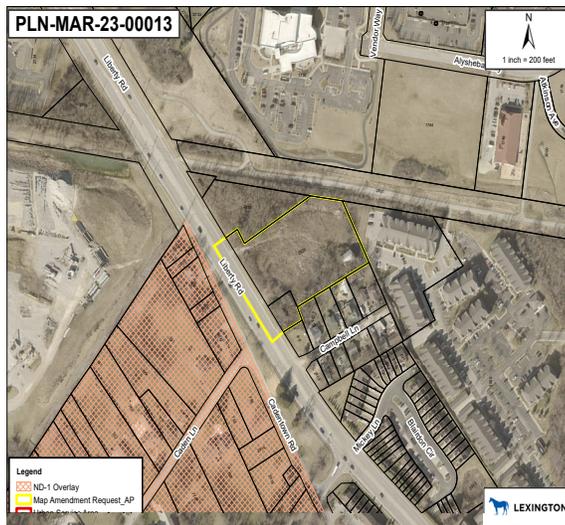


# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-23-00013: LIBERTY PARK DEVELOPMENT, LLC

## DESCRIPTION OF ZONE CHANGE

Zone Change: From a Wholesale and Warehouse Business (B-4) zone  
To a Planned Neighborhood Residential (R-3) zone  
Acreage: 2.668 net (3.103 gross) acres  
Location: 2833 & 2853 Liberty Road



## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	B-4	Vacant
To North	A-U	Brighton Trail
To East	R-4	Residential
To South	R-1D	Residential
To West	R-1D/ R-3	Residential

## URBAN SERVICE REPORT

**Roads** - The subject property has frontage on Liberty Road (KY 1927), a five-lane minor arterial roadway. The subject property also adjoins Brighton Trail, a multi-modal trail, to the north. Access to the site is proposed directly from Liberty Road.

**Curb/Gutter/Sidewalks** - Curb, gutter and sidewalks exist along this portion of Liberty Road. These urban improvements were constructed by the Kentucky Transportation Cabinet more than a decade ago.

**Storm Sewers** - The subject property is located within both the East Hickman and North Elkhorn watersheds. There are no FEMA Special Flood Hazard Areas on the property or in the immediate vicinity. Storm sewers exist in this portion of the Urban Service Area, and the developer will be required to address stormwater management on the subject property in compliance with the Engineering Stormwater Manual.

**Sanitary Sewers** - The subject property is located within the East Hickman sewershed. The property is served by the West Hickman Treatment Facility, located in northern Jessamine County. A connection to sanitary sewer facilities is available along the shared property line in the eastern portion of the properties.

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

**Refuse** - The Urban County Government serves this portion of the Urban Service Area with collection on Tuesdays. If needed, refuse collection may need to be supplemented by a private service provider to accommodate the specific needs of the development.

**Police** - The subject property is located within the East Sector although the nearest police station is located approximately 4 miles northwest of the subject property, at the Central Sector Roll Call Center near Eastland Shopping Center.

**Fire/Ambulance** - The nearest fire station to the property is Station #21, located approximately 3/4 mile south of the subject property at the intersection of Mapleleaf Drive and Dabney Drive, across Man O War Boulevard.

**Transit** - The subject property does not have direct access to an existing transit route. The closest available route is Lextran #10, which has a stop approximately 1/2 of a mile northeast of the subject property, at the Meijer Shopping Center on Paul Jones Way.

**Parks** - The subject property is located 180 feet southeast of Liberty Park, and is adjacent to the Brighton Trail.

## SUMMARY OF REQUEST

The applicant is seeking a zone change from the Wholesale and Warehouse Business (B-4) zone to the Planned Neighborhood Residential (R-3) zone in order to construct a townhouse development.

## PLACE-TYPE

**ENHANCED NEIGHBORHOOD**  
The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. Development should be context sensitive to surrounding areas and should add to the sense of place. Incorporating multi-modal connections is crucial to neighborhood success and viability.

