

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-23-00005: ANDERSON COMMUNITIES, INC



STAFF REVIEW

In the period following the May Subdivision and Zoning Committee meetings, the applicant met with staff to discuss the concerns described within the initial staff report and the comments received during the committee meetings. Since that time, the applicant has submitted updated information including an updated development plan and letter of justification.

The applicant has provided a new layout of the proposed site, with several significant changes. The new design features a redesigned road network, where traffic is slowed with a 90 degree, four-way stop and a raised pedestrian table. Pedestrian circulation for the site has shifted from perimeter sidewalks to a centralized 8-foot multi-modal path that runs through the center of the development. The applicant has redesigned the commercial elements of the site, including significant changes to the proposed restaurant use. The applicant has removed the accessory drive-through facility, removed parking between the structure and the internal street, reoriented the building towards the internal pedestrian network, and provided significant outdoor patio areas. The applicant has also opted to provide additional variety in the type of housing being provided. The initial plan called for a eight 4-story apartment structures, but now include a mix of 2-story townhomes and 4-story apartments units. This results in a reduction in the overall number of residential units from 192 units to 139 units, for a total density of 23.52 units per acre. Open space on the site has been more evenly distributed, with each cluster of residential units abutting and fronting on usable open space. In response to concerns voiced by individuals within the adjoining Ellerslie neighborhood, the applicant is proposing landscaped berms in the Old Richmond Road right-of-way once the road has been closed to screen the development.

PUBLIC OUTREACH

In the time since their initial application submission, the applicant has met with the Ellerslie Neighborhood Association, and has met with the attorney representing the Old Richmond Road Neighborhood Association. The applicant has indicated that during these meetings, the neighborhoods voiced concerns including the scale of the development, types of potential uses, screening, and connectivity.

PLACE TYPE, DEVELOPMENT TYPE, AND ZONE

In light of the significant changes to the function and design of the proposal, the applicant has updated their justification for the zone change application to reflect a new Place Type. The applicant has shifted their justification from the original Corridor Place-Type to a New Complete Neighborhood Place-Type.

The 2018 Imagine Lexington Comprehensive Plan characterizes the New Complete Neighborhood Place-Type as undeveloped areas designed to provide housing within a sustainable format. These areas include a mix of uses such as neighborhood-serving retail, services, and employment options, as well as larger town centers, will allow citizens to fully realize their day-to-day needs without having to leave their immediate area. These areas providing a wider variety of housing options rather than large homogeneous sections dedicated to a single type, will ensure that residents of all income levels can afford a home. Intentional greenspaces and neighborhood focal points accessible to all residents should also be provided to add to the sense of place and community. A well-connected multi-modal transportation network is also a key component of a New Complete Neighborhood's success.

Staff agrees that the applicant's proposed Place-Type can be appropriate at this location. The high intensity of Athens Boonesboro Road, significant width of the existing right-of-way, and topographical differences limit this site's ability to meaningfully develop and activate the Athens Boonesboro Road frontage in a way that is characteristic of a Corridor Place-Type. Rather than designing the site around activating the corridor, the redesigned site is oriented internally, towards the multi-modal network within the site. The site provides a mix of housing, as well as retail, restaurant, and convenience uses on-site, all organized along multi-use paths and

public open space. While there are no current transit routes that extend to the subject property, the property is located along a major corridor with existing transit service, and the development contributes to demand that will make future transit expansion in this area more viable.

Staff agrees that the proposed development can meet the requirements of the New Complete Neighborhood Place-Type and can be appropriate at this location. The applicant is not proposing any change to the previously proposed Medium Density Non-Residential/Mixed Use Development Type and Community Center zone.

