

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-17-00008: ELKHORN SPRINGS DEVELOPMENT, LLC

DESCRIPTION

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

Acreeage: 13.84 net (17.76 gross) acres

Location: 1975 Russell Cave Road

EXISTING ZONING & LAND USE

| <u>Properties</u> | <u>Zoning</u> | <u>Existing Land Use</u> |
|--------------------------|----------------------|---|
| Subject Properties | R-1E | Vacant |
| To North | ED & A-R | Vacant, Agricultural |
| To East | R-2 | Single-Family Residential |
| To South | R-1D | Single-Family Residential |
| To West | R-4 | Single-Family, Duplexes, & Multi-Family Residential |

URBAN SERVICES REPORT

Roads – Russell Cave Road (KY 57) is a minor arterial roadway, extending from Loudon Avenue to the Bourbon County line, and beyond. This section of Russell Cave Road transitions from a five-lane roadway (south of the subject property at its intersection with Winburn Drive and Radcliffe Road) to a two-lane rural highway at the bridge over Interstates 64 & 75. Replacement of the Russell Cave Road Bridge over the Interstates has recently been scheduled as part of the state’s six-year highway improvement plan. The bridge will most likely be widened at that time. Ward Drive, a collector street in the Winburn Subdivision, stubs into the rear of the subject property. The corollary development plan now depicts a public street connection from Ward Drive to Russell Cave Road, through the subject site.

Curb/Gutter/Sidewalks – Russell Cave Road does not have curb, gutter and sidewalks along the frontage of the subject property. Any proposed streets will need to be constructed with curb, gutter and sidewalks. Access easements may need similar treatments as well. Ward Drive was constructed with these improvement decades ago.

Storm Sewers – The subject property is located within the Cane Run watershed. The applicant will be responsible for constructing the storm sewer system required for the subject property, in conformance with the Division of Engineering Stormwater Manual. There are no known flooding issues on the subject property, although a natural spring exists on the property. A drainage swale also exists parallel to the Interstate, at the northern edge of the property.

Sanitary Sewers – The subject property is located within the Cane Run sewershed, which is served by the Town Branch Wastewater Treatment Plant, located about 3½ miles to the southwest of the site. The Capacity Assurance Program (CAP) data indicates that the site has a “grandfathered” preliminary subdivision plan for 71 dwelling units from 2007. Since the corollary development plan exceeds that density, additional review by the CAP office is warranted. There is an existing pump station on the subject property, which will be removed at some future date when a larger regional pump station is constructed outside of the Interstates in the vicinity. That construction is expected in 2018. Any sanitary sewer improvements on this property will need to be accepted by the Division of Engineering and constructed in accordance with the adopted LFUCG Engineering Manuals.

Refuse – The Urban County Government currently serves this area with collection on Thursdays. It is common practice that additional private waste removal services are provided for apartment complexes.

Police – The nearest police station is the Central Sector Roll Call Center, located off Winchester Road near the Eastland Shopping Center, approximately 2½ miles to the southeast of the subject property.

Fire/Ambulance – Fire Station #8 is located on North Broadway, about one mile to the southeast of this location.

Utilities – All utilities, including gas, electric, water, phone, and cable television service should be easily extended to serve the proposed residential development of the property.

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 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.

In addition to the Comprehensive Plan mission statement, the Goals and Objectives of the Plan also encourage growing successful neighborhoods (Theme A), which includes the following elements or characteristics: inviting landscape; variety of housing choices; abundant private and public open space; neighborhood focal points; and quality connections with parks, schools and stores. The Comprehensive plan also encourages upholding the Urban Service Area concept through compact and contiguous development, and absorption of vacant and/or underutilized land (Theme E).

The subject property is located within the boundary of the recently adopted *Winburn-Russell Cave Neighborhoods Small Area Plan* (WRCN SAP), which is generally south of Interstate 64 & 75, west of Newtown Pike, north of New Circle Road and east of Russell Cave Road. The Plan identifies seven guiding principles and adopted multi-family residential design guidelines for the area that should be further considered by the Planning Commission.

The petitioner proposes the rezoning in order to construct a multi-family residential development with a total of 160 dwelling units, with 360 bedrooms, a clubhouse and associated off-street parking. This development proposes a residential density of 11.6 dwelling units per net acre.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1E) zone to a Planned Neighborhood Residential (R-3) zone for property located at 1975 Russell Cave Road.

The subject property is about 14 acres in size, and is located on the west side of Russell Cave Road, adjacent to Interstates 64 & 75. It is located east of the Winburn Subdivision, and across Russell Cave Road from the Marlboro Neighborhood. The Winburn Subdivision is comprised of several different housing types, at varied densities (R-1D, R-1T, R-2, R-3 and R-4). The entire subdivision is accessed by a single entry point off Russell Cave Road. Ward Drive stubs into the rear of the subject property from the Winburn Subdivision.

The area is characterized primarily by residential land use, with some institutional uses such as a middle school, several churches, a public library a community center and park within the adjacent Winburn neighborhood. Across the Interstate from the subject property, is land that is located within Expansion area 3, and zoned for Economic Development (ED), although vacant.