## DEVELOPMENT TYPE

**LOW DENSITY RESIDENTIAL**  
Primary Land Use, Building Form, & Design  
Primarily attached and detached single-family homes of varying formats, including accessory dwelling units. Homogeneous neighborhoods that do not include a mix of housing types should be avoided. Low density residential is only appropriate as a component of “Enhanced Neighborhoods” and “New Complete Neighborhoods”, and should be supplemented by a variety of uses and housing options to create sustainable places.  
Transit Infrastructure & Connectivity  
Multi-modal network connections, including connected streets, are required to keep an efficient transportation network that provides viable options for all users.  
Quality of Life Components  
These developments should include intentional open space designed to fit the needs of area residents, and be in walking distance of nearby neighborhood-serving commercial/employment uses.

## PROPOSED ZONING



The intent of this zone is to provide for medium density mixed residential development, including multi-family dwellings, group residential housing, compact housing types, attached and detached single family dwellings, and supporting uses. 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 provide a variety of housing options rather than a single type. The medium density residential uses should be located along local and collector streets, with lower density residential uses located along local streets. Adequate multi-modal connections should be available to all residents, so to allow for long term viability and incremental growth. Low and Medium density residential land uses should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

## PROPOSED USE



This petitioner is proposing the Planned Neighborhood Residential (R-3) zone in order to construct an attached single family residential development. As proposed, the development consists of 56 units, for a total density of 15.41 units per acre. The units will be three stories, ranging from 2,079-2,772 square feet, with primarily rear attached garages. The development will include two direct connections to the Brighton Trail, as well as a sidewalk connection to the adjoining multi-family residential development to the east.

## APPLICANT & COMMUNITY ENGAGEMENT



The applicant has spoken with several neighbors regarding the proposal, but has not indicated that any larger public engagement outreach has occurred. The applicant should conduct further outreach with the nearby neighborhood association(s) to discuss the proposed rezoning and development plan.

## PROPERTY & ZONING HISTORY



The subject properties were zoned Single-Family Residential (R-1D) prior to the 1969 comprehensive rezoning of the city and county, and were utilized for single family residential uses. The residential uses on both parcels were removed with the road widening of Liberty Road. In 2015, the property at 2833 Liberty Road was rezoned to a restricted Wholesale and Warehouse Business (B-4) zone in order to establish a proposed veterinary clinic use (MAR-2015-8CZ). The parcel at 2853 Liberty Road was rezoned to B-4 in 2018 in order to be incorporated into the same development (MAR-18-00008).

While several amended development plans were filed for the vet clinic, the use was never developed, and both parcels have remained vacant since that time.

The adjoining property at 2819 Liberty Road was rezoned to the Planned Neighborhood Residential (R-3) zone in 2022 in order to establish an attached townhome development (MAR-22-00027). The applicant then acquired the subject properties and is seeking to utilize all three of the parcels for an expanded townhome development.

## COMPREHENSIVE PLAN COMPLIANCE



The 2018 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 and Objectives of the *Imagine Lexington 2045 Comprehensive Plan*. The applicant states that their proposal supports infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2), and will be assisting in redeveloping an underutilized corridor (Theme E, Objective #1.d). This request will activate vacant and underutilized parcels along a minor arterial corridor to provide additional housing.

The applicant also states that the proposal fulfills the goals of expanding housing choices (Theme A, Goal #1). The project will supplement the existing detached single-family residential and multi-family residential housing in this area with attached single-family residential units marketed towards workforce housing.

Finally, the applicant opines that the request meets goals relating to providing well-designed neighborhoods and encouraging safe social interactions. (Theme A, Objective #1.b). The proposed pedestrian network provides safe and direct trail connections to the Brighton Trail and Liberty Park (Theme A, Objective #3.e), as well as direct sidewalk connections to the adjoining apartments. (Theme A, Objective 4.a). The applicant opines that providing these multi-modal connections will promote walkability, and reduce the number of single-user vehicular trips (Theme B, Objective #2.d).

The applicant identified several policies within the Comprehensive Plan that are being met with this request. The applicant opines that the proposed townhouse development will act as a context sensitive transition between the single-family detached homes in Cadentown, and the adjoining multi-family residential development (Theme A, Design Policy #4). By orienting the structures to Liberty Road and the Brighton Trail, the applicant opines that they are creating pedestrian friendly street patterns, and a walkable development. (Theme A, Design Policy #5). Finally, the applicant opines that by providing workforce housing, they are helping to meet demand for housing across income levels (Theme A, Equity Policy #1).