EXPANSION AREA MASTER PLAN

Within the revised letter of justification, the applicant provides additional information relating to the ways their application is in line with the Community Design principles laid out in the EAMP. By providing both townhome and traditional apartment units, the plan expands upon the predominately detached single family residential uses within Expansion Area #2.c. The Community Design element further calls for organizing a series of discrete neighborhoods and communities which are linked one to the other by greenways, trails, paths and roads. The proposal creates a new neighborhood that has the potential for pedestrian connection into the Ellerslie neighborhood to the west, as well as pedestrian and vehicular connection to the remainder of the Expansion Area 2.c areas through Hayes Boulevard to the northeast. Finally, the plan calls for integrating commercial facilities into community centers using elements of traditional town planning. The updated plan improves upon the previous design with this regard by eliminating the drive-through component of the proposed restaurant, bringing the structure to the internal roadway, and anchoring the main intersection with a range of uses , a public green and open space.

While the applicant's proposal is not in line with the recommended low-density residential land use prescribed for this area from the Expansion Area Master Plan, the applicant continues to opine that such a recommendation is no longer appropriate for this area. In lieu of agreement with the future land use map component of the EAMP, the applicant continues to make an argument that such development is in line with the principles established in the Placebuilder element of the 2018 Comprehensive Plan. With regard to balancing the recommendations of two plans, the 2018 Comprehensive Plan states that considerations regarding the EAMP "should be in addition to, and not in place of, the Placebuilder process and criteria" (pg 268).

GOALS, OBJECTIVES, & POLICIES

In their revisions, the applicant has addressed several of staff's concerns relating to meeting the Goals, Objectives, and Policies of the 2018 Comprehensive Plan. In response to staff's concerns regarding providing for positive & safe social interactions in neighborhoods, including neighborhoods that are connected for pedestrians & various modes of transportation (Theme A, Goal #3.b), the applicant has redesigned the site's circulation system. The property has stubbed pedestrian paths to the northwest of the site, which can provide connections with Jacobson Park, as well as a stubbed path that can provide future connections to the Ellerslie neighborhood to the west. The pedestrian circulation through the site has been streamlined with the centralized multi-modal path connecting the residential and commercial uses. While the revised plan does provide for effective circulation through the site, the applicant should explore the possibility of providing a multi-modal trail adjacent to the proposed landscaping in the areas of Old Richmond Road anticipated to be closed in the future.

In response to Staff's request for more information regarding compliance with the policies of the Comprehensive Plan, the applicant has identified numerous policies that are being met with the request. The applicant opines that the implementation of the four-way perpendicular intersection and proposed pedestrian network will move pedestrians and vehicles throughout the site in a context-sensitive manner that is in keeping with a "main street" feel that is appropriate for a Community Center zone (Theme A, Design Policies 1 & 5). The proposal utilizes smaller scale townhome units to provide for more context sensitive transitions to the surrounding development (Theme A, Design Policy 4). The redesign and reorientation of the proposed apartment units demonstrates compliance with the Multi-Family Design Standards (Theme A, Design Policy 3). Parking for both the proposed commercial and residential development has been oriented to the side or rear of the structures, leaving the buildings, pedestrian

paths, and open spaces as the primary visual points of the neighborhood (Theme A, Design Policy 7). The proposal meets policies relating to increasing densities and intensities along corridors in a context-sensitive manner (Theme A, Density Policies 1, 2, and 4), and provides for well connected neighborhood scale commercial development on site (Theme A, Density Policy 3).

Staff finds that the Comprehensive Plan policies indicated by the applicant are being met with this request.

DEVELOPMENT CRITERIA

The revised plan also addresses several of the Development Criteria previously identified by staff as requiring further clarification.

1. Site Design, Building Form and Location

A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.

The proposed residential units front on usable greenspace and the pedestrian network, and are easily accessible. Parking for the residential units has been located to the rear of the units. A sidewalk stub connection has been provided to allow for future multi-modal connections into the adjoining Ellerslie neighborhood,

While architectural renderings are not required to be provided at this time, the applicant has provided information regarding the architectural design of the structures. The applicant has indicated that the designs will provide articulation and avoid blank wall faces, and will include a mixture of building materials.

A-DS7-1 Parking should be oriented to the rear of the property for non-residential or multi-family residential development; A-DS5-3 Building Orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.