The subject property has been the subject of several zone change requests in the past. Initially, the property was rezoned in 1969 to the Professional Office (P-1) zone, then later requested for the Planned Neighborhood Residential (R-3) zone twice (2000 and 2005). These two requests were both unsuccessful, and were followed by the successful rezoning to the existing R-1E zone in 2006. Formerly, the 2007 Comprehensive Plan's Land Use Element recommended a Medium Density Residential (MD) land use for the subject property, defined as 5-10 dwelling units per net acre, which was consistent with the most recent zone change approved the subject property in 2006. The 2013 Comprehensive Plan no longer makes a specific land use recommendation for the subject property. The petitioner contends that the proposed rezoning is in agreement with the 2013 Comprehensive Plan, and specifically the Goals and Objectives, as well as the adopted Small Area Plan for this area of the Urban Service Area.

The petitioner cites the following goals and objectives of the Plan: encourage expanding housing choices including planning for housing that addresses all market needs and safe, affordable and accessible housing (Theme A, Goals #1b. and #1c.); support opportunities for infill, redevelopment and adaptive reuse that respect an area's context and design features (Theme A, Goal #2a.); provide well-designed neighborhoods, including options for mixed-type housing within a neighborhood and positive and safe interactions within neighborhoods (Theme A, Goals #3a. and #3b.); and encouraging the development of underutilized and vacant land in a compact, contiguous and/or a mixed-use sustainable manner within the Urban Service Area (Theme E, Goals #1b. and #3).

The subject property is located within the boundaries of the *Winburn-Russell Cave Neighborhoods Small Area Plan* (WRCN SAP). The Small Area Plan boundaries were established to reach from Russell Cave Road to Newtown Pike, and from the Interstate to New Circle Road. Following a 9-month planning process, the Planning Commission held a public hearing and adopted the Plan as an element of the 2013 Comprehensive Plan on June 30, 2016. The SAP was recommended by the 2013 Comprehensive Plan (pages 45-46) in order to guide growth or development within the vacant or underutilized properties in the area, to promote neighborhood stabilization and revitalization, and to establish improved connectivity for the area.

The seven guiding Planning Principles of the Winburn-Russell Cave Neighborhoods SAP provides some guidance for the Planning Commission in considering a zone change request and provides more detailed information than the 2013 Plan did for this vicinity. The SAP identifies the following guiding planning principles: (1) to increase transportation connectivity; (2) increase equity for residents; (3) promote strategies to increase home ownership and improve housing conditions; (4) optimize the use of land to promote mixed housing types; (5) ensure infill is well designed and sensitive to existing neighborhoods; (6) improve existing parks and (7) improve public safety. Additionally, as part of the planning process, a set of design standards was developed for multi-family developments, and as such, this portion of the Plan directly informs the petitioner's zone change proposal.

Since this applicant is seeking a zone change to allow a multi-family development, the project should significantly meet the intent of the SAP planning principles and the adopted design standards. The corollary development plan depicts a mixture of two-story and three-story buildings at a residential density of 11.6 dwelling units per net acre.

Based upon the submitted corollary development plan, the staff finds that several of the planning principles and one of the four primary housing goals of the Plan have been met. Specifically, principle #1 to increase transportation connectivity, principle #3 to improve housing conditions, #5 to ensure infill development is well-designed and context sensitive, and housing goal #3 to "expand affordable and quality rental opportunities through the preservation of existing rental units and development of new units"(pages 9, 52 and 77). The corollary development plan, coupled with the developer's stated intent to provide affordable housing substantially addresses these goals and would serve a strong need in this community. However, given the concentration of affordable and/or subsidized housing in the Winburn neighborhood already, this further emphasizes the importance of addressing the specifics of the multi-family design guidelines.

Providing a range or variety of residential uses within a neighborhood is generally considered a positive quality, and the Goals and Objectives of the current Comprehensive Plan call for a balanced approach in doing so. The SAP took the 2013 Plan concept a step further, encouraging any proposed multi-family development to follow the recommended design guidelines that address site planning, open space and landscaping, and architectural design in order to more fully address the common concerns related to higher density land uses. Adherence to the design guidelines should ensure a context sensitive development, and therefore, agreement with many of the goals established in the 2013 Comprehensive Plan.

When looking at the *Multi-Family Design Standards* (SAP Appendix) in more detail, the staff again finds that some level of compliance with the SAP exists for the proposed development; however, additional review is needed at the final development plan stage to ensure significant compliance with the multi-family design standards. The following design standards are being met by the petitioner's submitted preliminary development plan:

- Connection and continuation of Ward Drive is in support of SP.10, connecting to adjacent neighborhoods via an integrated street network;
- Placement of parking behind buildings and away from public view is in support of SP.7, place parking lots at rear of the site to allow a majority of dwelling units to front on a public street;
- Provided private open space, including picnic area, playground, and clubhouse, are easily accessible which is in support of OS.1 to provide access physically and visually;
- Design has included architectural details to enhance building façades and relates to the human scale, which is support of AD.4, AD.5 AD.7, AD.8, and parts of AD.3.

