

ORDINANCE NO. 024 - 2023

AN ORDINANCE CHANGING THE ZONE FROM A NEIGHBORHOOD BUSINESS (B-1) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 0.10 NET (0.12 GROSS) ACRES, FOR PROPERTY LOCATED AT 712 LANCASTER AVENUE. (LEXINGTON HABITAT FOR HUMANITY, COUNCIL DISTRICT 1).

WHEREAS, at a Public Hearing held on January 26, 2023, a petition for a zoning ordinance map amendment for property located at 712 Lancaster Avenue from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.10 net (0.12 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 8-0; and

WHEREAS, the Urban County Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 712 Lancaster Avenue from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.10 net (0.12 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: March 23, 2023



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: March 30, 2023-1t

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Rec'd by _____

Date: _____

RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY


IN RE: PLN-MAR-22-00026: LEXINGTON HABITAT FOR HUMANITY INC – a petition for a zone map amendment from a Neighborhood Business (B-1) zone, to a Planned Neighborhood Residential (R-3) zone, for 0.10 net (0.12 gross) acres, for property located at 712 Lancaster Avenue. (Council District 1)

Having considered the above matter on **January 26, 2023**, at a Public Hearing, and having voted **8-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The requested High Rise Apartment (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives and Policies, for the following reasons:
 - a. The request will activate an underutilized parcel within the Infill and Redevelopment Area in order to develop additional affordable housing (Theme A, Goal #2).
 - b. The request will strengthen opportunities for housing affordability by introducing additional affordable housing stock into the East End Community Development Corporation neighborhood (Theme A, Goal #1.d).
 - c. By matching the existing setbacks and established pattern of single-family residential land use, the proposal respects the design and context of the surrounding area (Theme A, Goal #2.b).
2. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Equity Policies #1 and #2 by increasing the supply of affordable housing within the community.
 - b. The proposed single-family residential development meets Design Policy #4 by providing development that matches the surrounding single-family residential context of this portion of Lancaster Avenue.
 - c. The proposed change to the Planned Neighborhood Residential (R-3) zone allows for the potential of higher density residential redevelopment of the parcel in the future, which meets Density Policy #2.
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as it will intensify an underutilized property in a manner that utilizes the existing topography, at a pedestrian friendly scale.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development maintains the existing pedestrian infrastructure and connectivity present on-site.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape and has no impact on environmentally sensitive areas.
4. This recommendation is made subject to approval and certification of **PLN-MJDP-22-00081 LANCASTER & KEISER PROPERTY OF BELT LAND CO** prior to forwarding a recommendation

to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 24th day of February, 2023.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, PLN-MJDP-22-00081 LANCASTER & KEISER PROPERTY OF BELT LAND CO was approved by the Planning Commission on January 26, 2023 and certified on February 9, 2023.

K.R.S. 100.211(7) requires that the Council take action on this request by May 26, 2023.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Huston Royster**.

OBJECTORS

- None

OBJECTIONS

None

VOTES WERE AS FOLLOWS:

AYES: (8) Barksdale, Davis, de Movellan, Forester, Meyer, Michler, Penn, and Worth
NAYS: (0)
ABSENT: (3) Bell, Nicol, and Pohl
ABSTAINED: (0)
DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-22-00026** carried.

Enclosures: Application
Justification
Legal Description
Plat
Development Snapshot
Staff Report
Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: Huston Royster, 700 E LOUDON AVE, 700 E LOUDON AVE, LEXINGTON, KY 40505
Owner(s): LEXINGTON HABITAT FOR HUMANITY INC 700 E LOUDON AVE LEXINGTON KY 40505
Attorney: Huston Royster, 700 E LOUDON AVE, 700 E LOUDON AVE, LEXINGTON, KY 40505

2. ADDRESS OF APPLICANT'S PROPERTY

712 LANCASTER AVE LEXINGTON KY 40508

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing Use	Zoning	Requested Use	Acreage	
				Net	Gross
B-1	VACANT	R-3	RESIDENTIAL	0.102	0.123

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable





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November 28, 2022

Mr. Jim Duncan, Director
Lexington-Fayette Urban Co Division of Planning
200 E. Main St.
Lexington, KY 40507

Dear Director Duncan:

I represent Lexington Habitat for Humanity, which has filed a zone change application and an associated preliminary development plan for property located at: 712 Lancaster Avenue. The site is comprised of one parcel totaling .1003 acres. The site is near Maple Ave. and 7th street and is part of the East End Small Area plan and downtown neighborhood, which encompasses a variety of different zones.

GOALS AND OBJECTIVES

We believe that our proposed development is in agreement with the 2018 Comprehensive Plan, specifically the Goals and Objectives that encourage expanding housing choices (Theme A, Goal #1), support infill and redevelopment (Theme A, Goal #2), provide well-designed neighborhoods (Theme A, Goal #3), and more specifically, creating and implementing housing incentives that strengthen the opportunities for affordable housing.

