	Arlington Elementary School
To South	R-1C	Single Family Residential
To West	R-1C	Single Family Residential

URBAN SERVICES REPORT

Roads – North Limestone is a two-lane minor arterial roadway along the frontage of the subject properties. The properties comprise the frontage of the entire block along North Limestone between Avon Avenue and Burnett Avenue, both of which are local streets. Vehicular access to the subject site is proposed to be one-way, entering from Avon Avenue and existing to Burnett Avenue. Roadway improvements should be considered along all three frontages to ensure the development has adequate infrastructure.

Curb/Gutter/Sidewalks – Curb, gutter and sidewalks exist along the North Limestone, Avon Avenue, and Burnett Avenue frontages of the subject properties. To facilitate and encourage pedestrian movement along North Limestone, sidewalk widths may need to be increased in order to meet ADA requirements, along with providing curb ramps at intersections.

Storm Sewers – The subject properties are located within the Cane Run watershed. There are no FEMA Special Flood Hazard Areas on the properties or in the immediate vicinity. Storm sewers exist in this portion of the Urban Service Area; however, the Central Sector Small Area Plan notes that surface drainage issues are prevalent in the immediate area. The applicant is seeking a stormwater grant from the City of Lexington in order to address the stormwater drainage quantity and quality issues via engineering measures and green infrastructure.

Sanitary Sewers – The subject properties are located within the Cane Run sewer shed, which is served by the Town Branch Wastewater Treatment Facility, located on Old Frankfort Pike, east of New Circle Road. According to the Capacity Assurance Program, limited capacity does exist within this area’s sewer bank. With no additional units being constructed, sanitary sewer capacity should not be an issue.

Refuse – The Urban County Government serves this area with refuse collection on Tuesdays. Supplemental service may be required to serve the needs of the duplexes and triplexes on site, which can be accomplished by contracting with private refuse haulers.

Police – The subject properties are located within the Central Sector and are served by the Central Sector Roll Call Center, located on Goodwin Drive near its intersection with Winchester Road, approximately 1½ miles to the southeast of the subject properties.

Fire/Ambulance – Fire Station #8 is located less than one mile to the northeast on North Broadway, between New Circle Road and Interstates 64/75.

Utilities – All utilities, including gas, electric, streetlights, water, phone, and cable TV are available in the area to serve the proposed redevelopment of the subject properties.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 Comprehensive Plan's mission statement is 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." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape.

The subject properties are located within Subarea D of the Central Sector Small Area Plan (CSSAP), adopted by the Planning Commission in April 2009. The CSSAP recommends improving the streetscape along North Limestone, retaining the unique character of North Limestone as a traditional neighborhood thoroughfare, and resolving stormwater drainage issues using sustainable Best Management Practices. These recommendations must support the CSSAP's four Guiding Principles: (1) Enhancing the urban fabric; (2) Promoting and preparing for redevelopment and investment; (3) Providing adequate and equitable housing; and (4) Preserving the cultural and historic heritage.

The applicant proposes to consolidate four lots into one lot, in order to allow a Group Residential project containing four existing structures, which are a mix of duplexes and triplexes. Ten dwelling units exist, with no new units proposed, for a residential density of 20.4 dwelling units per acre. A dimensional variance is requested in association with the proposed zone change, to reduce required off-street parking requirements.

CASE REVIEW

Rezoning Request:

The applicant has requested a zone change from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone for a half-acre site located at 912, 914, 916 and 918 North Limestone, within the defined Infill and Redevelopment Area.

The subject site is on the east side of North Limestone, between Avon Avenue and Burnett Avenue. It is comprised of four parcels that are planned to be consolidated into one lot in order to allow a Group Residential project with shared off-street parking, open space, and improved stormwater facilities. The existing two duplexes and two triplexes have already been remodeled and will remain, providing 10 multi-family units at a density of 20.4 dwelling units per acre. The properties are presently located within an R-1C zone, which only allows single-family residences; therefore, the multi-family uses are non-conforming. Rezoning the properties to the R-3 zone would bring them into conformance with the Zoning Ordinance.

