

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-17-00033: CORE LEXINGTON 685 LIMESTONE, LLC

DESCRIPTION

Zone Change: From a Planned Neighborhood Residential (R-3) zone
To a Neighborhood Business (B-1) zone

Acreage: 1.36 net (1.80 gross) acres

Location: 119, 121, 123 & 131 Virginia Avenue; 665, 685 & 693 S. Limestone; and
662 Maxwellton Court

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Properties	R-3	Temporary Parking Lot & Residential
To North	R-3	Multi-Family Residential, University Press & Offices
To East	R-4	University of Kentucky
To South	B-3	University of Kentucky
To West	R-3 & R-4	Multi-Family Residential

URBAN SERVICES REPORT

Roads – The subject properties are located in the northwest corner of the signalized intersection of S. Limestone (US 27) and Virginia Avenue. The site also has frontage along Maxwellton Court and access to Hester Alley to the north. The S. Limestone/Nicholasville Road corridor is a major urban arterial roadway that connects downtown Lexington (north of the site) to the Jessamine County line (many miles south of the site). This portion of the corridor has a five-lane cross-section and carries more than 26,000 vehicles per day. Virginia Avenue is one of several minor arterial roadways that connect to the University of Kentucky campus; once it cross S. Limestone, it becomes Huguelet Drive. Virginia Avenue is a six-lane roadway at its intersection with S. Limestone, which provides for significant traffic movements onto the S. Limestone corridor in both directions. Maxwellton Court is a local street within the Pralltown neighborhood that intersects S. Limestone approximately 500 feet north of the subject properties. The petitioner proposes a primary access to the mixed-use development along Virginia Avenue, and secondary access to Maxwellton Court. A right turn-lane is also proposed from S. Limestone onto the Virginia Avenue along the subject properties’ frontage.

Curb/Gutter/Sidewalks – Curbs, gutters and sidewalks exist along both the S. Limestone and Virginia Avenue corridors in this urban environment. Maxwellton Court does have curbs and sidewalks, but lacks gutters. The existing sidewalks are proposed for significant expansion along both major corridors.

Storm Sewers – The subject properties are located within the upper reaches of the Town Branch watershed. There is no FEMA flood hazard area on the subject site, nor any known flooding issues in the immediate area. Stormwater facilities or other improvements have not been denoted on the corollary zoning development plan to date. The Divisions of Engineering and Water Quality will evaluate the applicant’s final plans to determine compliance with the details of the LFUCG Stormwater Manual.

Sanitary Sewers – The subject properties, as well as the immediate surrounding area, are within the Town Branch sewershed. The Town Branch Wastewater Treatment Plant is located approximately two miles to the southwest of the site (off of Lisle Industrial Road along the Town Branch Creek). Sanitary sewer capacity is very limited within the sewer bank, which includes the subject site and the University of Kentucky; further evaluation of capacity is required at the time of the final development plan through the Division of Water Quality’s Capacity Assurance Program (CAP).

Refuse – Refuse collection is provided by the Urban County Government on Mondays in this part of the Urban Service Area. Oftentimes, mixed-use projects contract with private companies for more frequent and/or compactor service, which may be necessary for the proposed development.

Police – The subject site is within Police Sector 1 and is served by the West Sector Roll Call Center, which is located on Old Frankfort Pike. However, the closest station is the Police Headquarters on E. Main Street, less than one mile to the northeast of the site.

Fire/Ambulance – Fire Station #6 is located in closest proximity to the site. It is located at the intersection of Scott Street and S. Limestone, near the main entrance to the University of Kentucky campus, only 1/3 mile to the north of the site.

Utilities – Natural gas, telephone service, electric, water, streetlights, and cable service are all available to surrounding properties, and should be able to be easily extended to serve the subject site.

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 address the five major themes of the Plan: growing successful neighborhoods (Theme A), protecting the environment (Theme B), creating jobs and prosperity (Theme C), improving a desirable community (Theme D), and maintaining a balance between planning for urban uses and safeguarding rural land (Theme E).

The petitioner proposes a Neighborhood Business (B-1) zone in order to construct a mixed-use building at the northwest corner of S. Limestone and Virginia Avenue. The petitioner proposes 190 residential dwelling units, 11,800 square feet of commercial space, and an associated parking structure. The petitioner also proposes utilizing the form-based project option of the B-1 zone, which is a recent addition to the Zoning Ordinance.

CASE REVIEW

The petitioner has requested a zone change from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone for 1.36 acres of property, located on the northwest corner of S. Limestone and Virginia Avenue.

The site is comprised of eight parcels that are located directly across from the University of Kentucky campus. The site is bounded to the south by Virginia Avenue and to the east by S. Limestone. The site also has about 30 feet of frontage along Maxwellton Court at its northwest corner and access to Hester Alley along the northern site boundary.

This area is characterized primarily by multi-family residential and neighborhood businesses along Virginia Avenue and within the Pralltown neighborhood, and a mixture of adaptively reused homes and large medical and/or research buildings associated with the University of Kentucky along S. Limestone and on Huguelet Drive. S. Limestone is a heavily traveled corridor by pedestrians, bicyclists and all types of vehicles (bus, truck and automobile).

The immediate area also has a mixture of zoning categories present, including the R-3, High Density Apartment (R-4), High Rise Apartment (R-5) and Highway Service Business (B-3) zones. The site is primarily owned by the University of Kentucky and has historically been utilized for residential, campus offices and off-street parking.

