

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-00006: SHOPPERS VILLAGE OF RICHMOND, LLC

DESCRIPTION

Zone Change: From a Wholesale and Warehouse Business (B-4) zone
To a Light Industrial (I-1) zone

Acreage: 5.09 net (5.92 gross) acres

Location: 2375 Fortune Drive (a portion of)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	B-4	Vacant Building
To North	B-4 & I-1	Industrial, Warehouse, and Office
To East	B-4	Wholesale and Warehouse
To South	B-4	Wholesale, Warehouse, and Office
To West	B-6P	Wholesale (Sam's Club)

URBAN SERVICES REPORT

Roads –The subject site is located on the northwest corner of Fortune Drive and Trade Center Drive; both streets are collector roadways. Fortune Drive runs in a north-south direction and has three travel lanes, including two through lanes and a center turn lane. It begins at a signalized intersection with Winchester Road to the north and terminates at a signalized intersection with Liberty Road to the south. Trade Center Drive runs from east to west and contains two travel lanes, with a left-turn lane added as it approaches Fortune Drive. This 2,000 foot long road begins at the signalized intersection with New Circle Road and terminates 180 feet past its intersection with Fortune Drive. This stub street is proposed to connect to a road within the Tuscany Subdivision (Summerfield Neighborhood). Employee and customer access is proposed to remain at its present location along Fortune Drive. Truck access and loading is proposed to remain on Trade Center Drive. Based on 2014 KYTC traffic counts, the average daily traffic volume is approximately 9,000 vehicle trips on Fortune Drive between Winchester Road and Liberty Road. Traffic counts are not available for Trade Center Drive.

Curb/Gutter/Sidewalks – Fortune Drive and Trade Center Drive both have typical curb and gutters. Sidewalks exist on both sides of Fortune Drive, but end at the northern property line of the subject site (west side of the street). On the east side of the street, a sidewalk exists, but ends before reaching 2360 Fortune Drive. Trade Center Drive has continuous sidewalks on both sides of the street.

Storm Sewers – The subject property is located within the North Elkhorn Creek watershed. No FEMA floodplain exists in the immediate area and there have been no reports of major flooding problems on the subject property. However, an unnamed tributary of North Elkhorn Creek does exist within the Tuscany Subdivision, east of the site, flowing to the southeast.

Sanitary Sewers – The subject property is located in the North Elkhorn sewershed, which is served by the West Hickman Wastewater treatment Plant in northern Jessamine County. Sanitary sewer capacity is presently 47,977 gpd, which is more than ample for the proposed change of use.

Refuse – The Urban County Government serves this portion of the Urban Service Area with collection on Tuesdays. However, most businesses choose to be served by private waste management companies.

Police – The nearest police station is located approximately 3/4 of a mile northwest of the property. It is the Central Sector Roll Call Center (Police Sector 2), between Goodwin Drive and Industrial Road.

Fire/Ambulance – The nearest fire station to the subject property is Station #2, on the corner of Eastland Drive and Murray Road. It is located about 3/4 of a mile northwest of the subject property.

Utilities – Natural gas, telephone service, electric, water, and cable television are all available to serve the subject property.

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.

The applicant proposes to rezone the subject site in order to reuse a former printing facility and distribution warehouse as a research and development facility, with light manufacturing and offices. The subject site is 5.09 net (5.92 gross) acres.

CASE REVIEW

The applicant has requested a zone change from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone for a site slightly over five acres on a portion of 2375 Fortune Drive. The small portion of the site at the northeast corner of the parcel is already zoned I-1 and is, therefore, not included in the zone change request.

The subject property is located on the northwest corner of Fortune Drive and Trade Center Drive, approximately 2,500 feet southeast of the New Circle Road and Winchester Road interchange. The subject site was formerly occupied by the off-site printing and distribution facility for the Herald-Leader. The rezoning would allow the applicant to use the site as a research and development facility, with light manufacturing and office space. It would also unify the site as an I-1 zone, as a portion of the site in at the northeast corner is already zoned I-1. The associated development plan shows that the site is proposed to remain unchanged on the exterior. The main access will remain on Fortune Drive and the truck access will remain on Trade Center Drive. The loading and refuse area will remain at the rear of the building on its southwest corner, near the truck access point. Signage for the building will likely be updated and the interior of the building will be retrofit to suit the new use, but otherwise, the site will remain unchanged.

The area along Fortune Drive and its side streets contains a mix of light industrial, wholesale, warehouse, and office uses (B-4 and I-1 zones). The section of New Circle Road to the west of the subject site is lined with a variety of commercial uses, including retail shopping strips, big box

retail uses, fast food restaurants, car dealerships, and other commercial uses (B-3 zone). Sam's Club is located immediately to the west of the site (B-6p zone).

The 2013 Comprehensive Plan no longer focuses on specific, map-based land use recommendations for rezonings. Instead, it utilizes a policy-based approach, which is meant to provide more flexibility in choosing an appropriate zoning district. Previous comprehensive plans have recommended varying land uses for the subject property, which has resulted in multiple zone changes over the years, but is also reflective of the wide array of potentially appropriate land uses in this area based upon the surrounding development and the character of the area.

