

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2014-7: COLLINS-WATHEN PROPERTIES, LLC.

DESCRIPTION

Zone Change: From a High Density Apartment (R-4) zone
To a Neighborhood Business (B-1) zone

Acreage: 0.441 net (0.515 gross) acre

Location: 508 W. Second Street

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-4	Vacant (formerly Planned Parenthood)
To North	B-1	Professional Offices
To East	B-1	Restaurants, Offices, & Retail Sales
To South	R-5 & B-1	High-rise Apartments, Restaurant & Parking Lot
To West	R-5	High-rise Apartments (Ballard-Griffith Towers)

URBAN SERVICES REPORT

Roads – West Second Street borders the subject property to the northeast, and Tower Plaza borders a small portion of the rear of this property to the southwest. West Second Street is a local street on the northwest side of downtown. It is a one-way street that extends from Newtown Pike to Midland Avenue, although it has a short interruption between N. Limestone and Martin Luther King, Jr. Boulevard. Tower Plaza is a local street (partially private) that functions as an entrance drive for the adjacent residential development (Ballard-Griffith Towers) and terminates in a drop-off circle in front of those high-rise buildings. The intersection of Jefferson Street and W. Second Street is approximately 60 feet to the southeast from the subject property. Ingress and egress points for the property are planned to remain along both W. Second Street and Tower Plaza, which allows for circulation on the property.

Curb/Gutter/Sidewalks – W. Second Street does have adequate curbs, gutters, and sidewalks. Tower Plaza has curbs and some recent sidewalk improvements, but lacks gutters. Sidewalk improvements may be required along the Tower Plaza frontage to improve pedestrian safety in the vicinity.

Storm Sewers – This property is located in the Town Branch watershed. The Town Branch emerges (flowing north) from underground about ¼ of a mile to the west of the subject property, although no known flooding problems exist within the immediate vicinity. No physical change is proposed to the property, which currently has a small basin, and the lot is less than one acre in size. For such small parcels, stormwater detention/retention is not usually required.

Sanitary Sewers – The subject property is located within the Town Branch sewershed, and is served by the Town Branch Wastewater Treatment Facility located on Lisle Industrial Avenue. The petitioner will need to address any existing deficiency in connecting to the sanitary sewer lines and may need to make improvements for containing grease, since one of the proposed uses at this location is for a restaurant.

Refuse – The local government currently serves this portion of the Urban Service Area with collection days on Thursdays. The petitioner should consider supplemental service from a private refuse hauler to meet the needs of the mix of (and restaurant) uses proposed on the subject property.

Police – The nearest police station is the Main Headquarters located on East Main Street, about 2/3 of a mile to the southwest of the subject property.

Fire/Ambulance – The nearest fire station (#4) is only about one block northeast of the subject property, located on Jefferson Street between West Second and West Third Streets.

Utilities – All utilities, including phone, water, gas, electric, and cable television currently serve the subject property and should be able to accommodate the proposed change in land use.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's Goals and Objectives recommend identifying opportunities for infill, redevelopment and adaptive reuse that are respectful of an area's context and design features (Theme A, Goal 2a); providing for well-designed neighborhoods and communities (Theme A, Goal 3); providing entertainment and other quality of life opportunities that will attract young professionals and a workforce of all ages and talents to Lexington (Theme C, Goal 2d); encouraging the renovation, restoration, development and maintenance of historic structures (Theme D, Goal 2b); and encouraging mixed-use sustainable development with the Urban Service Area (Theme E, Goal 1b). The subject property is located within the *Downtown Master Plan* boundary, a 2005 planning effort of the Lexington Downtown Development Authority (DDA).

The petitioner proposes to rezone the property to the B-1 zone in order to renovate the existing structure for a mix of uses, including a restaurant, retail sales, office, and residential. The petitioner is also requesting a variance for landscaping along the shared property line with the Ballard-Griffith Towers.

CASE REVIEW

The petitioner has requested a zone change from a High Density Apartment (R-4) zone to a Neighborhood Business (B-1) zone for less than ½ of an acre of property at 508 W. Second Street.

