

ORDINANCE _____ 210 _____ - 2016

AN ORDINANCE CHANGING THE ZONE FROM A NEIGHBORHOOD BUSINESS (B-1) ZONE TO A HIGH DENSITY APARTMENT (R-4) ZONE FOR 2.56 NET (3.0 GROSS) ACRES; AND FROM A PROFESSIONAL OFFICE (P-1) ZONE TO A HIGH DENSITY APARTMENT (R-4) ZONE FOR 2.22 NET (2.42 GROSS) ACRES FOR PROPERTY LOCATED AT 4268 SARON DRIVE. (LEXINGTON SENIOR HOUSING 2, LLC; COUNCIL DISTRICT 8).

WHEREAS, at a Public Hearing held on October 27, 2016, a petition for a zoning ordinance map amendment for property located at 4268 Saron Drive from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone, for 2.56 net (3.0 gross) acres; and from a Professional Office (P-1) zone to a High Density Apartment (R-4) zone, for 2.22 net and (2.42 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 9-1; and

WHEREAS, this 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 4268 Saron Drive from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone, for 2.56 net (3.0 gross) acres; and from a Professional Office (P-1) zone to a High Density Apartment (R-4) zone, for 2.22 net and (2.42 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: December 6, 2016


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL

Published: December 8, 2016-1t
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LEGAL DESCRIPTION

**Thunder Properties, LLC.
Zone Change From B-1 to R-4
Located at 4268 Saron Drive (a portion of)
Lexington, Fayette County, Kentucky**

BEING A TRACT OF LAND SITUATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SARON DRIVE AND CHAS DRIVE IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the intersection point of the centerline of Saron Drive with the centerline of Chas Drive as shown on the final amended record plat of the Coons Property, Unit 11, Lot 2A recorded in Plat Cabinet "R", Slide 362 in the Fayette County Clerk's Office; thence along the centerline of Chas Drive North 56° 37' 42" East, 384.30 feet to a point, thence; leaving Chas Drive, South 34° 34' 06" East, 352.27 feet to a point, thence; South 61° 13' 03" West, 394.29 feet to the centerline of Saron Drive, thence; with the centerline of Saron Drive, North 33° 07' 38" West, 320.65 feet to the point of beginning, containing 3.00 gross acres and 2.56 net acres.



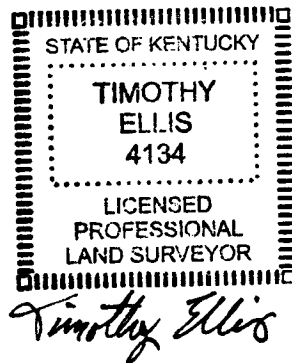
Timothy Ellis

LEGAL DESCRIPTION

**Thunder Properties, LLC.
Zone Change From P-1 to R-4
Located at 4268 Saron Drive (a portion of)
Lexington, Fayette County, Kentucky**

BEING A TRACT OF LAND SITUATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SARON DRIVE AND CHAS DRIVE IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the intersection point of the centerline of Saron Drive with the centerline of Chas Drive as shown on the final amended record plat of the Coons Property, Unit 11, Lot 2A recorded in Plat Cabinet "R", Slide 362 in the Fayette County Clerk's Office; thence along the centerline of Chas Drive North 56° 37' 42" East, 384.30 feet to the Point of Beginning, thence; with Chas Drive, North 56° 37' 49" East, 254.65 feet to a point, thence; along an arc to the right, having a length of 121.29 feet, a radius of 238.59 feet, and the chord of which is North 72° 59' 23" East, 119.98 feet to a point, thence; leaving the centerline of Chas Drive, South 00° 46' 02" East, 165.44 feet to a point, thence; along an arc to the left, having a length of 51.15 feet, a radius of 87.00 feet, and the chord of which is South 17° 36' 31" East, 50.41 feet to a point, thence; South 34° 27' 00" East, 151.60 feet to a point, thence; South 61° 13' 03" West, 263.28 feet to a point, thence; North 34° 34' 06" West, 352.27 feet to the Point of Beginning, containing 2.42 gross acres and 2.22 net acres.