ENGAGEMENT

We have had several conversations with surrounding neighbors to discuss the proposed development and zone change request prior to filing the application with the Division of Planning. The majority of the neighbors have expressed no concern with the zone change due to the fact that the property already had an existing residential structure standing and that we plan on building another single-story building on the property.

SITE DESCRIPTION

The subject site is located within a mixed-use neighborhood that currently includes single family residences, multi-family residences, a few businesses and some industrial. When we purchased the property there was an existing small, dilapidated residential structure that has since been demolished. The current B-1 zoning does not allow us to build a larger residential home that will be provide affordable housing for a larger family.



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PLACE-TYPE, DEVELOPMENT TYPE & REQUESTED ZONE

The Placebuilder defines seven place-types within the Urban Service Area boundary. This location is an **Enhanced Neighborhood** place-type, which is defined as:

An existing residential area that could be enhanced with additional amenities, housing types, and neighborhood-serving retail, services, and employment options that contribute to a sustainable neighborhood. Vibrant neighborhoods include a range of uses. The development that occurs in this place-type should be context-sensitive to the surrounding area and implemented in a way that adds to the sense of place. Multi-modal connections from new elements within enhanced neighborhoods are crucial to their success and long-term viability. (Page 327)

Further, the Enhanced Neighborhood type encourages low density residential, medium density residential, as well as medium density non-residential/mixed-use and medium-high density residential. The most appropriate place-type for the site is Enhanced Neighborhood because the Downtown Neighborhood area is a long-established residential neighborhood that could be enhanced, and it is located within the defined Infill and Redevelopment boundary. In addition, the applicant selected **low density residential** as the most suitable development for the site. We believe that low density residential fits in best with the existing fabric of the neighborhood and is also what will work best with the limited footprint that the proposed site offers.

The Placebuilder also recommends the following potential zoning categories that align with the proposed Enhanced Neighborhood place-type: R-3, R-4, MU-1, MU-2, and B1. The zone that most closely aligns with the applicant's vision for the site is the planned neighborhood residential zone (R3).

The subject site is currently located in Neighborhood Business (B1) zone, and the applicant is proposing to re-zone the parcel to a Low Density Residential (R3) zone. Under the current zone, Lexington Habitat could only build on the previous footprint of the dilapidated housing structure. The proposed plan includes building one single family home with an attached garage as part of the footprint.

The applicant understands the vision of the community, as outlined in *Imagine Lexington: The 2018 Comprehensive Plan*. The mission statement, goals and objectives, and the Placebuilder are furthered by the applicant's proposed development and we believe that the request is in agreement with the Comprehensive Plan for numerous reasons. Based upon the context of the site location, the applicant believes the site most closely aligns with the Enhanced Neighborhood place-type. We believe that the proposed low density residential (R3) zone is in agreement with the place-type definition, is a suitable development type and agrees with one of the recommended zones, as established by Placebuilder.

DEVELOPMENT CRITERIA

To further address the Placebuilder development criteria, the design team has prepared an annotated graphic of the proposed development plan. However, numerous other development criteria deserved further explanation and you will find the following information helpful in determining that the requested zone change agrees with the Comprehensive plan.



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The following design standards are being met, and are annotated on the development plan:

Site Design, Building Form & Location	Transportation & Pedestrian Connectivity	Greenspace & Environmental Health
A - DS5- 3	None	B - RE1-1
A - DS7- 1		B - PR7 - 2
E-GR9-3		B - PR7 - 3

In addition, the following information supports our assertion that the proposed zone change is in agreement with *Imagine Lexington: The 2018 Comprehensive Plan*. Based upon Density Policy #1 (page 41), the subject property is not located along a major corridor; therefore, several of the development criteria are not applicable.

	Site Design, Building Form & Location
A- DS5-3	The applicant intends to meet the pedestrian-friendly atmosphere design standard (A-DS5-3) by not disturbing the city sidewalks at the front of the property.
A -DS7-1	The attached single car garage provides internal parking
A -DN6-1	This proposal directly aligns with this requirement as it encourages new compact single-family housing types.
B – PR9 -1	Since the site was previously occupied by a single family home, the proposed work to be done on the site will utilize the existing topography.
B – SU11-1	The proposed home will be built to ENERGY STAR 3.0 Standards and will be, on average, 50% more efficient than a standard code built home.
C – L16 – 2	The applicant builds exclusively affordable housing in Lexington and the proposed units would serve families who are below 60% of AMI.
C – PS10-3	The attached garage provides parking for one vehicle.
D – SP9 – 1	The proposed development includes a zero-step entry for easy access to seniors or people with disabilities. In addition, the floor plan for the proposed home incorporates many ADA aspects within the layout so it could be occupied by a senior adult or person with a disability.
E – GR9 - 4	The site of the proposed development is currently vacant land and is underutilized in the neighborhood. The newly proposed home will enhance this underutilized asset in the neighborhood.
	Transportation & Pedestrian Connectivity
D –C02-2	Development includes the replacement of the existing sidewalks.



