

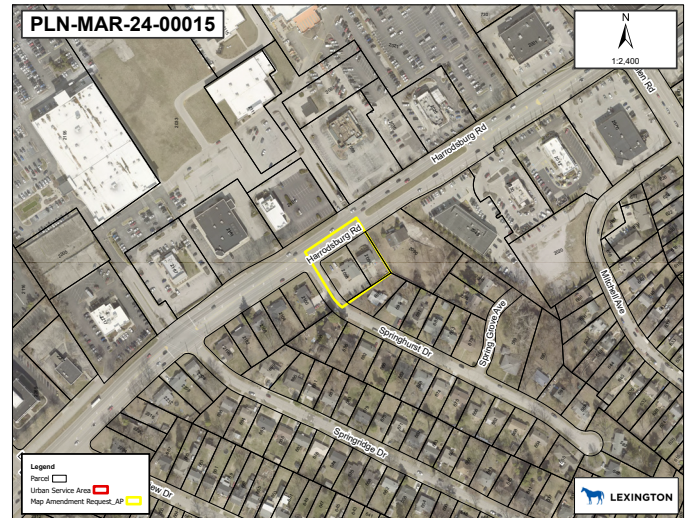
STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00015: BROOKE PROPERTIES, LLC

DESCRIPTION OF ZONE CHANGE

Zone: From Planned Neighborhood Residential (R-3) zone
Change: To Neighborhood Business (B-1) zone
Acreage: 0.602 net (0.913 gross) acres
Location: 2094 & 2098 Harrodsburg Road

EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Properties	R-3	Daycare
To North	B-6P	Commercial
To East	R-1C	Residential
To South	R-1C	Residential
To West	R-1C	Residential



URBAN SERVICE REPORT

Roads - The subject properties are located at the intersection of Harrodsburg Road (US 68) and Springhurst Drive. Harrodsburg Road is a major arterial roadway that features five lanes and a divided median within the vicinity of the subject property. Springhurst Drive is a two-lane local road that provides access to the site and Springhurst neighborhood.

Curb/Gutter/Sidewalks - This portion of Springhurst Drive and Harrodsburg Road feature curb, gutter, and sidewalk facilities.

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

Storm Sewers - The subject properties are located within the Wolf Run Watershed. There are no FEMA Special Flood Hazard Areas within the immediate vicinity; however, there are known stormwater issues on adjoining residential lots.

Sanitary Sewers - The subject properties are located within the Wolf Run Sewershed and will be serviced by the Town Branch Wastewater Treatment Plant which is located on Lisle Industrial Road. Prior to any construction on the site, the Division of the Water Quality's Capacity Assurance Program will evaluate the available capacity of the system.

Refuse - The Urban County Government serves this area with refuse collection on Mondays. However, supplemental service by private refuse haulers may be proposed by the applicant.

Police - The closest police station to the subject properties is the West Sector roll call center, located on Old Frankfort Pike, approximately 2.5 miles north of the subject properties.

Fire/Ambulance - Fire Station #11 is located approximately 1/2 of a mile northeast of the subject properties, on Harrodsburg Road.

Transit - LexTran Route #13 has both inbound and outbound service approximately 600 feet northeast of the site, on Harrodsburg Road.

Parks - Southland Park is located approximately 1/2 mile south of the subject properties.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject properties from a Planned Neighborhood Residential (R-3) zone to the Neighborhood Business (B-1) zone to allow for neighborhood business uses within the existing buildings.

PLACE-TYPE

CORRIDOR The Corridor Place-Type is Lexington's major roadways focused on commerce and transportation. The overriding emphasis of Imagine Lexington is significantly overhauling the intensity of the major corridors. The future of Lexington's corridors lies in accommodating the shifting retail economic model by incorporating high density residential and offering substantial flexibility to available land uses.

DEVELOPMENT TYPE

LOW DENSITY NON-RESIDENTIAL / MIXED USE

Primary Land Use, Building Form, & Design
Primarily neighborhood serving commercial uses, services, or 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.

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

B-1

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 petitioner proposes the rezoning of the subject properties to the Neighborhood Business (B-1) zone to allow for neighborhood business uses at this location. The applicant is currently proposing to utilize the property at 2098 Harrodsburg Road as an insurance office, while the property at 2094 Harrodsburg Road will remain a daycare use. The properties will utilize the existing access points on Springhurst Drive to access the site, and will utilize the existing parking areas under a shared parking agreement.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant met with members of the neighborhood in a virtual meeting on 8/28/2024 to discuss the proposal. The applicant also indicated that they would follow up with individual in-person meetings with neighborhood representatives.

PROPERTY & ZONING HISTORY



The subject property was originally zoned Single Family Residential (R-1C) at the time of the 1969 comprehensive rezoning of the City and County. According to PVA records, the subject properties consist of two residential structures that were built in the 1950s and later received a conditional use permit to allow the residences to be converted into daycare uses in 1981 (C-81-32). In 2006, the subject properties were rezoned to the Planned Neighborhood Residential (R-3) zone (MAR-2006-01). The rezoning at this time established several conditional zoning restrictions, which included limiting the residential uses to single-family units only, restricting the available non-residential conditional uses allowed on site, restricting signage, lighting and outdoor speaker restrictions, and height restrictions.