The applicant has reoriented the residential units along a central multi-modal path, and relocated parking to the rear of the units. The proposed multi-modal path provides for a direct connection to the commercial uses within the development, as well as the larger pedestrian network connecting to the developments along Hayes Boulevard. Calming measures in the roadway design, proposed pedestrian tables, and R-Cut improvements along Athens Boonesboro Road will make the proposed connections more pedestrian friendly.

A-DN2-2 Development should minimize contrasts in scale, massing, and design, particularly along the edges of historic areas and neighborhoods.

Staff had previously highlighted concerns relating to the differences in height and scale with the existing development in the Ellerslie neighborhood, which is primarily comprised of 2-story single-family attached and detached structures. In response, the applicant has proposed landscaped berms in the Old Richmond Road right-of-way area, and has located 2-story townhouse units in the northwest corner. This offers a more gradual transition into the taller, 4-story structures located centrally on the site.

2. Transportation and Pedestrian Connectivity

D-CO2-2 Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities;

Staff previously identified concerns regarding the lack of straightforward pedestrian connections for the development to the larger pedestrian network. In response to these concerns, the applicant shifted from perimeter sidewalks to a centrally oriented sidewalk network that more efficiently moves individuals through the site, and to the pedestrian crossing at the Hayes Boulevard intersection. The proposed network stubs to the northwest, where it can connect to any future pedestrian infrastructure established by KYTC to provide connectivity to Jacobson Park.

3. Greenspace and Environmental Health

A-EQ7-3 Community open spaces should be easily accessible and clearly delineated from private open spaces.

In the initial proposal, Staff voiced concerns with the distribution of open space on the site, where nearly all meaningful community open space and amenities were clustered at the southern portion of the site. The applicant's revised plan distributes open space more evenly throughout the site, and relocates the structures to provide direct and accessible use of the spaces.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The proposed Community Center (CC) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives, and Policies, for the following reasons:
 - a. The proposal introduces multi-family residential uses into an area predominately characterized by single-family attached and detached units, the applicant expands the variety of housing types and densities present in the area (Theme A, Goal #1.c).
 - b. By developing an underutilized parcel of land within the Urban Service Area, the proposal supports goals relating to redevelopment and strategic growth (Theme A, Goal #2.a; Theme E Goal #1.c).
 - c. The proposal creates more meaningful and direct pedestrian and multi-modal connections, which contributes to an effective and comprehensive transportation system in this area (Theme D, Goal #1.c).
 - d. The proposed pedestrian network will move pedestrians and vehicles throughout the site in a context-sensitive manner that is in keeping with a "main street" feel that is appropriate for a Community Center zone (Theme A, Design Policies 1 & 5).
 - e. The development demonstrates compliance with the Multi-Family Design Standards (Theme A, Design Policy 3).
 - f. The request utilizes smaller scale townhome units to provide for more context sensitive transitions from the surrounding development (Theme A, Design Policy 4).
 - g. The development orients parking to the rear of the structures (Theme A, Design Policy 7).
 - h. The proposal increases densities and intensities along the Athens Boonesboro Road corridor in a context-sensitive manner (Theme A, Density Policies 1, 2, and 4).
 - i. The orientation of the commercial uses towards the centralized multi-modal path allows for easy connections to neighborhood scale supportive uses for the surrounding development.(Theme A, Density Policy 3).
2. The justification and corollary development plan are in agreement with the development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the proposal demonstrates compliance with the requirements of the Multi-Family Design Standards, orients the parking to the side and rear of the development, and utilizes townhouse units to minimize contrasts in scale and massing,
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity, as the revised proposal provides a redesigned road network with significant traffic calming measures, and provides for safer and more direct pedestrian connections both within the site, and to the surrounding areas.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposed design works and provides for distributed and usable open space throughout the development, and avoids developing any environmentally sensitive areas.
3. This recommendation is made subject to approval and certification of PLN-MJDP-23-00024: PHELPS PROPERTY, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.