

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-00001: OFF SEASON, LLC

DESCRIPTION

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

Acreeage: 2.09 net (2.60 gross) acres

Location: 3009, 3013 and 3021 Tates Creek Road

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-1C	Vacant and Church
To North	R-1C	Church
To East	R-1B	Church
To South	R-1C	Single-Family Residential
To West	R-1C	Single-Family Residential

URBAN SERVICES REPORT

Roads – Tates Creek Road (KY 1974) is a minor arterial roadway that connects Jessamine County to downtown Lexington. At its intersection with Rebecca Drive, the cross-section is five-lanes wide, with four through lanes and one center turn lane. The current traffic volume is approximately 30,000 daily vehicle trips in this portion of the Urban Service Area. The site is located on the west side of Tates Creek Road, approximately 250 feet south of the Tates Creek Road and Rebecca Drive intersection. The subject site contains three parcels that front onto Tates Creek Road. Access for the proposed development is proposed from a single curb-cut along Tates Creek Road.

Curb/Gutter/Sidewalks – Along Tates Creek Road, the curb, gutters and sidewalks have been constructed within the right-of-way. The Tates Creek Road sidewalk project was completed within the past five years.

Storm Sewers – The subject property is located within the West Hickman watershed. The subject properties are located about 1,000 feet west of the floodplain associated with Tates Creek. No floodplain or stormwater issues have been identified that will impact the site.

Sanitary Sewers – The subject property is located in the West Hickman sewershed, which is served by the West Hickman Wastewater Treatment Plant, located in northern Jessamine County. According to the Capacity Assurance Program, capacity is currently available to serve the proposed 14 residences, with additional capacity available for future developments in the area.

Refuse – The Urban County Government serves this portion of the Urban Service Area with collection on Mondays.

Police – The nearest police station is located approximately 1 3/4 miles southeast of the property, at the East Sector Roll Call Center (Police Sector 3) on Centre Parkway.

Fire/Ambulance – The nearest fire station to the subject properties is Station #7, which is about 2/3 mile away. It is located directly south of the subject properties, next to the Lansdowne Shopping Center.

Utilities – Natural gas, telephone service, electric, water, cable television, and street lights are all available to serve the subject 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.

The petitioner proposes to develop 14 townhouses on the subject properties, and associated off-street parking. The proposed residential density is 6.7 dwelling units per net acre.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone for slightly more than two acres of land, located at 3009, 3013 and 3021 Tates Creek Road.

The subject properties are located on the west side of Tates Creek Road, just south of its intersection with Rebecca Drive. The site is comprised of three parcels; one of which is occupied by a residence that was most recently utilized by the New Hope Church from 2012 to 2017, but is now vacant. The two remaining parcels are vacant and have remained so since the area was developed in the 1950s.

The Tates Creek Road corridor, between Alumni Drive and New Circle Road, is characterized primarily by large lot single family residences, and numerous places of religious assembly, including the Greek Orthodox Church, located immediately adjacent to the north of the subject site. A small commercial node exists at the intersection of Old Mt. Tabor Road and Tates Creek Road (to the north), and the Lansdowne Shopping Center is located near the New Circle Road (KY 4) interchange (to the south). In addition to the neighborhood shopping center, there also exists numerous professional offices, multi-family residential units, Fire Station #7, banks and an assisted living facility along Tates Creek Road. The surrounding area is primarily located within a Single Family Residential (R-1C) zoning category.

The petitioner proposes the rezoning in order to consolidate the three parcels and develop 14 townhouses, for a residential density of 6.7 dwelling units per net acre. A shared access point is proposed along Tates Creek Road, as well as a masonry wall along three sides of the development for privacy.

The petitioner contends that the requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan, as well as the recently adopted Goals and Objectives of the forthcoming 2018 Comprehensive Plan. Several of the 2013 Comprehensive Plan's Goals and Objectives are met by the petitioner's proposed rezoning and infill/redevelopment of the subject properties, including: to expand housing choices within the immediate neighborhood (Theme A, Goal #1); to support infill and redevelopment (Theme A, Goal #2); and to uphold the Urban Services Area concept by encouraging development of vacant and underutilized properties (Theme E, Goal #1). Additionally, the petitioner opines that community services, such as places of religious assembly and neighborhood businesses, are readily available and accessible to residents of the immediate area, including those that would occupy the proposed development. The petitioner also contends that the proposed townhouses (and their associated density) are compatible with the surrounding area. The development is residential in nature as is the surrounding zoning, and the proposed density is in keeping with the recommendations of the Comprehensive Plan to encourage infill sites of between two and five acres to develop at or above the average density of the area in which they are built (pg 102).

Lastly, the petitioner states that the proposed rezoning and townhouse development is consistent with the recently adopted 2018 Comprehensive Plan's Goals and Objectives, which recommend that the community "accommodate the demand for housing in Lexington responsibly, prioritizing higher density and mixture of housing types (Theme A, Goal #1, Obj. b.); and "maximize development on vacant land

within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features” (Theme E, Goal #1, Obj. d.). These two objectives emphasize locating higher density residential development on our vacant land. In this case, the land is situated along a minor arterial roadway, with adequate public infrastructure to serve the proposed use, and the higher density development will buffer the established neighborhood from the higher intensity use of the churches along the opposite side of Tates Creek Road. Further, the proposed townhouses are of a size that is similar to other residential uses in the immediate area (between 3,000 and 4,000 square feet each), which should not detract from the existing urban form along Tates Creek Road in the immediate vicinity. For these reasons, the staff can support the proposed rezoning request.

The Staff Recommends: Approval, for the following reasons:

1. The Planned Neighborhood Residential (R-3) zone is in substantial agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan recommend to expand housing choices within the community (Theme A, Goal #1); to support infill and redevelopment (Theme A, Goal #2); and to uphold the Urban Services Area concept by encouraging development of vacant and underutilized properties (Theme E, Goal #1).
 - b. The proposed townhouses (and their associated density) are compatible with the surrounding area, which is encouraged by Theme A, Goal #2. The development is residential in nature, as is the surrounding zoning, and the development will respect the area’s context and design features.
 - c. The proposed density is in keeping with the recommendations of the Comprehensive Plan to encourage infill sites of between two and five acres to develop at or above the average density of the area in which they are built (pg 102).
 - d. The subject site is situated along a minor arterial roadway, with adequate public infrastructure to serve the proposed use, and the higher density development will buffer the established neighborhood from the higher intensity use of the churches along the opposite side of Tates Creek Road.
 - e. The proposed single-family attached dwelling units (townhouses) are compatible with the surrounding residential zoning and land use pattern. The units are of a size that is similar to other residential uses in the immediate area (between 3,000 and 4,000 square feet each), which should not detract from the existing urban form along Tates Creek Road in the immediate vicinity.
2. The proposed infill and redevelop of the subject site along the Tates Creek Road corridor is supported by the adopted 2018 Comprehensive Plan’s Goals and Objectives, including “accommodate the demand for housing in Lexington responsibly, prioritizing higher density and mixture of housing types (Theme A, Goal #1, Obj. b.); and “maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features” (Theme E, Goal #1, Obj. d.).
3. This recommendation is made subject to the approval and certification of PLN-MJDP-18-00002: Hinda Heights Subdivision, Blk B (Old Stone Townhouses), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission’s approval.