Additionally, the zone change will allow the applicant to make significant stormwater management improvements to the site, which would not be feasible if the site were to remain as four separate residential lots. A unified approach to stormwater management is being sought through a grant that, if obtained, will help the applicant implement a sustainable stormwater management program, reducing drainage issues and flooding from the subject site.

Site Location:

The area along North Limestone in the vicinity of the subject property is characterized by a mix of residential and neighborhood commercial land uses, along with churches and an elementary school. The site is bordered to the south and west by single-family residences in the R-1C zone, which also exist across N. Limestone to the northwest of the subject properties. A Mixed-Use (MU-2) zone is also located across North Limestone to the northeast and it contains an existing church with a 4-story mixed-use

building, which is presently under construction, and a 3-story residential building, which is soon to break ground. Arlington Elementary School is located to the east of the subject properties.

Surrounding Area:

A commercial corridor book ends the immediate area both north and south along North Limestone, between Loudon Avenue and New Circle Road. The corridor is mostly zoned B-1, but B-3 and I-1 zones can be found closer to each end of the corridor. Small business establishments occupy both sides of the North Limestone corridor, including beauty salons, a lamp shop, general contractors, small home decorating businesses, a wine shop, offices, and other retail businesses. Bars, restaurants and a coffee shop can be found around the Loudon Avenue and North Limestone intersection. Single-family homes are interspersed along the corridor, making this a traditional mixed-use area.

Small Area Plan:

In April 2009, the Planning Commission adopted the Central Sector Small Area Plan (CSSAP) as an element of the Comprehensive Plan. The CSSAP allows the Planning Commission to better understand the needs and goals of the neighborhood bounded by Georgetown Road, Winchester Road, New Circle Road and Second Street.

The subject properties are located within Subarea D of the CSSAP. Within this area, North Limestone has been designated as a “neighborhood thoroughfare,” and is recommended for significant streetscape improvements including beautification and creating complete streets, while sustainably applying Best Management Practices to resolve stormwater issues. The CSSAP identifies four Guiding Principles: (1) Enhancing the urban fabric through street improvements and building façade upgrades; (2) Promoting and preparing sites for redevelopment and investment; (3) Providing adequate and equitable housing; and (4) Preserving the cultural and historic heritage of the area. The Planning Commission should consider the Guiding Principles, along with the Subarea D recommendations, when determining zone change recommendations in the CSSAP area.

Justification for the Rezoning:

The petitioner states in their justification that one of the neighborhood concerns listed in the CSSAP for Subarea D is the poor stormwater drainage facilities. Helping resolve stormwater drainage issues is the primary reason for this zone change request. The petitioner applied for grant funds to implement a stormwater management program for the subject site. During the review process, it was determined that the site was not eligible as it was comprised of four individual lots. In order to consolidate the lots, a zone change to the R-3 zone would have to be granted to allow the property to be considered as a Group Residential Project, which is regulated by Article 9 of the Zoning Ordinance.

The petitioner contends that the rezoning request is in agreement with the four Guiding Principles of the CSSAP. The remodeled duplexes and triplexes enhance the urban fabric through recent building facade upgrades and streetscape improvements, meeting Principle #1. The proposed streetscape improvements include removing the dilapidated driveway and its curb cut from North Limestone and replacing it with a pedestrian pathway into the development, along with additional items that will be discussed with the development plan. Principle #2, “promoting and preparing sites for redevelopment and investment,” will be met if the rezoning is approved and the stormwater grant is awarded, as these will both allow the applicant to invest in stormwater upgrades and complete the redevelopment of the site. The applicant would then be able to create a pervious parking lot with detention, which would eliminate a significant amount of impervious surface, greatly reducing the amount of stormwater run-off. Additional landscaping improvements are proposed throughout the property that would help capture and/or slow down roof run-off. Principle #3 has been met, because the remodeled duplexes and triplexes will provide adequate and equitable housing. The zone change request meets Principle #4, as the four existing structures have already been preserved and fully remodeled, maintaining the historic character of the area.