A zone change request to the Neighborhood Business (B-1) zone was requested in 2016 for the properties at 2094, 2098, 2100, and 2104 Harrodsburg Road in order to establish a commercial development (MAR-2016-10: ATLAS 1, LLC). The request was ultimately withdrawn by that respective applicant after a Staff recommendation of disapproval due to its emphasis on vehicular-oriented uses and potential impact on the adjoining residential neighborhood.

COMPREHENSIVE PLAN COMPLIANCE



The 2045 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.

GOALS, OBJECTIVES & POLICIES

The applicant opines that they are in agreement with the adopted Goals, Objectives, and Policies of the 2045 Comprehensive Plan. The applicant has identified the properties as an opportunity for reuse and future redevelopment (Theme A, Goal#2.a). The subject property is currently underutilized relative to its context along a major corridor; however, the applicant is not proposing to redevelop the site at this time. A Neighborhood Business (B-1) zone gives the subject properties the ability to intensify in the future in a manner that is still compatible with the neighborhood context along Springhurst Drive (Theme A, Goal #2.b). The applicant further states that the request will result in a well-designed neighborhood, that provides for safe connections to the adjoining residential areas (Theme A, Goal #3.b). While this objective was not identified by the applicant, staff finds that the request would enhance the area with neighborhood-serving businesses (Theme A, Goal #3.b).

While the applicant did not refer to any specific Comprehensive Plan policies within their letter of justification, staff have identified several that are being met with this request. Staff finds that the proposal provides an opportunity for redevelopment in the future that could increase utilization of the site without making the site incompatible with the adjoining single-family residential uses (Theme A, Design Policy #4). The request will expand opportunities for neighborhood-serving businesses (Theme A, Design Policy #12), and will be walkable from the adjoining neighborhood and is pedestrian-friendly (Theme A, Design Policy #5).

Staff finds that overall, the proposal is in agreement with the Goals, Objectives, and Policies of the 2045 Comprehensive Plan.

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 property. 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 2045 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 Corridor Place-Type and is seeking to reuse the



properties to allow for a Low Density Non-Residential / Mixed-Use Development Type. The Corridor Place-Type refers to Lexington's major roadways, and is focused on commerce and transportation. The overriding emphasis of Imagine Lexington is to significantly overhaul the intensity of the major corridors and offer substantial flexibility to available land uses. The proposed development has frontage along Harrodsburg Road, which is an identified Corridor within the Comprehensive Plan. Staff agrees with the applicant's proposed Place-Type; however, the development of the site will need to be balanced against the adjoining single-family residential uses.

The applicant's proposed single-story commercial development would best be characterized as Low Density Non-Residential/ Mixed Use Development Type. The Comprehensive Plan does not recommend low-density non-residential/ mixed-use development within the Corridor Place-Type, as the plan generally seeks to intensify these roadways. In their letter of justification, the applicant states that while they are not proposing an intensification of the site currently, the proposed B-1 zone would allow for greater utilization of the property with future redevelopment. Within the Corridor Place-Type, the Neighborhood Business (B-1) zone is recommended. Staff agrees that the applicant's choice in Place-Type, Development Type, and zone could be appropriate at this location.

DEVELOPMENT CRITERIA

The development 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 development criteria represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment.

The following criteria should be further described by the applicant to demonstrate how they are in agreement with the Comprehensive Plan.

1. LAND USE

While the request meets several criteria relating to Land Use, one criteria warranted further discussion:

D-CO3-1: Development should increase density and intensity adjacent to transit.

Within a corridor context, development should generally seek to increase density and intensify land uses in order to help support the effectiveness of transit operations. At this time, the applicant is not proposing any significant redevelopment of the site. While this proposal maintains the existing low-density commercial pattern that the site has historically operated with, the proposed B-1 zone would allow for future redevelopment of the site that could meet the medium density development that is called for within a Corridor Place-Type. Any intensification of the site must also consider the impact on adjoining single-family residential uses, as well as the impact on Springhurst Drive, a local residential roadway that serves as the sole access for the Springhurst neighborhood.

Overall, staff finds the request meets the criteria for Land Use, as the request allows for neighborhood scale commercial uses and services (A-DS12-1; E-ST8-2), provides connections to nearby transit stops (A-DS1-2), and allows for increased intensity and density with any future redevelopment of the site (D-CO3-1).

2. TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

While the request meets several criteria relating to Transportation, Connectivity, and Walkability, two criteria warranted further discussion:

A-EQ5-2: Development should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities).

While the development is located in close proximity to a transit stop, it is proposing to maintain a low-density and intensity of use. The applicant states that the proposed B-1 zoning will allow for future intensification of the property.

A-DS13-1: Stub streets should be connected.