Rec'd by Bm
Date: 11-11-16

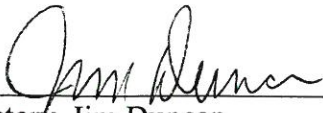
RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: PLN-MAR-16-00011: LEXINGTON SENIOR HOUSING 2, LLC – petition for a zone map amendment from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone for 2.56 net (3.0 gross) acres, and from a Professional Office (P-1) zone to a High Density Apartment (R-4) zone for 2.22 net (2.42 gross) acres or property, located at 4268 Saron Drive. (Council District 8)

Having considered the above matter on **October 27, 2016**, at a Public Hearing, and having voted **9-0-1** 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 Density Apartment (R-4) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan are supported by the requested zone change, including: expanding housing choices (Theme A, Goal #1); planning for housing that addresses market needs for all Fayette County residents, including, but not limited to mixed-use and housing near employment and commercial areas; supporting infill and redevelopment as a strategic component of growth, (Theme A, Goal #2); encouraging compact, contiguous and/or mixed-use sustainable development, as guided by market demand, to accommodate future growth needs (Theme E, Goal #1); and developing vacant and underperforming land within the Urban Service Area to safeguard rural land.
 - b. The proposed senior living cottage housing type, proposed as duplexes and four-plexes, is generally not available in this portion of the Urban Service Area; thus, it will allow for expanded housing choices. The proposed use will also provide housing options for seniors that do not require healthcare services and are fully independent, but would like to utilize the services that modern independent living facilities provide.
 - c. The property has remained vacant for an extended period of time, even with multiple zone changes made in the last 15 years in an attempt to improve potential development opportunities. The proposed residential development will put an underperforming site to use, and the development will serve as an appropriate land use transition between the commercial uses to the north and the residential uses to the south and east.
2. This recommendation is made subject to approval and certification of PLN-MJDP-16-00020: Coons Property, Unit 11 (Highgrove Cottages – Independent Living Homes), 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 11th day of November, 2016.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-16-00020: COON'S PROPERTY, UNIT 11 (HIGHGROVE COTTAGES – INDEPENDENT LIVING HOMES) was approved by the Planning Commission on October 27, 2016 and certified on November 10, 2016.

K.R.S. 100.211(7) requires that the Council take action on this request by January 25, 2017.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Kevin Rich, consultant**.

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (9) Berkley, Cravens, Drake, Mundy, Owens, Plumlee, Richardson, Smith, Wilson

NAYS: (0)

ABSENT: (1) Brewer

ABSTAINED: (1) Penn

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR 16-00011** carried.

Enclosures: Application
Plat
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: Lexington Senior Housing 2, LLC, 150 E. Broad Street, 8th Floor, Columbus, OH 43215
Owner(s): THUNDER PROP LLC 304 WHITTINGTON PKWY STE 107 LOUISVILLE KY 40222
Attorney:

2. ADDRESS OF APPLICANT'S PROPERTY

4268 SARON DR LEXINGTON KY

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

Zoning	Existing		Requested		Acreage	
	Zoning	Use	Zoning	Use	Net	Gross
B-1		Vacant	R-4	Independent Living	2.56	3.00
P-1		Vacant	R-4	Cottages Independent Living Cottages	2.22	2.42

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 type="checkbox"/> YES <input checked="" 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:	To Be Constructed
Storm Sewers:	To Be Constructed
Sanity Sewers:	To Be Constructed
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



RICH DESIGN STUDIOS

September 2, 2016

Lexington-Fayette Urban County Planning Commission
Division of Planning – Planning Services Section
200 E. Main Street
Lexington, Kentucky 40507