Staff agrees that the applicant's chosen Comprehensive Plan Goals, Objectives, and Policies are being met with this request.



## **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 properties. 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 2018 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 indicates that the project is located within the Enhanced Neighborhood Place-Type and is a Low Density Residential Development Type. The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. The Low Density Residential Development Type is primarily comprised of attached and detached single-family homes of varying formats, including accessory dwelling units. This Development Type should create context-sensitive neighborhoods and should be supplemented by a variety of uses and housing options to create sustainable places. The proposed development will be connected to the nearby residential areas through the Brighton Trail, the pedestrian system along Liberty Road, and an internal connection to the adjoining apartment uses to the east. The request will build on these existing residential areas by providing additional housing types and stock. The staff agrees that the Enhanced Neighborhood Place-Type and the Low Density Residential Development Type can be appropriate at this location.

The Planned Neighborhood Residential (R-3) zone is a recommended zone for the applicant's chosen Place-Type and Development Type. Staff agrees that the Planned Neighborhood Residential (R-3) zone can 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 2018 Comprehensive Plan. The development criteria for development represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed Place-Type and Development Type.

### 1. Site Design, Building Form and Location

*A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.*

While most of the units located along the Liberty Road frontage face the street, the two easternmost units are oriented towards the access drive, and present their sides to the roadway. The applicant should explore reorienting the structures to face and fully activate the Liberty Road frontage.

Otherwise, the proposal meets the criteria for Site Design, Building Form, and Location as it intensifies an underutilized property, provides a context-sensitive transition in housing types, reinforces the streetscape along Liberty Road, locates parking internally, and helps further activate the Brighton Trail.

### 2. Transportation and Pedestrian Connectivity

The proposal meets the Transportation and Pedestrian Connectivity criteria through providing safe and effective connections to the Brighton Trail, as well as the existing pedestrian network along Liberty Road.

### 3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape, provides for centrally located green open space, and has no impact on environmentally sensitive areas.

**STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:**



1. A rezoning to the Planned Neighborhood Residential (R-3) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals, Objectives, and Policies, for the following reasons:
  - a. The request supports infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2), and will be assisting in redeveloping an underutilized corridor (Theme E, Objective #1.d) by activating a vacant and underutilized portion of land along a minor arterial corridor to provide additional housing.
  - b. The proposed project will expand housing choices by supplementing the existing detached single-family residential and multi-family residential housing in this area with attached single-family residential units (Theme A, Goal #1).
  - c. The proposed development will provide for well-designed neighborhoods and encourage safe social interactions by providing safe pedestrian connectivity to Liberty Road, Liberty Park, Brighton Trail, and the adjoining multi-family residential development (Theme A, Objective #1.b; Theme A, Objective #3.e; Theme A, Objective #4.a).
  - d. By providing significant connections to multi-modal paths and trails, the proposal reduces dependence on single-user vehicles (Theme B, Goal #2.d).
  - e. The proposed attached townhomes will act as a context sensitive transition between the single-family detached homes in Cadentown, and the adjoining multi-family residential development (Theme A, Design Policy #4).
  - f. By orienting the structures to Liberty Road and the Brighton Trail, the applicant opines that they are creating pedestrian friendly street patterns, and a walkable development. (Theme A, Design Policy #5).
  - g. By providing a housing type oriented towards workforce housing, the request is helping to meet demand for housing across income levels (Theme A, Equity Policy #1).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as it intensifies an underutilized property, provides a context-sensitive transition in housing types, reinforces the streetscape along Liberty Road, locates parking internally, and helps further activate the Brighton Trail.
  - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity through providing safe and effective connections to the Brighton Trail, as well as the existing pedestrian network along Liberty Road.
  - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape and has no impact on environmentally sensitive areas
3. This recommendation is made subject to approval and certification of PLN-MJDP-23-00046 Rose H. Brigden & Mark McClure Property Tract A & Cadentown Subdivision (Gentry Family) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.