The adjoining parcel at 2090 Harrodsburg Road that was the subject of a recent zone change (MAR-24-00010: BEVERLY A. CHEWNING) included a continuation of a service road that serves the existing commercial development to the northeast. This service road was stubbed into the subject properties; however, the development plan submitted by the applicant does not show any connection or utilization of the shared service drive. A connection at this location would alleviate the need for direct access to Harrodsburg Road for the parcel at 2094 Harrodsburg Road, and would improve safety and circulation in the area, this is especially important given the applicants statements about future intensification of the use of the property.

Overall the request meets the majority of the Transportation, Connectivity, and Walkability criteria as it provides pedestrian connections to nearby transit stops (A-DS1-2), utilizes shared parking arrangements (C-PS10-1), and is connected to the adjoining residential neighborhood (A-DS4-1).

3. ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

Staff finds that the request meets the requirements for Environmental Sustainability and Resiliency, as the proposal does not impact any environmentally sensitive areas (B-PR2-1), and maintains existing trees and tree canopy (B-PR7-1).

4. SITE DESIGN

Staff finds that the request meets the requirements for Site Design, as the proposal locates parking to the rear of the site (A-DS7-1), avoids overparking (C-PS10-2), and provides for connected neighborhood-scale commercial development (C-LI8-1).

5. BUILDING FORM

While the request meets several criteria relating to Building Form, one criteria warranted further discussion:

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

The applicant's proposal features single-story commercial development, which is a continuation of existing development patterns rather than a shift towards the denser, more efficient land use called for within the Comprehensive Plan. If redeveloped in the future, the proposed zone would allow for medium density development that is recommended along the corridors.

Overall, staff finds that the request meets the criteria relating to Building Form, as the development's scale remains compatible with the adjoining single-family residential development to the rear (A-DN-2-2), reuses existing buildings (E-GR4-1), and would allow for future redevelopment that could intensify the site while allowing for a compatible transition to the neighborhood (A-EQ5-1).

CONDITIONAL ZONING RESTRICTIONS

In an effort to protect the adjoining neighborhood, staff recommends that the following conditional zoning restriction.

1. Outdoor loudspeakers shall be prohibited.

This condition is appropriate and necessary in order to protect the single-family residential uses within the Springhurst neighborhood.

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 proposal identifies the properties as an opportunity for reuse and future redevelopment (Theme A, Goal #2.a).
 - b. The proposal will give the subject properties the ability to intensify in the future in a manner that is still compatible with the neighborhood context along Springhurst Drive (Theme A, Goal #2.b).
 - c. The request will result in a well-designed neighborhood, that provides for safe connections to the adjoining residential areas.(Theme A, Goal #3.b).
 - d. The request would enhance the area with neighborhood-serving businesses (Theme A, Goal #3.b).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal provides an opportunity for redevelopment in the future that could increase utilization of the site without making the site incompatible with the adjoining single-family residential uses (Theme A, Design Policy #4).
 - b. The request will expand opportunities for neighborhood-serving businesses (Theme A, Design Policy #12)
 - c. Then request will be walkable from the adjoining neighborhood, and is pedestrian-friendly (Theme A, Design Policy #5).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request would allow for neighborhood scale commercial uses and services (A-DS12-1; E-ST8-2), provides connections to nearby transit stops A-DS1-2), and would allow for increased intensity and density with any future redevelopment of the site (D-CO3-1).
 - b. The proposed rezoning meets the majority of criteria for Transportation, Connectivity, and Walkability, as it provides pedestrian connections to nearby transit stops (A-DS1-2), utilizes shared parking arrangements (C-PS10-1), and is connected to the adjoining residential neighborhood (A-DS4-1).
 - c. The proposed rezoning addresses the Environmental Sustainability and Resiliency development criteria, as the proposal does not impact any environmentally sensitive areas (B-PR2-1), and maintains existing trees and tree canopy (B-PR7-1).
 - d. The proposal addresses the criteria for Site Design as it locates parking to the rear of the site (A-DS7-1), avoids overparking (C-PS10-2), and provides for connected neighborhood scale commercial development (C-LI8-1).
 - e. The proposed rezoning meets the criteria for Building Form, as the development's scale remains compatible with the adjoining single-family residential development to the rear (A-DN-2-2), reuses existing buildings (E-GR4-1), and would allow for future redevelopment that could intensify the site while allowing for a compatible transition to the neighborhood (A-EQ5-1).
4. Under the provisions of Article 6-7, the following restriction is recommended via conditional zoning:
 - a. Outdoor loudspeakers shall be prohibited.

These conditions are appropriate and necessary in order to protect the single-family residential uses within the Springhurst neighborhood.
5. This recommendation is made subject to approval and certification of PLN-MJDP-24 00065 Springhurst Subdivision, Unit 2 (Brook Properties, LLC) (AMD) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

DAC/TLW
9/4/2024

Planning Services/Staff Reports/MAR/2024/PLN-MAR-24-00015: BROOKE PROPERTIES, LLC