The staff would suggest further consideration of the following design guidelines at the final development plan stage:

- Respect the street's character and design buildings and locate on the site so that they reinforce street frontages (SP.1)
 - Alter floor plan and elevations to break up building mass, especially along Ward Drive to improve its relation to the immediate neighborhood. Change in roof lines, setbacks and undulations of the façade will help ease the transition into the existing neighborhood. This development does not have to be the *same* as existing but should exhibit some presence and/or acknowledgment of similar building heights, proportions, and continuation of architectural shapes and lines, (AD.2, AD.3, and AD.9).
 - Align all buildings facing along Ward Drive at the 30-35' setback line to maintain existing setback patterns (SP.4).
 - Alter floor plans and elevations to include unit entries to face Ward Dr. and provide sidewalks to connect to the street pedestrian network (SP.3).
 - Where feasible, provide dwelling units on both sides of the public street to ensure a balanced street (SP.17).

- Enhance and connect the street to its surroundings, promote walkability, and ensure effective access and circulation from the project to the surrounding neighborhood.
 - Discuss approaches to street design that include traffic calming measures to reinforce the pedestrian system (SP.12 and SP.14).
- Ensure safe, active, and accessible gathering places. Public open space should be as thoughtfully designed as any other space within the development.
 - Develop a landscape plan that reinforces the site layout and buffers parking from public view (OS.4, OS.5, OS.6 and OS.12).
 - Alter plan so that pedestrian cross walks are provided, lighting, and other amenities within the open space allocated across Ward Drive (SP.9).
 - Consider altering plan to provide open space across Ward Dr. for use by residents in the development or by neighbors (OS.2).

The SAP has very specific recommendations for the treatment of the intersection of Ward Drive and Russell Cave Road that should be addressed through the development plan review (page 80). These recommendations should be addressed and noted on the development plan, with final details and KDOT District 7 approval to follow at the time a final development plan is under consideration. Additionally, the Plan calls for “extensive landscaping for effective buffering along the adjacent interstate corridor (page 80). To address this concern, a buffer is recommended by the staff established via a conditional zoning restriction.

Although further design review may be necessary through the development plan review process, the petitioner has substantially met the Goals and Objectives of the 2013 Comprehensive Plan, and the majority of the planning principles and goals of the SAP for this site. The staff hopes that even more can be documented at the time of a final development plan.

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

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan, and the adopted 2016 *Winburn-Russell Cave Neighborhoods Small Area Plan* (WRCN SAP), for the following reasons:
 - a. The 2013 Comprehensive Plan’s Goals and Objectives encourage expanded housing choices (Theme A, Goal #1); support opportunities for infill, redevelopment and adaptive reuse that respect an area’s context and design features (Theme A, Goal #2a.); encourage the development of underutilized and vacant land in a compact, contiguous and/or a mixed-use sustainable manner within the Urban Service Area (Theme E, Goals #1b. and #3); encourage providing for well-designed neighborhoods (Theme A, Goal #3); and support creating safe, affordable and accessible housing for all citizens (Theme A, Goal #1c.).
 - b. The 2016 *Winburn-Russell Cave Neighborhoods Small Area Plan* (SAP) identifies seven guiding planning principles to increase transportation connectivity; increase equity for residents; promote strategies to increase home ownership and improve housing conditions; optimize the use of land to promote mixed housing types; ensure infill is well designed and sensitive to existing neighborhoods; improve existing parks and improve public safety.
 - c. The requested zone change and proposed development will utilize vacant land inside the Urban Service Area, expand housing choices within the immediate area and provide a development pattern that respects the character of the immediate area.
 - d. The petitioner’s proposal addresses the necessary transportation connection of Ward Drive from Russell Cave Road into the Winburn neighborhood, and several many of the design guidelines that ensure such infill is sensitive to the surrounding neighborhood.
 - e. As part of the SAP planning process, a set of design standards was developed for multi-family developments that provide a framework for evaluating the proposed development. The site planning guidelines have been partially met, based on preliminary design work, and any of the open space, landscaping, and architectural design guidelines will also be met.
 - f. Adherence to the design standards should ensure a context sensitive development and therefore, agreement with many of the goals established in the 2013 Comprehensive Plan and principles of the *Winburn-Russell Cave Neighborhood Small Area Plan*.
2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00017: Winburn Estates Subdivision, Unit 3 prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission’s approval.

3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following land use restrictions shall apply via conditional zoning:
 - a. A 15' landscape buffer shall be provided and maintained adjacent to I-64/I-75 that is to consist of at a solid fence eight feet (8') in height, trees located thirty feet (30') on center and a solid hedge.
 - b. All pole lighting on this site (exclusive of street lights provided on Ward Drive) shall be limited to a maximum of twelve feet (12') in height.

These restrictions are necessary and appropriate for the subject property to ensure greater compliance with the specific Winburn-Russell Cave Neighborhoods Small Area Plan recommendations, and to mitigate the noise impact that the I-64/I-75 expressway would have on a new residential development at this location.

BB/CT/TLW/WLS

5/3/2017

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