

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MARV 2016-16: DENNIS R. ANDERSON

DESCRIPTION

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

Acreage: 0.34 net (0.40 gross) acres

Location: 151 Pasadena Drive

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-1C	Vacant
To North	B-6P	Shopping Center
To East	R-1C	Vacant and Accessory Parking Lot
To South	R-1C & P-1	Single Family Residence and Offices
To West	B-1	Shopping Center

URBAN SERVICES REPORT

Roads – The subject property fronts along Pasadena Drive, a major collector roadway that connects Harrodsburg Road (US 68) to Nicholasville Road (US 27). The property is situated about 500 feet to the west of the signalized intersection of Pasadena Drive, Nicholasville Road and Malabu Drive (also a collector street). Nicholasville Road is a major arterial road, consisting of 7 reversible lanes, which change to accommodate both morning and evening rush hour traffic. Pasadena Drive has been developed with a mix of commercial and residential land uses along its length. Access into the site is proposed from Pasadena Drive, although a connection to the adjoining shopping center should be considered.

Curb/Gutter/Sidewalks – Curbs, gutters, and sidewalks exist along Pasadena Drive.

Storm Sewers – The subject property is located within the upper reaches of the Wolf Run watershed. Stormwater improvements do not exist on the property, although the existing storm sewer in the right-of-way may accommodate the proposed development, since the property is less than one acre in size. The Division of Engineering will review the subject property to ensure compliance with the Engineering Manuals during the redevelopment of this site. No FEMA floodplain or major flooding problems exist on the site or in the immediate area.

Sanitary Sewers – The subject property is located in the Wolf Run sewershed, which is served by the Town Branch Wastewater Treatment Plant, located on Lisle Industrial Avenue, four miles to the northwest. Sanitary sewer capacity will need to be verified prior to certification of the final development plan for the proposed change of land use at this location.

Refuse – The Urban County Government serves this portion of the Urban Service Area with refuse collection on Mondays. Sometimes commercial developments contract for more frequent service.

Police – The nearest police station is located at the East Sector Roll Call Center on Centre Parkway, about 2½ miles to the southeast.

Fire/Ambulance – The nearest fire station (#12) is located approximately one mile northwest of the subject property, at the intersection of Southland Drive and Cherrybark Drive.

Utilities – Utilities, including natural gas; electric; water; cable television; and telephone service all served this property previously and are readily available in the area.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The Plan's mission statement notes that 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 petitioner proposes a rezoning to a Neighborhood Business (B-1) zone in order to construct a retail establishment, approximately 2,560 square feet in size, and associated off-street parking. A dimensional variance to increase the front yard from 20 feet to 75 feet has also been requested by the petitioner.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone for one-third of an acre of property, located at 151 Pasadena Drive.

The subject property is located on the north side of Pasadena Drive, approximately 500 feet west of the signalized intersection of Nicholasville Road, Malabu Drive and Pasadena Drive. The property is bounded to the west and north by shopping center uses, to the east by a vacant lot (still residentially zoned), and across Pasadena Drive by a single-family residence and residential structure that has been converted to a professional office land use. The two shopping centers, Pasadena Plaza to the west and Regency Shopping Center to the north, are occupied by a mix of retail establishments, restaurants, banks and professional offices.

The subject property is vacant, but evidence remains of the driveway that once served the single-family residence on this lot, until it was demolished in the early 2000s. The petitioner wishes to rezone the property so that it can be redeveloped in a fashion that is compatible with the adjoining Pasadena Plaza development. In particular, the corollary development plan submitted in conjunction with this map amendment request depicts a small retail establishment of 2,560 square feet in size and 10 off-street parking spaces.

The 2013 Comprehensive Plan no longer includes a parcel-based land use map; rather it encourages land use decisions to be made based upon small area plan recommendations, policy statements and the Goals and Objectives of the Plan. In this case, the petitioner does not contend that the request is in agreement with the Plan, but that the existing zoning is inappropriate and the proposed zoning is appropriate. Given the nature of the proposed change, and the context of the site, the staff agrees with this contention for several reasons.

The proposed use and zone are generally compatible with the B-1, B-6P and P-1 zoning that exists within the immediate area. Although the adjoining lot to the east, closer to Nicholasville Road, remains in a residential zone, the likelihood that it will redevelop with a residential use seems remote, considering its location along a commercial collector street and its proximity to Nicholasville Road, which is the most heavily traveled commercial corridor in the community. As the petitioner stated in their justification, the vacant property to the east is "awaiting redevelopment," and the staff agrees with that assessment.

This portion of Pasadena Drive has slowly converted from a rural single-family area to a commercial corridor between the Norfolk-Southern railroad to the west of this location, and Nicholasville Road to the east. This conversion was encouraged by Comprehensive Plans dating back to 1988, when a mix of professional office and retail trade future land uses were first recommended by the Land Use Element of the Plan for the area between the railroad line and Nicholasville Road along Pasadena Drive. In 2001,

the petitioner requested a change in the Plan for the north side of Pasadena Drive that was approved by the Planning Commission and incorporated into the 2001 Plan's Land Use Element Plan. That change allowed for the adjoining Pasadena Plaza to be approved by the Commission and subsequently developed into the existing shopping center. Historic land use decisions and previously adopted Comprehensive Plans have collectively encouraged a higher intensity of land use and a commercial character for the area, to the point where the existing single-family residential zoning is no longer compatible or desirable in this location.

The Staff Recommends: **Approval**, for the following reason:

1. The proposed Neighborhood Business (B-1) zone is appropriate and the existing Single Family Residential (R-1C) zone is inappropriate, for the following reasons:
 - a. The proposed retail establishment and B-1 zone are generally compatible with the B-1, B-6P and P-1 zoning that exists within the immediate area.
 - b. Existing residentially zoned land in this area is generally suited to a future commercial land use and is awaiting redevelopment.
 - c. This portion of Pasadena Drive has converted from a rural single-family area to a commercial corridor between the Norfolk-Southern railroad to the west of this location, and Nicholasville Road to the east, which was encouraged by Comprehensive Plans dating back to 1988. At that time, the Plan's Land Use Element recommended a mix of professional office and retail trade future land. Again in 2001, the Plan recommendations for the north side of Pasadena Drive were changed by the Planning Commission and incorporated into the Land Use Element of the 2001 Comprehensive Plan, which has allowed for the adjoining Pasadena Plaza to be approved by the Commission and developed into the existing shopping center.
 - d. Historic land use decisions and previously adopted Comprehensive Plans have collectively encouraged a higher intensity of land use and a commercial character for the area to the point where the existing single-family residential zoning is no longer compatible or desirable in this location.
2. This recommendation is made subject to the approval and certification of ZDP 2016-56: Berry Crest Subdivision, Lot 1, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

TLW/BJR/WLS

6/1/16

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