

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-17-00009: CALVARY BAPTIST CHURCH

DESCRIPTION

Zone Change:

<u>REQUEST</u>		<u>ACREAGE</u>			
<u>FROM</u>	<u>TO</u>	<u>NET</u>		<u>GROSS</u>	
B-1	B-2B	0.609	0.61	0.768	0.73
R-4	B-2B	2.053	1.97	2.639	2.53
TOTAL		2.662	2.58	3.407	3.26

Location: 100 & 152 East High Street (portions of) and 238, 240, 242, 244, 250 & 252 Rodes Avenue

CASE REVIEW

The petitioner has successfully navigated through the alterations that were necessary to their application in order to more closely match the existing B-2B zoning boundary that traverses through the petitioner’s downtown property. This involved careful scrutiny of our local records, including a) the 1977 zone change that applied the brand new B-2B zoning district in portions of downtown Lexington, b) the legal description and ZOMAR plat that were prepared as part of that zone change, c) the Zoning Atlas utilized by the community from 1980-1996, and d) GIS computer files and information. As a result, there are very slight alterations to the acreages involving each of the zone changes now proposed, but these are not considered significant enough to require an “amended” zone change application, since each resulting change constitutes a small reduction in acreage, with the exception of one that is rounded (up).

The staff reported at the Zoning Committee meeting earlier this month that the staff did not disagree with the applicant’s justification for this zone change request. The request is not cited to be in agreement with the 2013 Comprehensive Plan, and the staff does not dispute that either. The applicant contends that the existing mixture of zoning for their property is not appropriate, and that a single zone, the B-2B zone, is more appropriate for their downtown landholdings.

The staff agrees that the mixture of zones is not as appropriate as a single zoning category for the church’s campus. Neither of the other categories of this split-zoned campus provides as good an option as the extension of the B-2B zone farther south. An R-4 would require a conditional use permit for all future church activities, should it wish to continue to grow at this location. The B-1 zone, while it would allow most of the uses currently operated by the church, does not fit the built environment of the church’s buildings along North Martin Luther King, Jr. Boulevard, East High Street, and South Limestone Street, due to the existing buildings being located at or very near the rights-of-way for each of these streets. The church’s location in the downtown core makes the B-2B zone the most logical one for all of its property.

The Staff Recommends: Approval, for the following reasons:

1. The proposed Lexington Center Business (B-2B) zone is appropriate, and the existing mixture of a Neighborhood Business (B-1) zone and a High Density Apartment (R-4) zone is no longer appropriate for the subject site, for the following reasons:
 - a. The proposed B-2B zone will allow the sizeable landholdings of this church community to be combined into one zoning category. This is reasonable, and will allow the church to simplify their future planning and building processes for almost the entirety of their property.
 - b. The current High Density Apartment (R-4) zone on the property requires approval by the Board of Adjustment for any additional church buildings, parking or improvements. The zoning for the majority of the church’s property has no such requirement. It also has too low of an allowance for floor-area-ratio for an entirely new residential use in the core of downtown.
 - c. The one site improvement currently contemplated, a private driveway through the site as far south as Rodes Avenue, will form a superior land use separation from the applicant’s property to adjacent land owned and/or controlled by the University of Kentucky.

- d. B-2B zoning is the most appropriate single zone for the Calvary Baptist Church, since that zone currently covers the largest portion of the existing church campus.
 - e. Existing businesses in this block of South Limestone Street have front setbacks more in line with B-2B requirements than B-1 zoning restrictions.
 - f. The proposed B-2B zone allows most of the existing uses on the church's downtown campus (i.e. church, child care center, counselling office, clinic and recreation center) as principal permitted uses.
2. This recommendation is made subject to the approval and certification of PLN-MJDP-17-00007: Calvary Baptist 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/WLS

4/5/2017

4/26/2017 supp

Planning Services\Staff Reports\MAR\2017\PLN-MAR-17-00009 Supp.doc