The petitioner proposes to construct a mixed-use building within a form-based project, as permitted in the Neighborhood Business (B-1) zone. The petitioner proposes 190 residential dwelling units, 11,800 square feet of commercial space, and an attached parking structure on the site. With their application for a zone change, the petitioner has submitted a detailed "area character and context study," as stipulated in the Zoning Ordinance.

The 2013 Comprehensive Plan has several goals and objectives that are relevant to the proposed request for rezoning and the proposed redevelopment from Theme A "Growing Successful Neighborhoods," Theme B "Protecting the Environment," Theme D "Improving a Desirable Community" and Theme E "Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land." The Plan recommends expanding housing choices, with emphasis on sustainable mixed-use and higher density development in certain situations to address a variety of community needs (Goals 1b. and 1d.). It also recommends supporting infill and redevelopment as a strategic component of growth, with focus on context sensitive design (Goal 2a.), and providing well-designed neighborhoods through mixed-use, multi-modal transportation connections and minimizing disruption of natural features when building new communities (Goals #3a., #3b. and #3c.). The Plan recommends reducing the community's carbon footprint through sustainable and transit-oriented development (Theme B, Goal 2c.). The Plan also encourages the consumption of underutilized land (Theme E, Goal 1a.) and building in a compact, contiguous, and/or sustainable manner (Theme E, Goal 1b). The petitioner opines that the zone map amendment request is in compliance with the Comprehensive Plan; in particular, the goals and objective statements cited above. This development will provide sustainable development in the form of an urban mixed-use project near the University of Kentucky, one the community's largest employment areas. The petitioner's proposed project will provide additional housing options for the S. Limestone and Virginia Avenue corridors in a context-sensitive manner, while offering multi-modal transportation connections (vehicular, bicycle, pedestrian and transit).

The Comprehensive Plan strongly supports the type of mixed-use development now envisioned for the site by the petitioner. The B-1 zone offers the most flexible zoning tool (via the form-based neighborhood business project) outside of the downtown business zones or mixed-use zones. The form-based neighborhood business project, with its required character and context study, allows for the petitioner to achieve the building height and residential density desired at this location. It was determined by the petitioner that a downtown business zone so far from the downtown core would be a tenuous precedent and that the mixed-use zones did not permit the floor area ratios and lot coverage proposed for the site. Thus, in reviewing the available options, the petitioner determined that creating a form-based neighborhood business project in the B-1 zone would allow the flexibility to design a signature mixed-use project that complements the University of Kentucky at this location.

The petitioner contends that the proposed Neighborhood Business (B-1) zoning and the accompanying form-based neighborhood business project is in agreement with the 2013 Comprehensive Plan. Since the proposed B-1 zone can implement the goals and objectives recommendations of the Comprehensive Plan; and because the proposed B-1 zone permits residential dwelling units above or to the rear of a principal permitted use, the staff agrees that the proposed zoning is in agreement with the 2013 Comprehensive Plan. In addition, the B-1 zone is appropriate at the intersection of two arterial roadways. Conditional zoning restrictions are suggested to ensure that the development remains in agreement with the policies, goals and objectives of the Plan.

A traffic impact study has been submitted with the requested zone change. The Metropolitan Planning Organization (MPO)/Transportation Planning Section is currently reviewing the study and will make known their findings at the Commission's public hearing.

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

1. The proposed Neighborhood Business (B-1) zone and form-based neighborhood business project are in agreement with the 2013 Comprehensive Plan, for the following reasons:

- a. Theme A “Growing Successful Neighborhoods” recommends expanding housing choices, with emphasis on mixed-use and higher density development to address a variety of community needs (Goals 1b. and 1d.). The Plan recommends supporting infill and redevelopment as a strategic component of growth, with focus on context-sensitive design (Goal 2a.), and providing well-designed neighborhoods through mixed-use, multi-modal transportation connections and minimizing disruption of natural features when building new communities (Goals 3a., 3b, and 3c.) The petitioner’s proposed project will provide additional housing options for the S. Limestone and Virginia Avenue corridors in a context-sensitive manner, while offering multi-modal transportation connections (vehicular, bicycle, pedestrian and transit).
 - b. Theme B “Protecting the Environment” recommends reducing the community’s carbon footprint through sustainable and transit-oriented development (Theme B, Goal 2c.). This development will provide sustainable development in the form of an urban mixed-use project near the University of Kentucky, one the community’s largest employment areas, along existing transit routes.
 - c. Theme E “Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land” also encourages the infill or redevelopment of underutilized land inside the Urban Service Area (Goal 1a.), and building in a compact, contiguous, and/or sustainable manner (Goal 1b.). The petitioner is redeveloping an underutilized parking lot near one of the main entrances to the University of Kentucky campus in a highly dense manner, thus fulfilling the intent of the Comprehensive Plan.
2. The proposed B-1 zone permits mixed-use development, and the form-based project option allows flexibility in the zone requirements if a project developer completes the area character and context study requirements. The petitioner has conducted the requisite study, evaluating the nearby area, and creating a project that respects the existing urban environment.
 3. This recommendation is made subject to approval and certification of PLN-MJDP-17-00089: The Hub at Lexington II, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
 4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended for the subject property:
PROHIBITED USES
 - a. Automobile repair, service stations, and gasoline pumps.
 - b. Automobile and vehicle refueling stations.
 - c. Animal hospitals or clinics.
 - d. Self-service car washes.
 - e. Drive-thru facilities.OTHER USE RESTRICTIONS
 - a. A residential component shall be required to create a mixed-use development on the subject property.

These use restrictions are appropriate and necessary to ensure that future development will be compatible with the character of the adjoining area by prohibiting certain uses that would be contrary to its urban mixed-use character, and to ensure compliance with the Goals and Objectives of the Comprehensive Plan.