RE: Coon's Property, Unit 11 Lot 2A – Highgrove Cottages – Statement of Justification

On behalf of the Applicant, Lexington Senior Housing 2, LLC., I present this Statement of Justification as a part of the Zone Map Amendment Request (MAR) application for 4.78 acres (net) of property located at 4268 Saron Drive, Lexington, KY 40515, also known as Coon's Property, Unit 11 Lot 2A ("Subject Property"). The Subject Property is currently split-zoned with 2.22 acres (net) of property designated Professional Office (P-1) Zone and 2.56 acres (net) of property designated Neighborhood Business (B-1) Zone. The Applicant is requesting a zone change for both the P-1 & B-1 portions of the property to High Density Residential (R-4) Zone.

The Subject Property is currently vacant and owned by Thunder Properties, LLC. of 304 Whittington Parkway, Suite 107, Louisville, KY 40222 ("Property Owner"). The Property Owner has granted permission to Applicant in order to apply for a change in the properties current zoning and filing of the associated preliminary development plan, as indicated in the letter of authorization included with this application.

Previously zoned R-4, the Subject Property underwent zone map amendments in 2001, changing from R-4 to P-1, and again in 2011, changing the western 2.55 acres (net) from P-1 to B-1 – thereby creating the current split-zone condition. The Applicant requests the Subject Property be returned to the zoning designation of R-4 (pre-2001) in order to develop 32 independent living cottage home units within 9 single-story buildings. The project will serve as an extension of the Applicant's Assisted Living Facility, located across the street (@ 4251 Saron Dr.) from the Subject Property, which is currently under construction. That property, also zoned R-4, was granted a Conditional Use Permit in August of 2014 in order to develop the Assisted Living Facility.

The residential subdivision to the south of the Subject Property is zoned R-3; the medical office facility to the east is zoned P-1; the commercial shopping center to the north is zoned B-6P and the day care center to the west (south of the assisted living facility) is also zoned R-4. In addition to its relationship with the "sister" facility across the street, and based on the above described property conditions, the proposed development will complement the surrounding community and serve as an excellent transition to and from adjacent land-uses.

The zone change request to R-4 is appropriate for this property as outlined above and is in compliance with the stated goals of the 2013 Comprehensive Plan. Theme A, Goal 1 of the Comprehensive Plan outlines expansion of housing choices – "Plan for housing that addresses the market needs for all of Lexington-Fayette County residents, including, but not limited to, mixed-use and housing near employment and commercial areas". The proposed development, adjacent to a commercial shopping center, will provide additional housing options for seniors that do not require healthcare services and are fully independent, but would like the services that independent living facilities provide. Additionally, the relationship with the assisted living complex across the street will allow residents unique access to those facilities when desired.

RICH DESIGN STUDIOS

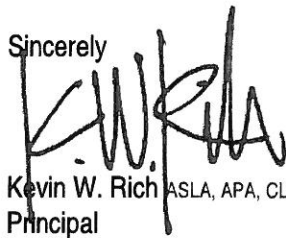
Theme A, Goal 2 of the Comprehensive Plan outlines infill and redevelopment within the Urban Service Area as a strategic component of Lexington-Fayette County – “Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area’s context and design features whenever possible.” The Comprehensive Plan further explains the strategic goal of promoting infill and in “Maintaining A Balance Between Planning for Urban Uses and Safeguarding Rural Land” with Theme E, Goal 1 – “Encourage compact, contiguous and/or mixed-use sustainable development within the Urban Service Area, as guided by market demand, to accommodate future growth needs.” This is discussed in greater detail on page 97 – “Developing vacant and underperforming land in the Urban Service Area to accommodate Lexington’s growth is a key component of safeguarding rural land.” It goes on to state that “new development of vacant, abandoned or underutilized land within a previously developed area (generally an urban setting) of the community, where infrastructure is already in place, and includes the construction of a new building on vacant ground in a developed area.”