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	Greenspace & Environmental Health
A - DS4 - 3	The proposed site for development was previously single family and is very flat. Several new plants and trees will be planted to replace any tree that will need to be trimmed at the rear of the lot.
B - PR7 - 2	One medium size shade tree will be incorporated into the development plan.
B - PR7 - 3	One medium size shade tree will be incorporated into the development plan.

Lastly, there are several Placebuilder development criteria that are not applicable to the proposed zone change. Those are listed below, along with a brief explanation of why they are not pertinent to our proposal and/or our site.

	Site Design, Building Form, & Location
A - DS7- 2	<ul style="list-style-type: none"> The proposed development does not include non-residential or multi-family.
A - DS10-1	<ul style="list-style-type: none"> The proposed development is not within walking distance to a focal point.
A - DS11-1	<ul style="list-style-type: none"> The proposed development does not include public focal points.
A - DN2-1	<ul style="list-style-type: none"> The proposed development does not increase density.
A - EQ7- 1	<ul style="list-style-type: none"> The proposed development does not include a school.
C - PS10-2	<ul style="list-style-type: none"> The proposed development does not include underutilized parking lots.
D - PL9 - 1	<ul style="list-style-type: none"> The proposed development does not include historically significant structures.
D - SP1 - 1	<ul style="list-style-type: none"> The proposed development does not include any schools.
D - SP1- 2	<ul style="list-style-type: none"> The proposed development does not include any schools.
D - SP3 - 1	<ul style="list-style-type: none"> The proposed development does not include right-of-ways or easements.
D - SP3 - 2	<ul style="list-style-type: none"> The proposed development does not include cell towers.
E - GR4 - 1	<ul style="list-style-type: none"> The proposed development site has no existing structures.
E - GR5 - 1	<ul style="list-style-type: none"> The proposed development site has no existing structures.
E - GR9 - 1	<ul style="list-style-type: none"> The proposed development does not include common areas.
E - GR9 - 3	<ul style="list-style-type: none"> The proposed development does not include any multi family housing.



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	Transportation & Pedestrian Connectivity
A - DS1 - 1	<ul style="list-style-type: none"> • There is not a transit line at the site of the proposed development.
A - DS1 - 2	<ul style="list-style-type: none"> • Side-walks will be replaced but will not connect to transit line.
A - DS4 - 1	<ul style="list-style-type: none"> • The limited development of the small site does not allow for connected multi-modal network to adjacent neighborhoods, greenspaces, etc.
A - DS5 - 1	<ul style="list-style-type: none"> • Major infrastructure is not included in this proposed development.
A - DS5 - 2	<ul style="list-style-type: none"> • Roadways are not being built as a part of this proposed development.
A - DS10 - 2	<ul style="list-style-type: none"> • The limited development of the small site does not allow for new neighborhood focal points.
A - DS13 - 1	<ul style="list-style-type: none"> • Stub streets are not included in the proposed development.
B - SU4 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for new greenspace/community centers.
D - CO1 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
D - CO2 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
D - CO4 - 1	<ul style="list-style-type: none"> • Dead-end streets and cul-de-sacs are not included in the proposed development.
D - CO4 - 2	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
D - CO4 - 3	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
D - CO5 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
D - SP1 - 3	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
	Greenspace and Environmental Health
A - EQ7-3	<ul style="list-style-type: none"> • Community spaces are not included in the proposed development plan.
B - PR2 - 1	<ul style="list-style-type: none"> • No known environmentally sensitive areas border the proposed site.
B - PR2 - 2	<ul style="list-style-type: none"> • No known floodplains exist on the site.
B - PR2 - 3	<ul style="list-style-type: none"> • No known floodplains exist on the site.
B - PR7 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
B - RE1 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
B - RE2 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
D - SP2 - 1	<ul style="list-style-type: none"> • There are no schools in this proposed development.
D - SP2 - 2	<ul style="list-style-type: none"> • There are no schools in this proposed development.
E - GR3 - 1	<ul style="list-style-type: none"> • The limited development area of the proposed plan does not allow for this criteria.
E - GR3 - 2	<ul style="list-style-type: none"> • New focal points are not included in the proposed development.

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CONCLUSION

Again, we would ask that you favorably consider the proposed zone change and its relationship to fulfilling the mission goals, objectives and policies of *Imagine Lexington: The 2018 Comprehensive Plan*. Lexington Habitat has a long history of providing affordable housing and carrying out our mission to build homes, communities and hope throughout our community. This mission has become more and more difficult as viable land has become scarcer. The proposed change would allow Lexington Habitat to serve a family with an affordable place to live and would truly change the trajectory of those families' lives. Thank you for your consideration of our proposed zone change and we look forward to presenting our case in full at the public hearing on January 26, 2023. We are glad to answer any questions about our proposal between now and the public hearing.

