

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2014-19: NICOL DEVELOPMENT CO., LLC

DESCRIPTION

Zone Change:	<u>REQUEST</u>		<u>ACREAGE</u>	
	<u>FROM</u>	<u>TO</u>	<u>NET</u>	<u>GROSS</u>
	R-1C	MU-2	1.21	1.723
	B-1	MU-2	0.42	0.652
	B-4	MU-2	<u>0.88</u>	<u>0.880</u>
	TOTAL	2.51	3.255

Location: 1001, 1003, 1011, 1015 and 1021 North Limestone

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Properties	R-1C, B-1 & B-4	Church, Parking Lot & Vacant
To North	R-1C	Single Family Residential
To East	R-1C & B-1	Single Family Residential & Neighborhood Business
To South	R-1C	Single Family Residential & Arlington Elementary School
To West	R-1C & B-4	Single Family Residential & Mobile Home Park

URBAN SERVICES REPORT

Roads – North Limestone is a two-lane minor arterial roadway along the frontage of the subject properties. The signalized intersection of Loudon Avenue and North Limestone is located about ¼ of a mile to the southwest of the subject property. Other local streets intersect North Limestone in the vicinity of the site, including 10th Street, North Broadway Park, Avon Avenue and Arceme Avenue. Vehicular access to the subject properties is proposed to remain along North Broadway Park and 10th Street.

Curb/Gutter/Sidewalks – North Limestone does have curb, gutter and sidewalks along the frontage of the subject property. However, no street improvements exist along either North Broadway Park or 10th Street. Such facilities may need to be repaired or constructed (½ street improvements) by the developer at the time the subject properties redevelop.

Storm Sewers – The subject properties are located within the Cane Run watershed. There are no FEMA special flood hazard areas on the properties or in the immediate vicinity. Storm sewers exist in this portion of the Urban Service Area; however, the Central Sector Small Area Plan notes that surface drainage issues are prevalent in the immediate area. In addition, 1001 North Limestone was purchased by the Urban County Government to help alleviate stormwater problems in this area. Stormwater facilities will be required to adequately address any water quality and quantity impacts created by the proposed redevelopment.

Sanitary Sewers – The subject properties are located within the Cane Run sewershed, which is served by the Town Branch Sewage Treatment Facility, located on Old Frankfort Pike, east of New Circle Road. According to the Capacity Assurance Program, some capacity does exist within the CR3_51 sewer bank.

Depending upon the capacity necessary to serve the proposed development, sanitary sewer facilities may need to be upgraded to serve the proposed redevelopment of the subject properties

Refuse – The Urban County Government serves this area with refuse collection on Tuesdays. Supplemental service may be required to serve the needs of the development, which can be accomplished by contracting with private refuse haulers, if desired.

Police – The subject properties are located within the Central Sector and are served by the Central Sector Roll Call Center, located near the intersection of Eastland Parkway and Winchester Road, approximately 1.4 miles to the southeast of the subject properties.

Fire/Ambulance – The nearest fire station (#8) is located less than one mile to the northeast on North Broadway, between New Circle Road and Interstates 64/75.

Utilities – All utilities, including gas, electric, water, phone, and cable TV are available in the area to serve the proposed redevelopment of the subject properties.

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 subject properties are located within the boundary of the Central Sector Small Area Plan (CSSAP), adopted by the Planning Commission in April 2009, specifically Subarea "D". The CSSAP recommends significant streetscape improvements along North Limestone, retention of North Limestone's unique character as a traditional neighborhood retail corridor, utilization of Best Management Practices for stormwater improvements, preservation of structures with historical and cultural value, and provision of adequate and quality affordable housing.

The petitioner proposes to redevelop the property for a mixed-income, mixed-use development that includes maintaining the church, constructing two buildings, and associated on-street and off-street parking. A total of 80 dwelling units, along with 5,200 square feet of non-residential space, are proposed within the two new buildings.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1C) zone, Neighborhood Business (B-1) zone, and a Wholesale & Warehouse Business (B-4) zone to a Mixed Use-2 "Neighborhood Corridor" (MU-2) Zone for 2.51 acres of property located at 1001, 1003, 1011, 1015 and 1021 North Limestone.

The site is comprised of five lots located on the northwest side of North Limestone. Four of the lots are located between 10th Street and North Broadway Park, with the fifth lot being located across North Broadway Park. The site includes property owned and occupied by the Epworth United Methodist Church (aka Embrace Church), as well as a recently purchased lot from the LFUCG's surplus property inventory.

The church building itself occupies 1015 North Limestone, but all of the other lots are vacant or provide off-street surface parking for the church use.

The immediate area is characterized by a mix of residential and neighborhood commercial land uses. The site is bordered to the north and south by single-family residences, to the west by a non-conforming manufactured home park, to the southeast by Arlington Elementary School and to the east by small business establishments. Commercial uses along North Limestone are neighborhood oriented, including a day care, a lamp shop, a grocery/convenience store, community gardens, offices, and retail stores.

The petitioner proposes to redevelop the property for a mixed-income, mixed-use development that includes maintaining the church, constructing two new buildings, and associated on-street and off-street parking. A total of 80 dwelling units and 5,200 square feet of non-residential space are proposed within the two new buildings. They are planned to be three and four stories tall, and will be located along the North Limestone frontage. Surface parking will be provided to the rear of the site.