The subject property is located on the south side of W. Second Street, about 60 feet to the northwest of its signalized intersection with Jefferson Street. The site also has about 20 feet of frontage along Tower Plaza, the entrance drive to Ballard-Griffith Towers (two high-rise apartment buildings) serving persons 55 years and older. A majority of the immediate area is zoned either Neighborhood Business (B-1) or multi-family residential (R-4 & R-5). Harrison Elementary School is located about a block to the south on Bruce Street, and the West Jefferson Place building directly across W. Second Street houses professional offices. The Jefferson Street corridor has experienced a resurgence over the past few years, as several new businesses and restaurants have opened and have attracted new customers to the area. The area is characterized by a mixture of residential, institutional, and business uses.

The subject property is located between two local historic districts – Western Suburb Historic District is generally to the west/southwest; and the Northside Historic District is located to the east, across Jefferson Street. Although not within the bounds of these local historic districts, the subject property is located within the National Register listed Northside Historic Residential District and should therefore be treated as a contributing property to the overall district.

The petitioner wishes to renovate the existing structure, which was originally a single-family residence. A social services organization, Planned Parenthood, acquired the property in the 1970s and was granted approval from the Board of Adjustment to operate a community center on the subject property in 1977. A large addition was constructed to the rear of the structure in the 1980s. The structure is now over 7,200 square feet in size, and has 23 parking spaces on the subject property. The petitioner plans to use the first floor for a restaurant and retail sales establishment, the second floor for three dwelling units, and the third floor of the main structure for an office.

The petitioner contends that the proposed Neighborhood Business (B-1) zoning is in agreement with the 2013 Comprehensive Plan, citing several Goals and Objectives that would be furthered if the property is re-zoned and adaptively re-used. Several of the Goals and Objectives emphasize the revitalization of downtown, supporting local business, establishing entertainment options which appeal to young professionals, and maintaining the integrity of the existing neighborhoods. Specifically, the zone change is supported by:

- Theme A, Goal 2a – Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features;
- Theme A, Goal 3 – Provide well-designed neighborhoods and communities;
- Theme C, Goal 2b – Provide entertainment and other quality of life opportunities that attract young professionals and a workforce of all ages and talents to Lexington;
- Theme D, Goal 2b – Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures; and
- Theme E, Goal 1b – Encourage compact, contiguous and/or mixed-use sustainable development with the Urban Service Area, as guided by market demand, to accommodate future growth needs.

Each of these five goals and objectives is being furthered by the petitioner's request to re-zone and create a mixed-use property that adaptively re-uses a historic structure.

The staff agrees with this assessment. In addition, a mixed-use development at this location is an appropriate land use transition between the business uses that exist along Jefferson Street and the multi-family residential use to the northeast, and is compatible with the surrounding properties.

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

1. The requested Neighborhood Business (B-1) zone for the subject property is in agreement with the 2013 Comprehensive Plan for the following reasons:
 - a. The Goals and Objectives recommend: 1) identifying areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features (Theme A., Goal 2a); and 2) providing a well-designed neighborhood and community (Theme A, Goal 3). This adaptive reuse development will maintain the historic structure, which is already in keeping with the neighborhood and is a contributing structure to the Northside National Register Historic District.
 - b. The Goals and Objectives encourage providing entertainment and other quality of life opportunities that attract young professionals and a workforce of all ages and talents to Lexington (Theme C, Goal 2d). The applicant is proposing to further the resurgence of the Jefferson Street corridor by including a mixture of uses in their proposed reuse of the site.
 - c. The Goals and Objectives support the renovation, restoration, development and maintenance of historic structures (Theme D, Goal 2b). The petitioner will renovate and restore the existing historic residential structure and its addition for the proposed mixture of uses.
 - d. The Goals and Objectives encourage compact, contiguous and/or mixed use sustainable development with the Urban Service Area, as guided by market demand, to accommodate future growth needs (Theme E, Goal 1b). The mixed use, adaptive reuse of the property will, in its own small way, help alleviate pressure to expand the Urban Service Area in the future.
 - e. The Goals and Objectives of the 2013 Comprehensive Plan are supported by the applicant's requested rezoning, and the requested B-1 zone is compatible with the adjacent zoning to both the south (Jefferson Street) and the northeast (West Jefferson Place).
2. This recommendation is made subject to approval and certification of ZDP 2014-28: Mary Swift, et al. Property (Lot 3), 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

4/2/2014

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