Sincerely,

Huston Royster

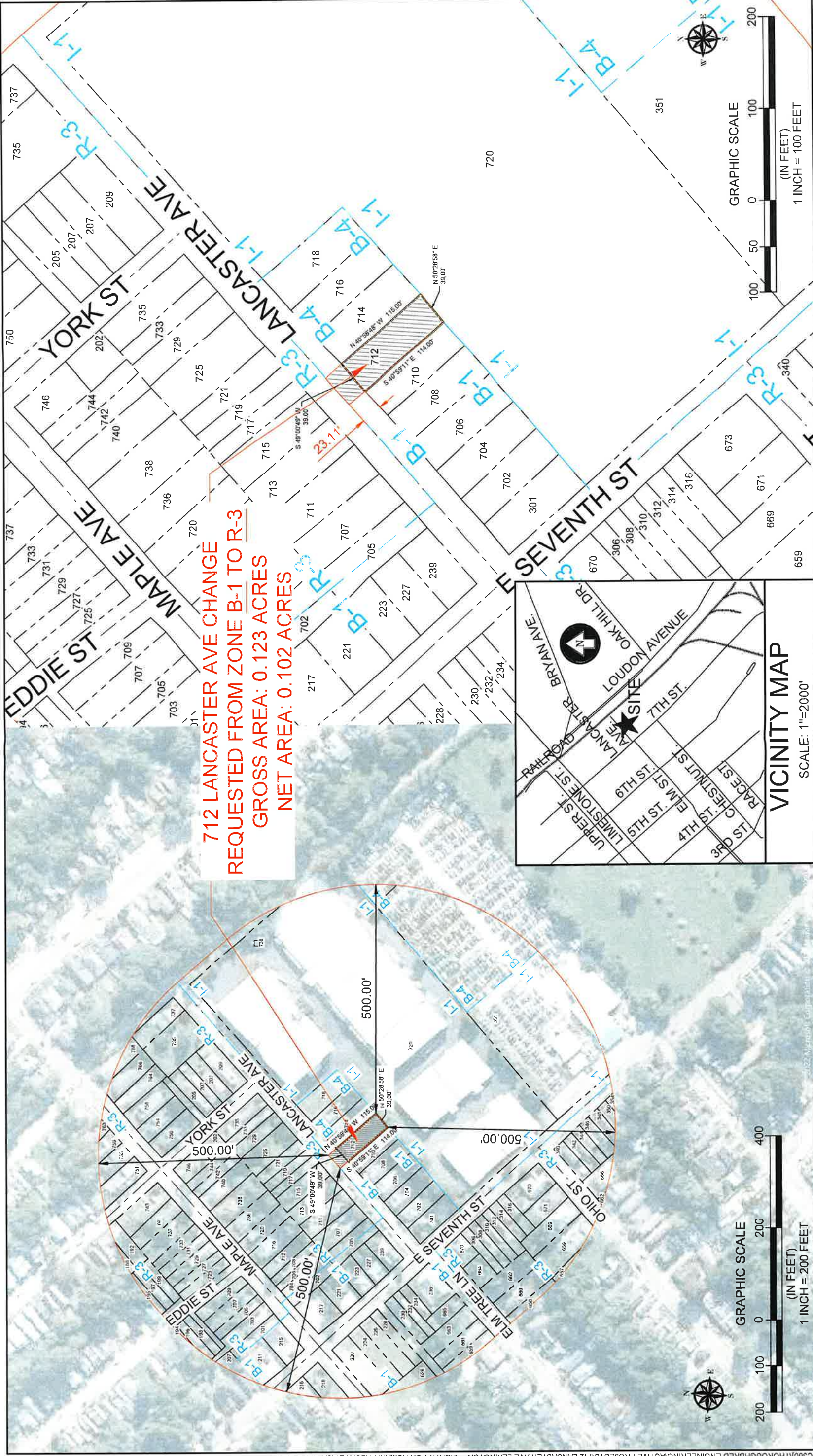
Legal Description
712 Lancaster Avenue
Lexington, Kentucky

STARTING at the southeast corner of Seventh Street and Lancaster Avenue and proceeding along the southeast side of Lancaster Street in a northeasterly direction 243 feet to the real point of beginning.