The Subject Property has sit vacant for an extended period of time, with multiple zone map amendments made in the last 15 years. Each zone change was made in an attempt to improve potential development opportunities, none of which have come to fruition. The proposed independent living project fulfills the additional stated goals of the Comprehensive Plan through infill development on a currently vacant and underperforming piece of land. Additionally, the development will serve as a transitional land-use between the commercial development to its north and the residential subdivision to the south making the project well suited for the Subject Property and the community in which it resides.

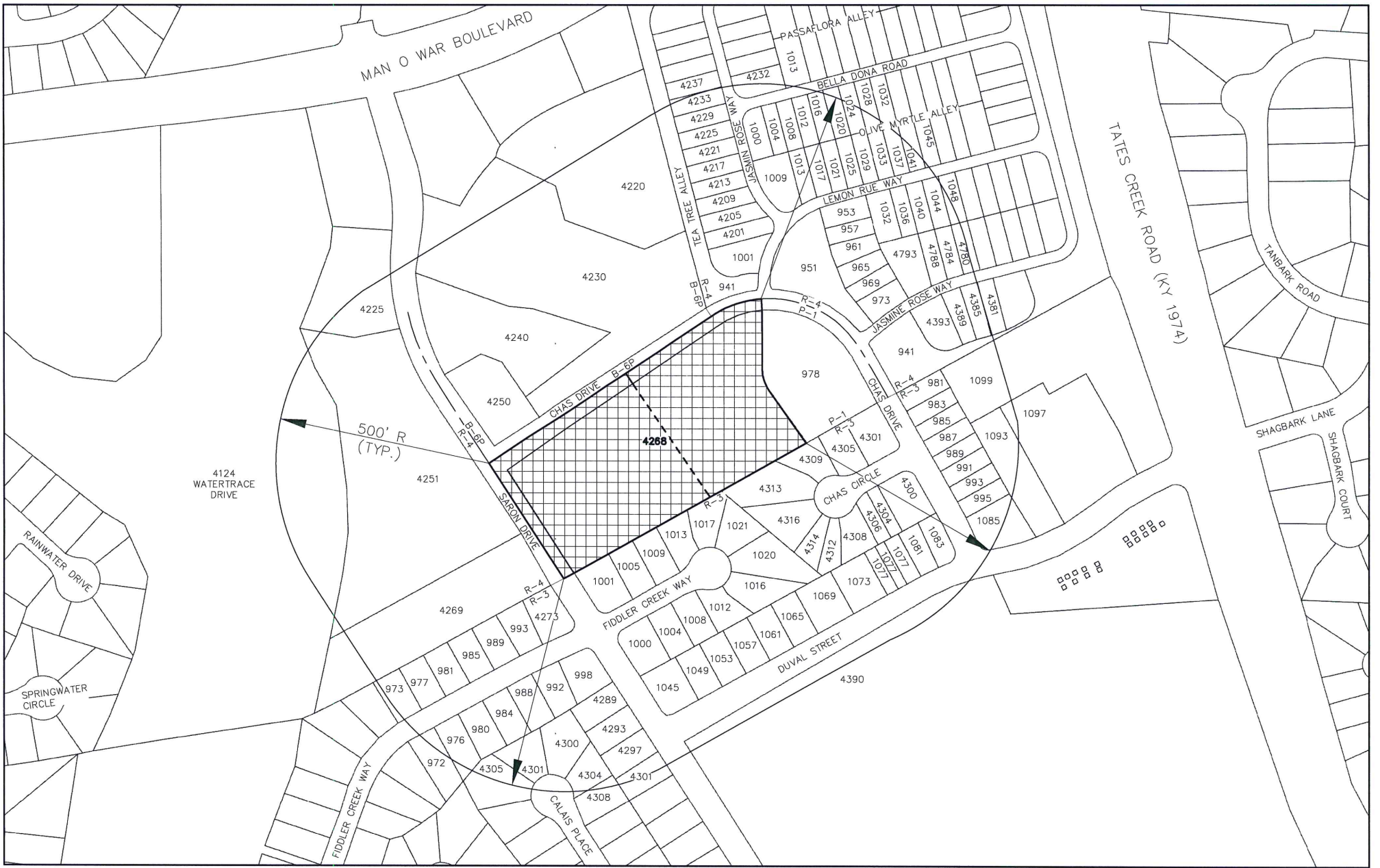
For the reasons stated within this letter and information contained within the Map Amendment Request application submittal, the Applicant hereby requests approval of zone change for the Coon’s Property, Unit 11 Lot 2A, located at 4268 Saron Drive, Lexington, Kentucky 40515, from a split-zone B-1/P-1 property to R-4 and approval of the associated Preliminary Development Plan submitted.