In April 2009, the Planning Commission adopted the Central Sector Small Area Plan as an element of the Comprehensive Plan, following months of meetings and neighborhood involvement. The SAP was anticipated and recommended through the 2007 Comprehensive Plan update process so that the Planning Commission could more closely study the area bounded by Georgetown Road, Winchester Road, New Circle Road and Second Street.

The subject properties are located within Sub-Area D of the SAP, and North Limestone has been designated as a “neighborhood connector” corridor within this area with significant streetscape improvements recommended. The properties along North Limestone and Loudon Avenue are part of a “focus area.” The Plan identifies six Sub-Area priorities, one of which is to “retain unique character of North Limestone as a traditional neighborhood retail corridor” and also indicates a need to upgrade the North Limestone streetscape and building façades. The Goals and Objectives section of the Central Sector SAP does provide some guidance for the Planning Commission in considering a zone change and provides more detailed information.

The Central Sector SAP identifies four guiding principles for the area. They include: (1) enhance the urban fabric; (2) promote and prepare for redevelopment and investment; (3) provide adequate and equitable housing; and (4) preserve the cultural and historic heritage. Specifically, the SAP encourages providing affordable housing, utilizing Best Management Practices for stormwater improvements, preservation of structures with historical and cultural value, and offering goods and services for local residents. The subject property now has the opportunity for re-development that can spur investment in the neighborhood.

Subsequent to the CSSAP, the current Comprehensive Plan was adopted in November 2013. The 2013 Comprehensive Plan is a flexible, policy-oriented plan and no longer includes a detailed land use map with a specific land-use recommendation for each parcel within the Urban-County. The Goals and Objectives of the 2013 Comprehensive Plan, in addition to the policies and recommendations of the CSSAP, are relevant to the proposed redevelopment, including: to expand housing choices (Theme A, Goal #1); to support infill and redevelopment (Theme A, Goal #2); to encourage green infrastructure (Theme B, Goal #3); to support creation of a variety of jobs (Theme C, Goal #1); to encourage an entrepreneurial spirit and embrace a diverse and inclusive community (Theme C, Goal #2); to build a multi-modal and comprehensive transportation system (Theme D, Goal #1); to enhance and protect cultural and historic resources (Theme D, Goal #3); and to uphold the Urban Services Area concept (Theme E, Goal #1).

The petitioner contends that their requested MU-2 zone is in substantial agreement with the Comprehensive Plan, particularly the Goals and Objectives listed above. The staff agrees that the proposed development meets many of the Goals and Objectives of both the 2013 Comprehensive Plan and the Central Sector Small Area Plan. The staff is especially pleased that the mixed-income provisions of the Zoning Ordinance are being utilized, and that the historic church is being preserved, since it remains a vital part of the North Limestone neighborhood.

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

1. The requested Mixed Use-2: Neighborhood Corridor (MU-2) zone is in agreement with the 2013 Comprehensive Plan, and the Central Sector Small Area Plan (CSSAP), for the following reasons:
 - a. The petitioner proposes a mixed-income, mixed-use development that maintains a cultural and historic church along the North Limestone corridor. Redevelopment plans include construction of two new structures with 80 dwelling units, 74% of which will be income-verified affordable units, and neighborhood-oriented land uses, such as a community center, coin-operated laundry and offices.
 - b. The subject property is located within Sub-Area D of the Central Sector Small Area Plan, and North Limestone has been designated as a “neighborhood connector” corridor within this particular area and a “focus area.”

- c. One priority of the Sub-Area is to “retain unique character of North Limestone as a traditional neighborhood retail corridor” and also indicates a need to upgrade the North Limestone streetscape and building façades.
 - d. Associated with the redevelopment, the petitioner proposes significant stormwater improvements to alleviate existing drainage issues in the vicinity.
 - e. The petitioner’s proposed development will be a more efficient use of underutilized and vacant properties within the North Limestone corridor, and be oriented to that minor arterial roadway.
 - f. Many of the Comprehensive Plan’s Goals and Objectives are met by the petitioner’s proposed rezoning and redevelopment of the subject property, including: to expand housing choices (Theme A, Goal #1); to support infill and redevelopment (Theme A, Goal #2); to encourage green infrastructure (Theme B, Goal #3); to support creation of a variety of jobs (Theme C, Goal #1); to encourage an entrepreneurial spirit and embrace a diverse and inclusive community (Theme C, Goal #2); to build a multi-modal and comprehensive transportation system (Theme D, Goal #1); to enhance and protect cultural and historic resources (Theme D, Goal #3); and to uphold the Urban Services Area concept (Theme E, Goal #1).
 - g. The Central Sector Small Area Plan encourages providing affordable housing, utilizing Best Management Practices for stormwater improvements, preservation of structures with historical and cultural value, and offering goods and services for local residents.
2. This recommendation is made subject to the approval and certification of ZDP 2014-94: Headley Subdivision, North Broadway Park Addition, Carr Builders (Embrace United Methodist Church), 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

11/5/2014

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