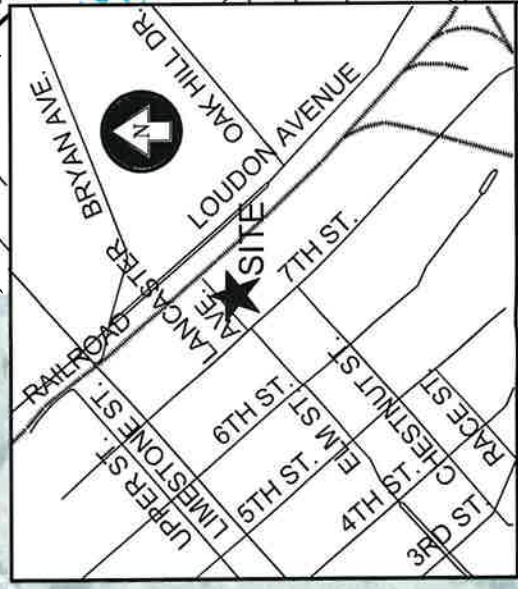
BEGINNING at a PK w/washer at the northwest corner of Lot 13 thence N 40° 59' 11" W, 23.00 ft. to a point in the center of Lancaster Avenue; thence with the center of said street N 49° 00' 49" E 39.00 ft. to a point in the center of said street; thence S 40° 58' 48" E 23.00 ft. to an iron pin found at the northeast corner of Lot 13; thence along the northeast side of Lot 13 S 40° 58' 48" E, 115.00 ft. to an iron pin set; thence S 50° 28' 58" W, 39.00 ft. to an iron pin set; thence along the southwest side of Lot 13 N 40° 59' 11" W, 114.00 ft. to the point of BEGINNING containing a gross area of 0.123 acres with a net area for Lot 13 of 0.102 acres. This being known as 712 Lancaster Avenue, Lot 13.



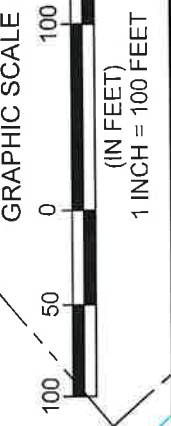
A handwritten signature in cursive script that reads "Gordon B. Stacy".



**712 LANCASTER AVE CHANGE
REQUESTED FROM ZONE B-1 TO R-3
GROSS AREA: 0.123 ACRES
NET AREA: 0.102 ACRES**



VICINITY MAP
SCALE: 1"=2000'



 <p>THOROUGHbred DESIGN ENGINEER CONSTRUCT</p>		<p>P.O. BOX 481 LEXINGTON, KY 40588 (859) 785-0383 CIVIL DESIGN, LAND SURVEYING, ARCHITECTURE, GEOTECHNICAL ENGINEERING, DRILLING SERVICES, IBC SPECIAL INSPECTIONS, MATERIAL TESTING, CM-CI-CONSTRUCTION SERVICES</p>		<p>NOTIFICATION MAP LEXINGTON HABITAT FOR HUMANITY, INC 712 LANCASTER ROAD, LEXINGTON, FAYETTE COUNTY, KENTUCKY CLIENT/OWNER: HABITAT FOR HUMANITY 700 E LOUDEN AVE FAYETTE COUNTY, LEXINGTON, KY 40505</p>		<p>FROM B-1 TO R-3 GROSS 0.122 ACRE NET 0.102 ACRE</p>		<p>DATE 12/27/2022 SCALE "VARIES" DRAWN BY CBT CHECKED BY ENGINEER PROJECT NO 220321 REVISION CRIG 12/22/2022 GORDON B. STACY 2896 LICENSED PROFESSIONAL LAND SURVEYOR</p>		<p>SHEET 1 OF 1</p>	
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LEXINGTON HABITAT FOR HUMANITY, INC (PLN-MAR-22-00022)

712 LANCASTER AVENUE

Rezone the property to construct a detached single-family residential home.

Applicant/Owner

LEXINGTON HABITAT FOR HUMANITY, INC
700 E Loudon Avenue
Lexington, KY 40505
hustonr@lexhabitat.org

Application Details

Acreage:

0.102 (0.123 gross) acres

Current Zoning:

Neighborhood Business (B-1) zone

Proposed Zoning:

Planned Neighborhood Residential (R-3) zone

Place-type / Development Type:

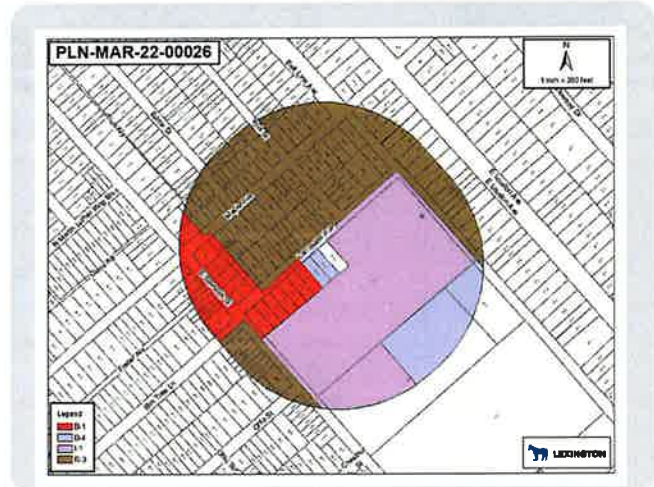
Enhanced Neighborhood

Low-Density Residential

For more information about the Enhanced Neighborhood Place-Type see *Imagine Lexington* page 327-328. For information about the Low-Density Residential Development Type, see *Imagine Lexington*, page 271.

Description:

The applicant is seeking to construct a detached single-family residential home at this location.