Thank you for your consideration of the Applicants zone change request. Please do not hesitate to contact me with any questions or should additional information be required.

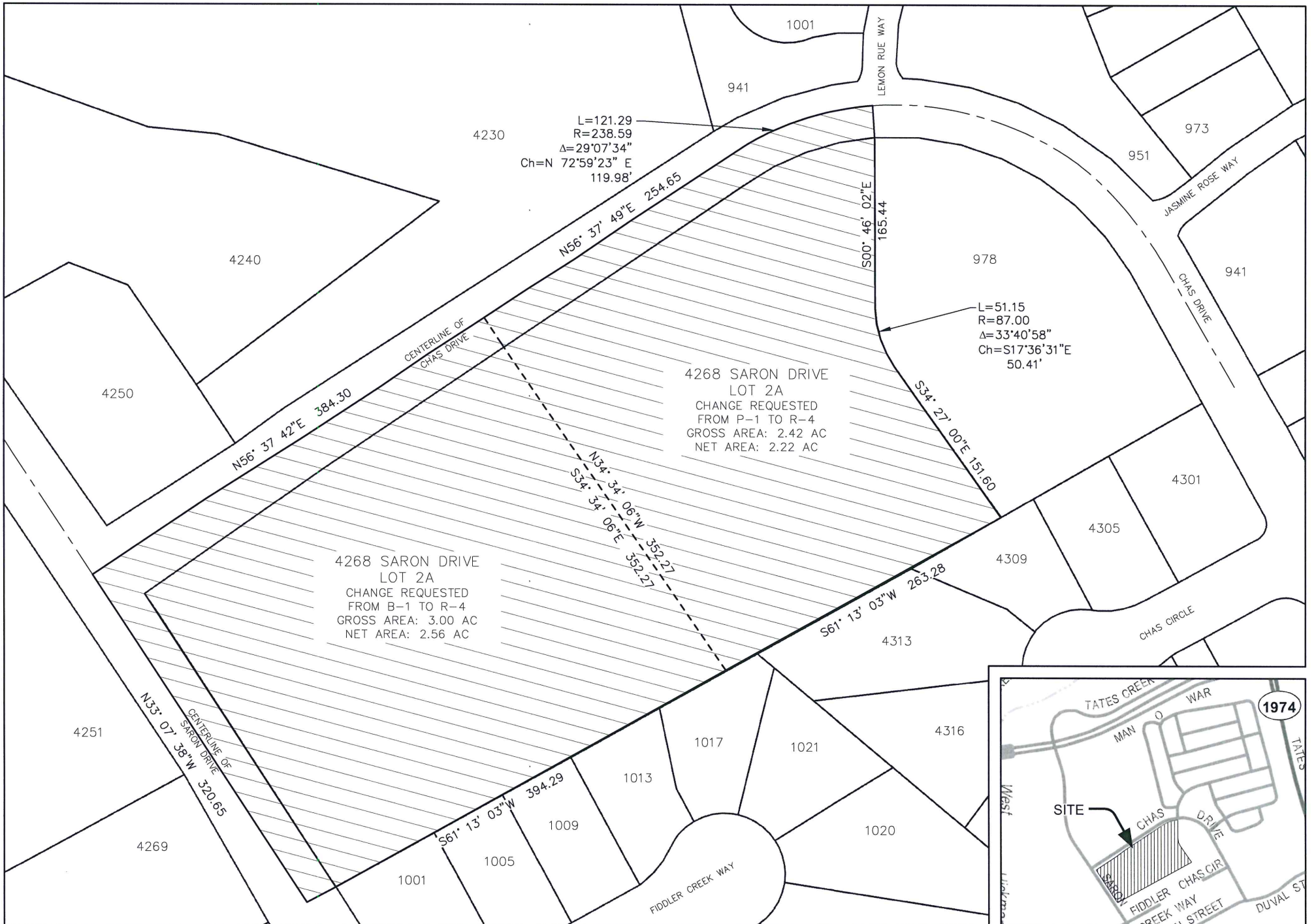
Sincerely



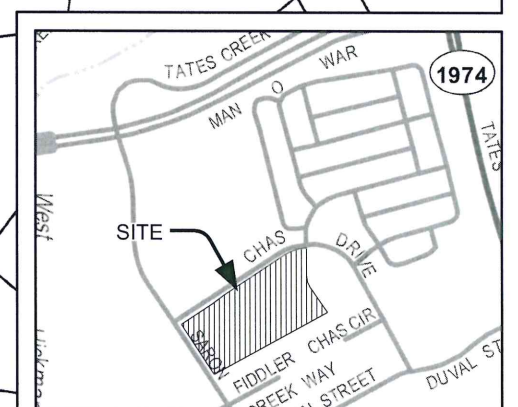
Kevin W. Rich ASLA, APA, CLARB
Principal



NOTIFICATION MAP
1"=300'



PROPERTY MAP
1"=100'



VICINITY MAP
NTS

STATE OF KENTUCKY
TIMOTHY ELLIS
 4134
 LICENSED PROFESSIONAL LAND SURVEYOR



Title: COON'S PROPERTY, UNIT 11, LOT 2A
 Property Address: 4268 Saron Drive, Lexington, KY 40515
 Owner: Thunder Properties, LLC.
 Applicant: Lexington Senior Housing 2, LLC
 304 Whittington Parkway, Suite 107, Louisville, KY 40222
 150 E. Broad Street, 8th Floor, Columbus, OH 43215
 Prepared by: Palmer Engineering
 Date Filed or Amended: September 2, 2016

Timothy Ellis

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-16-00011: LEXINGTON SENIOR HOUSING 2, LLC

DESCRIPTION

Zone Change:	<u>Request</u>		<u>Acreage</u>	
	<u>From</u>	<u>To</u>	<u>Net</u>	<u>Gross</u>
	P-1	R-4	2.22	2.42
	B-1	R-4	<u>2.56</u>	<u>3.00</u>
		TOTAL:	4.78	5.42

Location: 4268 Saron Drive

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	P-1 & B-1	Vacant
To North	B-6P	Shopping Center
To East	P-1 & R-4	Medical Office & Single-Family Residential
To South	R-3	Duplex & Single-Family Residential
To West	R-4	Child Care Center & Assisted Living Facility

URBAN SERVICES REPORT

Roads – The subject property is located on the east side of Saron Drive at its intersection with Chas Drive. Saron Drive is a collector street that extends southward from Man o’ War Boulevard to the area through Veterans Park, and is generally located between West Hickman Creek to the west and Tates Creek Road (KY 1974) to the east. Chas Drive is a local street within the Pinnacle neighborhood that connects Saron Drive to Duval Street. Access is proposed along both Saron and Chas Drives for the proposed residential development.

Curb/Gutter/Sidewalks – Curb, gutters and sidewalks exist along both Saron Drive and Chas Drive. This development will need to complete the sidewalk system along its street frontage.