The 2013 Comprehensive Plan suggests that more "jobs land" is needed, meaning that additional land designated for employment opportunities, instead of being reserved for residential development, must be seriously considered by the Planning Commission and the Council. Additionally, businesses that focus on "technology, marketing, or industrial art" need to be allowed flexibility within Lexington's regulations in order to attract and retain these types of job generators. According to the Comprehensive Plan, the inventory of jobs land has been depleted by over 500 acres since the 1990s (page 72). The proposed zone change will reactivate a five acre parcel of prime jobs land that has been sitting vacant, awaiting a use that will generate jobs, such as the technology-based proposal. This promotes *Theme E, Goal 1, Objective d*, of the 2018 Comprehensive Plan, to promote redevelopment of underutilized land in a manner that enhances existing urban form, as the site's development characteristics are not expected to change.

The applicant justifies the rezoning request from B-4 to I-1 by stating that the subject site is adjacent to properties along Jingle Bell Lane that are presently zoned I-1 and used for light industrial and office uses with warehousing components. Therefore, the requested rezoning, proposed use, and existing building are compatible and consistent with the development character of the area. By rezoning this site to the I-1 zone, not only will the site fit with the other light industrial uses to the north, but sites used for light manufacturing, offices, and research and development create a substantial number of new high-tech jobs, especially compared to sites used for typical warehousing. This promotes the 2013 & 2018 Comprehensive Plan's *Theme C: Creating Jobs and Prosperity*, including *Goal 1*, to support and showcase local assets to further the creation of a variety of jobs. It also promotes *Theme C, Goal 2, Objective A*, in the 2018 Plan, to prioritize the success and growth of strategically-targeted employment sectors (high-tech, advanced manufacturing) and enable infill and redevelopment that creates jobs.

The applicant explains that technology and manufacturing companies, such as the potential user of the subject property, prefer consolidating their office, manufacturing, and research and development functions under a single roof to encourage collaboration and to promote efficiency. The proposed I-1 zone permits all of the identified uses to co-exist on the subject property. The additional uses permitted by the I-1 zone are compatible with the uses on adjacent properties and on other properties within the immediate area. The proposed I-1 zone will allow the creation of high tech jobs and encourage economic growth by allowing the potential user of the property to conduct multiple functions in one location. This further promotes *Theme C, Goals 1 and 2* of the 2018 Comprehensive Plan.

Additionally, *Chapter 5: Creating Jobs and Prosperity*, within the 2013 Comprehensive Plan, emphasizes the importance of facilitating the movement of people and goods via efficient transportation connections (page 77). The requested rezoning furthers this concept, as well. The proposed business will be located on the corner of Fortune Dr. and Trade Center Dr., which are both industrial collector level roads with 70' of right-of-way, allowing easy access and connectivity to New Circle Road and Winchester Road (major arterials), along with Liberty Road (minor

arterial). This higher-level roadway network is desirable for truck access and the movement of goods, an essential element of manufacturing, warehousing, and the distribution of goods. This location will also help facilitate employee access to the site, as the road network provides multiple ways to get to the site, improving quality of life for workers due to less time commuting to and from work.

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

1. The requested Light Industrial (I-1) zone is in agreement with the 2013 & 2018 Comprehensive Plans, for the following reasons:
 - a. The 2013 Comprehensive Plan identifies the need to protect and provide readily available economic development land to meet the need for jobs. The 2013 & 2018 Plans both encourage supporting and showcasing local assets to further the creation of a variety of jobs (*Theme C, Goal 1*).
 - b. The 2018 Comprehensive Plan prioritizes the success and growth of strategically-targeted employment sectors (high-tech, advanced manufacturing) and encourages infill and redevelopment that creates jobs (*Theme C, Goal 2, Objective A*).
 - c. The 2018 Comprehensive Plan promotes the redevelopment of underutilized land within the Urban Service Area in a manner that enhances existing urban form (*Theme E, Goal 1, Objective d*).
 - d. The 2013 Comprehensive Plan promotes the movement of goods and people via efficient transportation connections (*Chapter 5, page 77*).
 - e. The proposed I-1 zone, along with the proposed use of professional offices, research and development, and light manufacturing, meet the Goals and Objectives of the items stated above, because the rezoning would:
 - i. Allow a wider variety of jobs to be created in an area designated as “jobs land;”
 - ii. Promote the creation of new jobs and increase the likelihood of bringing high-tech jobs to the site;
 - iii. Reactivate an underutilized parcel that has existing infrastructure;
 - iv. Utilize an existing roadway network that is desirable for truck access and promotes the movement of goods and people.
2. The predominance of businesses comprised of offices, warehouses, light manufacturing, and technology (research and development) in this area makes I-1 zoning and uses consistent with the development character of the Fortune Drive area. Therefore, the proposed I-1 zoning and land use are compatible with, and complementary to, the surrounding land uses and mix of office, warehouse, and light industrial zones.
3. This recommendation is made subject to approval and certification of PLN-MJDP-18-00034: Brock McVey & Barry Dotson Property, Unit 2-A, Lot 6 (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

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