Status

- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

Public Engagement

- The applicant has discussed the project with several surrounding neighbors but have not indicated any larger public engagement efforts have been made.

DISCLAIMER: Plans are subject to change. Visit the Accela Citizen Portal (lexingtonky.gov/plans) or contact Planning for the latest information.

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-22-00026: LEXINGTON HABITAT FOR HUMANITY, INC

DESCRIPTION OF ZONE CHANGE

Zone Change:	From a Neighborhood Business (B-1) zone To a Planned Neighborhood Residential (R-3) zone
Acreage:	0.102 net (0.123 gross) acres
Location:	712 Lancaster Ave

PLN-MAR-22-00026



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	B-1	Vacant
To North	R-3	Residential
To East	I-1/B-4	Residential/ Industrial
To South	B-1	Residential
To West	R-3	Residential

URBAN SERVICE REPORT

Roads - The subject property has frontage on Lancaster Avenue, a two lane local roadway that terminates at the railroad northeast of the subject property.

Curb/Gutter/Sidewalks - Curb, gutter and sidewalks exist along Lancaster Avenue.

Utilities - All utilities, including natural gas, electric, water, phone, cable television, and internet are available in the area.

Storm Sewers - The subject property is located within the Cane Run watershed. There are no FEMA Special Flood Hazard Areas on the property or in the immediate vicinity. Storm sewers exist in this portion of the Urban Service Area.

Sanitary Sewers - The subject property is located within the Cane Run sewershed. The property is served by the Town Branch Waste Water Treatment Facility, located on Lisle Industrial Avenue, inside New Circle Road, and west of Leestown Road approximately 3 miles to the northwest of the subject property.

Refuse - The Urban County Government serves this area with refuse collection on Tuesdays.

Police - The subject property is located within the Central Sector and is served by the Central Sector Roll Call Center, located on Industry Road approximately 1.25 miles southeast of the subject property.

Fire/Ambulance - Fire Station #1 is located approximately 0.65 miles southwest of the subject property, on E Third Street.

Transit - This area is served by Route #7, with outbound and inbound service at North Limestone and W Seventh Street, approximately 1/4 mile northwest of the subject property.

Parks - The subject property is a walkable distance to Castlewood Park, which is located approximately 0.2 miles northwest of the subject property.

SUMMARY OF REQUEST

The applicant is seeking a zone change from the Neighborhood Business (B-1) to the Planned Neighborhood Residential (R-3) zone in order to construct a single-family residential home.

PLACE-TYPE

ENHANCED
NEIGHBORHOOD

The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. Development should be context sensitive to surrounding areas and should add to the sense of place. Incorporating multi-modal connections is crucial to neighborhood success and viability.

DEVELOPMENT TYPE

LOW DENSITY RESIDENTIAL

Primary Land Use, Building Form, & Design

Primarily attached and detached single-family homes of varying formats, including accessory dwelling units. Homogeneous neighborhoods that do not include a mix of housing types should be avoided. Low density residential is only appropriate as a component of “Enhanced Neighborhoods” and “New Complete Neighborhoods”, and should be supplemented by a variety of uses and housing options to create sustainable places.

Transit Infrastructure & Connectivity

Multi-modal network connections, including connected streets, are required to keep an efficient transportation network that provides viable options for all users.

Quality of Life Components

These developments should include intentional open space designed to fit the needs of area residents, and be in walking distance of nearby neighborhood-serving commercial/employment uses.

PROPOSED ZONING



This zone is primarily for multi-family dwellings and other residential uses. This zone should be at locations and at the density (units/acre) recommended by the Comprehensive Plan, and in areas of the community where necessary services and facilities will be adequate to serve the anticipated population

PROPOSED USE



This petitioner is proposing the Planned Neighborhood Residential (R-3) zone in order to construct a single-family residence in connection with the Habitat for Humanity non-profit organization. The proposal includes a 1,750 square-foot single-family residential dwelling, with an 286 square-foot attached garage and driveway access on to Lancaster Avenue.

APPLICANT & COMMUNITY ENGAGEMENT



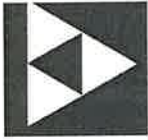
The applicant has spoken with several neighbors regarding the proposal, but have not indicated that any larger public engagement outreach has occurred. The applicant should conduct further outreach with the East End Community Development Corporation neighborhood association to discuss the proposed rezoning and development plan.

PROPERTY & ZONING HISTORY



The subject property has been zoned Neighborhood Business (B-1) since before the 1969 comprehensive rezoning of the city and county. While the property has historically contained commercial zoning, the property was not utilized commercially, and contained a single-family residence until 2021, when the existing home on the property was demolished due to safety concerns.

COMPREHENSIVE PLAN COMPLIANCE



The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. 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.