Storm Sewers – The subject property is located within the West Hickman watershed. The West Hickman Creek is located across Saron Drive, west of the subject site. A FEMA Special Flood Hazard Areas exists along the creek, but does not generally extend beyond the LFUCG greenway property. Stormwater issues have been documented at the intersection of Saron and Chas Drives during the past decade; however, stormwater improvements were completed associated with development of the assisted living facility west of this location.

Sanitary Sewers – The property is located within the West Hickman sewershed and is serviced by the West Hickman Wastewater Treatment Facility, located in northern Jessamine County, about two miles to the south of this location. Sanitary sewers currently serve the immediate area. If any improvements to these sewers are required to adequately serve the development of the property, the Engineering Manuals will need to be followed by the project engineer.

Refuse – The Urban County Government provides refuse collection to residences within this portion of the Urban Service Area on Mondays, although group residential developments oftentimes contract with private haulers for more frequent refuse collection.

Police – The property is located within Police Sector 3 and is served by the East Sector Roll Call Center. This police station is located on Centre Parkway, about 1½ miles to the northeast of the subject property.

Fire/Ambulance – Fire Station #22 is the closest fire station to the subject property, located about ½ mile to the south on Clearwater Way.

Utilities – All utilities, including electric, gas, water, telephone, and cable service are 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 that has made Lexington-Fayette County the Horse Capital of the World.

The Comprehensive Plan, as it relates to the proposed zone change, generally focuses on land use compatibility; well-designed neighborhoods; improving a desirable community; making the best use of land inside the Urban

Service Boundary for the protection of the surrounding rural areas; varied housing choices, and infill and redevelopment.

The petitioner proposes to construct 32 dwelling units (senior living cottages), for a residential density of 6.7 dwelling units per acre.

CASE REVIEW

The petitioner has requested a zone change from a Professional Office (P-1) zone and from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone for about five acres of property, which is a portion of 4268 Saron Drive.

The subject property is located at the intersection of Saron Drive and Chas Drive, generally southwest of the intersection of Tates Creek Road and Man o' War Boulevard. Just to the north, across Chas Drive, is the Tates Creek South Shopping Center, which is anchored by a Wal-Mart Neighborhood Market store in a B-6P zone. East of the subject property is a new medical office building (P-1 zone), and to south and further to the east of the property are single-family and deluxe residential developments. A childcare center and an assisted living facility are located to the west of the subject property in an R-4 zone.

The subject property was part of a large zone change for the Joe Coons farm in 1990 from agricultural to the High Density Apartment (R-4) and Planned Shopping Center (B-6P) zones for the southwestern quadrant of the Tates Creek Road and Man o' War Boulevard intersection. The subject property underwent a zone change in 2001, changing from the R-4 zone to the P-1 zone, and again in 2011, changing the western half of site from the P-1 zone to the B-1 zone. The petitioner is now requesting that the entire site be returned to the pre-2001 R-4 zone in order to construct 32 one-story, senior living cottages, at a density of 6.9 dwelling units per acre. The senior living cottages are configured within nine one-story buildings as duplexes and four-plexes on the corollary development plan. The petitioner also owns the assisted living facility located across Saron Drive from the site and envisions the proposed cottages as an extension of that facility to allow for transitional housing opportunities.

The 2013 Comprehensive Plan focuses on general land use policies, such as land use compatibility; well-designed neighborhoods; improving a desirable community; and making the best use of land inside the Urban Service Boundary for the protection of the surrounding rural areas, but no longer utilizes a land use map.

The petitioner contends that the proposed rezoning is in agreement with the 2013 Comprehensive Plan and that it is compatible with the surrounding development and will serve as an excellent transition to and from adjacent uses, making it appropriate for the subject property. The petitioner cites several Goals and Objectives of the Plan as support for the requested zone change, including: expanding housing choices (Theme A, Goal #1); planning for housing that address market needs for all Fayette County residents, including, but not limited to mixed-use and housing near employment and commercial areas; supporting infill and redevelopment as a strategic component of growth, (Theme A, Goal #2); encouraging compact, contiguous and/or mixed-use sustainable development, as guided by market demand, to accommodate future growth needs (Theme E, Goal #1); and developing vacant and underperforming land within the Urban Service Area to safeguard rural land.