Additionally, the applicant contends that the proposed zoning change request from an R-1C zone to an R-3 zone is in agreement with the Goals and Objectives of the 2018 Comprehensive Plan, particularly the following: to expand housing choices (*Theme A, Goal #1*); to accommodate the demand for housing, prioritizing higher-density and a mixture of housing types, as they offer duplexes and triplexes on the subject site as an alternative to single-family homes (*Theme A, Goal #1b.*); to support infill and redevelopment by identifying opportunities for infill and redevelopment that respect the area's context and design features (*Theme A, Goal #2a*) while implementing innovative programs to facilitate sustainable development (*Theme A, Goal #2d*); to provide well-designed neighborhoods and communities, while expanding the opportunities for neighborhood character preservation (*Theme A, Goal #3a*); to incorporate green infrastructure principles into new plans (*Theme B, Goal #3c*); to support the Complete Streets concept, prioritizing a pedestrian-first design that accommodates the needs of bicycle, transit and other vehicles (*Theme D, Goal #1a*); and to uphold the Urban Services Area concept by ensuring that development is environmentally, economically, and socially sustainable (*Theme E, Goal #1b*).

The staff agrees with the applicant's justification of the applicability of the 2018 Comprehensive Plan Goals and Objectives, along with the proposed rezoning's adherence to the CSSAP's Guiding Principles and recommendations.

The staff also considers the requested R-3 zone to be appropriate and the existing R-1C zone inappropriate, as the present multi-family uses are non-conforming within a single family zone.

The Staff Recommends: Approval, for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in substantial agreement with the 2018 Comprehensive Plan, for the following reasons:
 - a. The 2018 Comprehensive Plan encourages expanding housing choices (*Theme A, Goal #1*); accommodating the demand for housing, prioritizing higher-density and a mixture of housing types (*Theme A, Goal #1b.*); supporting infill and redevelopment opportunities (*Theme A, Goal #2a*); providing well-designed neighborhoods and communities, while expanding the opportunities for neighborhood character preservation (*Theme A, Goal #3a*). The proposed rezoning will allow this infill site to continue to be redeveloped. The subject site offers remodeled duplexes and triplexes as an alternative to single-family homes, while respecting the context, design, and character of the neighborhood.
 - b. The 2018 Comprehensive Plan encourages implementing innovative programs to facilitate sustainable development (*Theme A, Goal #2d*); promotes incorporating green infrastructure principles into new plans (*Theme B, Goal #3c*); supports the Complete Streets concept, which prioritizes a pedestrian-first design that accommodates the needs of bicycle, transit and other modes of transportation (*Theme D, Goal #1a*); and recommends upholding the Urban Services Area concept (*Theme E, Goal #1b*). The proposed rezoning and redevelopment project will use grant funds to implement sustainable stormwater facilities (green infrastructure) on the subject property, reducing flooding and stormwater run-off issues. The Complete Streets concept will be implemented by removing a curb cut and driveway, then replacing it with a pedestrian pathway into the development, and by providing bicycle parking areas adjacent to the vehicle parking lot.
2. The requested Planned Neighborhood Residential (R-3) zone is in substantial agreement with the Central Sector Small Area Plan (CSSAP), an adopted element of the 2013 Comprehensive Plan, for the following reasons:
 - a. The subject property is located within Sub-Area D of the CSSAP, and North Limestone has been targeted for building façade upgrades, which have already occurred on the subject properties, and streetscape improvements using sustainable solutions for drainage and flooding issues, which are proposed on the site (pg. 68 Recommendations).
 - b. The recent building façade upgrades and proposed streetscape upgrades will enhance the urban fabric (Principle #1).

- c. The proposed investment in stormwater improvements will assist in the redevelopment of the site (Principle #2).
 - d. The four existing structures have already been preserved and fully remodeled, which will provide adequate and equitable housing (Principle #3), while maintaining the historic character of the area (Principle #4).
3. The requested Planned Neighborhood Residential (R-3) zone is appropriate for the subject properties and the existing Single Family Residential (R-1C) zone is not appropriate for the subject properties, because rezoning the properties to an R-3 zone would bring the multi-family non-conforming uses into conformance with the Zoning Ordinance.
 4. This recommendation is made subject to the approval and certification of PLN-MJDP-18-00048: AVON SUBDIVISION, BLK B, LOTS 1, 2, 44, & 45 (NORTH LEXINGTON HOLDINGS), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

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6/6/2018
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