GOALS, OBJECTIVES, & POLICIES

The applicant opines that they are in agreement with the adopted Goals and Objectives of the 2018 Comprehensive Plan. The applicant states that their proposal supports infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2). This request will activate an vacant and underutilized portion of land within the Infill and Redevelopment Area for affordable housing. The applicant also states that the proposal fulfills the goals of expanding housing choices (Theme A, Goal #1). The project will continue the established pattern of single-family land uses on the subject property, and will be adding additional affordable housing stock to the East End Community Development Corporation neighborhood (Theme A, Goal #1.d).

Finally, by matching the existing setbacks and established pattern of single-family residential land use, the proposal respects the design and context of the surrounding area (Goal #2.b).

The staff agrees with these aspects of the applicant's proposal and that these Goals and Objectives of the 2018 Comprehensive can be met with the proposed development.

While the applicant does not directly reference any specific Comprehensive Plan Policies within their letter of justification, staff has identified several policies listed within the 2018 Comprehensive Plan that are being met with this request.

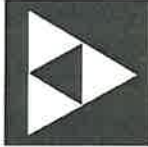
By matching the size and scope of existing residential development along this portion of Lancaster Avenue, the applicant is providing development that is sensitive to the surrounding context (Theme A, Design Policy #4). In addition, the proposed development will increase the supply of affordable housing within the East End Community Development Corporation neighborhood (Theme A, Equity Policies #1 and #2).

While the applicant's proposal does not currently represent an increase in the density of the parcel, the proposed change to the Planned Neighborhood Residential (R-3) zone allows for the potential of higher density residential redevelopment of the parcel in the future, which meets (Theme A, Density Policy # 2).

PLACE TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject properties. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2018 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant indicates that the project is located within the Enhanced Neighborhood Place-Type and is a Low Density Residential Development Type. The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. The Low Density Residential Development Type primarily consists of attached and detached single-family homes of varying formats, including accessory dwelling units. This Development Type should create context-sensitive neighborhoods and should be supplemented by a variety of uses and housing options to create sustainable places. The staff agrees that the subject property is located within an



established neighborhood and the proposed development would provide a context-sensitive addition to the housing stock present in the area. The staff agrees that the Enhanced Neighborhood Place-Type and the Low Density Residential Development Type are appropriate for the subject property.

The Planned Neighborhood Residential (R-3) zone is a recommended zone for the applicant's chosen Place-Type and Development Type, and provides an avenue for increased residential density if the property is redeveloped in the future. Staff agrees that the Planned Neighborhood Residential (R-3) zone can be appropriate at this location.

DEVELOPMENT CRITERIA

The development criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2018 Comprehensive Plan. The development criteria for development represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed Place-Type and Development Type.

1. Site Design, Building Form and Location

The applicant contends that due to the relatively small size of the parcel and the limited scope of this request, many of the criteria for Site Design, Building Form, & Location are not applicable with this request. The applicant does highlight several criteria being met with this request including:

E-GR9-4 Development should Intensify Underutilized properties and develop vacant and underutilized gaps within neighborhoods

Currently, the subject property is a vacant lot in an existing residential area within the Infill and Redevelopment Area. The proposal will fill this existing gap with additional housing stock.

B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.

The request will not disturb the existing topography of the site by rebuilding at the same location as the single-family residence that preceded it.

A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.

The proposed structure will reinforce the streetscape along Lancaster Avenue and will retain the existing sidewalk network at this location.

2. Transportation and Pedestrian

Staff finds that this request meets the requirements for Transportation and Pedestrian Connectivity, as the proposed development maintains the existing pedestrian infrastructure and connectivity present on-site.

3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape and has no impact on environmentally sensitive areas.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will activate an underutilized parcel within the Infill and Redevelopment Area in order to develop additional affordable housing (Theme A, Goal #2).
 - b. The request will strengthen opportunities for housing affordability by introducing additional affordable housing stock into the East End Community Development Corporation neighborhood (Theme A, Goal #1.d).
 - c. By matching the existing setbacks and established pattern of single-family residential land use, the proposal respects the design and context of the surrounding area (Theme A, Goal #2.b).
2. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Equity Policies #1 and #2 by increasing the supply of affordable housing within the community.
 - b. The proposed single-family residential development meets Design Policy #4 by providing development that matches the surrounding single-family residential context of this portion of Lancaster Avenue.
 - c. The proposed change to the Planned Neighborhood Residential (R-3) zone allows for the potential of higher density residential redevelopment of the parcel in the future, which meets Density Policy #2.
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as it will intensify an underutilized property in a manner that utilizes the existing topography, at a pedestrian friendly scale.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development maintains the existing pedestrian infrastructure and connectivity present on-site.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape and has no impact on environmentally sensitive areas.
4. This recommendation is made subject to approval and certification of PLN-MIDP-22-00081 LANCASTER & KEISER PROPERTY OF BELT LAND CO prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

DAC/HBB/TLW
1/3/2023

Planning Services/Staff Reports/MAR/2022/PLN-MAR-22-00026 LEXINGTON HABITAT FOR HUMANITY INC.pdf

2. **LEXINGTON HABITAT FOR HUMANITY INC ZONING MAP AMENDMENT & LANCASTER & KEISER PROPERTY OF BELT LAND CO. ZONING DEVELOPMENT PLAN**

- a. **PLN-MAR-22-00026: LEXINGTON HABITAT FOR HUMANITY INC** – a petition for a zone map amendment from a Neighborhood Business (B-1) zone, to a Planned Neighborhood Residential (R-3) zone, for 0.10 net (0.12 gross) acres, for property located at 712 Lancaster Avenue.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. 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.

This petitioner is proposing the Planned Neighborhood Residential (R-3) zone in order to construct a single-family residence in connection with the Habitat for Humanity non-profit organization. The proposal includes a 1,750 square-foot single-family residential dwelling, with a 286 square-foot attached garage and driveway access on to Lancaster Avenue.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested High Rise Apartment (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives and Policies, for the following reasons:
 - a. The request will activate an underutilized parcel within the Infill and Redevelopment Area in order to develop additional affordable housing (Theme A, Goal #2).
 - b. The request will strengthen opportunities for housing affordability by introducing additional affordable housing stock into the East End Community Development Corporation neighborhood (Theme A, Goal #1.d).
 - c. By matching the existing setbacks and established pattern of single-family residential land use, the proposal respects the design and context of the surrounding area (Theme A, Goal #2.b).
2. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Equity Policies #1 and #2 by increasing the supply of affordable housing within the community.
 - b. The proposed single-family residential development meets Design Policy #4 by providing development that matches the surrounding single-family residential context of this portion of Lancaster Avenue.
 - c. The proposed change to the Planned Neighborhood Residential (R-3) zone allows for the potential of higher density residential redevelopment of the parcel in the future, which meets Density Policy #2.
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as it will intensify an underutilized property in a manner that utilizes the existing topography, at a pedestrian friendly scale.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development maintains the existing pedestrian infrastructure and connectivity present on-site.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape and has no impact on environmentally sensitive areas.
4. This recommendation is made subject to approval and certification of **PLN-MJDP-22-00081 LANCASTER & KEISER PROPERTY OF BELT LAND CO** prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

- b. **PLN-MJDP-22-00081: LANCASTER & KEISER PROPERTY OF BELT LAND CO. (2/26/23)*** - located at 712 LANCASTER AVENUE, LEXINGTON, KY
Council District: 1
Project Contact: Habitat for Humanity

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

Note: The purpose of this plan is to depict a single family home, in support of the requested zone change from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone.

The Subdivision Committee Recommended: Postponement. There are questions about compliance with Article 21 of the Zoning Ordinance

Should this plan be approved, the following conditions should be considered:

1. Provided the Urban County Council approves the zone change to R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Addition of all required information per Article 21 of the Zoning Ordinance.
10. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.10 net (0.12 gross) acres, for property located at 712 Lancaster Avenue. Mr. Crum conveyed that the applicant is seeking the Enhanced Neighborhood Place-Type and a Low Density Residential Development Type and that Staff was in agreement with those selections.

Mr. Crum highlighted the Preliminary Subdivision Plan, because it was more appropriate for this location, and allows more flexibility for their development. Mr. Crum concluded by stating that Staff was recommending approval for this application and he could answer any questions.

Staff Subdivision Presentation – Mr. Tom Martin oriented the Planning Commission to the location of the subject property, and stated that this land was originally platted in the 1890s. Mr. Martin indicated that the Subdivision plan was used because it simplifies the process to pull a permit off of the plat. Additionally, Mr. Martin highlighted the revised conditions and stated that the property is located within the Infill and Redevelopment Area, which will require additional standards for this single-family home. Mr. Martin concluded his presentation stating that Staff was recommending approval.

Commission Questions – Mr. Davis asked about the shared driveway, and the property line that was discussed in the Zoning Committee meeting, and if Staff was satisfied with the applicant's answer. Mr. Martin indicated that they were, and that the applicant could expand further.

Mr. Michler asked if it a zone change was necessary if there was a house on this lot prior to the application. Mr. Baillie stated that since the applicant demolished the existing structure, and the nonconforming use, that eliminates their ability to come back onto the site with the same structure.

Applicant Presentation – Huston Royster, representative for the applicant, stated that he was in agreement with Staff, and will make the necessary changes to the plan. He offered to answer any questions the Commission might have.

Action – A motion was made by Mr. Michler, seconded by Ms. Barksdale and carried 8-0 (Bell, Nicol, and Pohl absent) to approve PLN-MAR-22-00026: LEXINGTON HABITAT FOR HUMANITY INC for reasons provided by Staff.

Action – A motion was made by Mr. Penn, seconded by Mr. Davis and carried 8-0 (Bell, Nicol, and Pohl absent) to approve PLN-MJDP-22-00081: LANCASTER & KEISER PROPERTY OF BELT LAND CO with the 13 revised Staff conditions.