The staff agrees with the applicant's justification. The proposed housing type is not available in this portion of the Urban Service Area, thus it will allow for expanded housing choices. In addition, the housing will provide more options for seniors that do not require healthcare services and are fully independent, but would like to utilize the services that independent living facilities provide. The relationship with the assisted living facility across Saron Drive will allow residents a unique access to those facilities, when desired.

The property has been vacant for an extended period of time, with multiple zone changes made in the last 15 years. Each zone change was an attempt to improve potential development opportunities, none of which have come to fruition. The proposed residential development will put an underperforming site to good use, and the land use will serve as an excellent transition between the commercial uses to the north and the residential uses to the south and east.

The Staff Recommends: Approval, for the following reasons:

1. The requested High Density Apartment (R-4) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan are supported by the requested zone change, including: expanding housing choices (Theme A, Goal #1); planning for housing that addresses market needs for all Fayette

County residents, including, but not limited to mixed-use and housing near employment and commercial areas; supporting infill and redevelopment as a strategic component of growth, (Theme A, Goal #2); encouraging compact, contiguous and/or mixed-use sustainable development, as guided by market demand, to accommodate future growth needs (Theme E, Goal #1); and developing vacant and underperforming land within the Urban Service Area to safeguard rural land.

- b. The proposed senior living cottage housing type, proposed as duplexes and four-plexes, is generally not available in this portion of the Urban Service Area; thus, it will allow for expanded housing choices. The proposed use will also provide housing options for seniors that do not require healthcare services and are fully independent, but would like to utilize the services that modern independent living facilities provide.
 - c. The property has remained vacant for an extended period of time, even with multiple zone changes made in the last 15 years in an attempt to improve potential development opportunities. The proposed residential development will put an underperforming site to use, and the development will serve as an appropriate land use transition between the commercial uses to the north and the residential uses to the south and east.
2. This recommendation is made subject to approval and certification of PLN-MJDP-16-00020: Coons Property, Unit 11 (Highgrove Cottages – Independent Living Homes), 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

10/5/2016

Planning Services/Staff Reports/MAR/2016/PLN-MAR-16-00011.doc

5. LEXINGTON SENIOR HOUSING 2, LLC ZONING MAP AMENDMENT & COON'S PROPERTY, UNIT 11 (HIGHGROVE COTTAGES – INDEPENDENT LIVING HOMES)

- a. PLN-MAR-16-00011: LEXINGTON SENIOR HOUSING 2, LLC – petition for a zone map amendment from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone for 2.56 net (3.0 gross) acres, and from a Professional Office (P-1) zone to a High Density Apartment (R-4) zone for 2.22 net (2.42 gross) acres or property, located at 4268 Saron Drive.

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 that has made Lexington-Fayette County the Horse Capital of the World.

The Comprehensive Plan, as it relates to the proposed zone change, generally focuses on land use compatibility; well-designed neighborhoods; improving a desirable community; making the best use of land inside the Urban Service Boundary for the protection of the surrounding rural areas; varied housing choices, and infill and redevelopment.

The petitioner proposes to construct 32 dwelling units (senior living cottages), for a residential density of 6.7 dwelling units per acre.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested High Density Apartment (R-4) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan are supported by the requested zone change, including: expanding housing choices (Theme A, Goal #1); planning for housing that addresses market needs for all Fayette County residents, including, but not limited to mixed-use and housing near employment and commercial areas; supporting infill and redevelopment as a strategic component of growth, (Theme A, Goal #2); encouraging compact, contiguous and/or mixed-use sustainable development, as guided by market demand, to accommodate future growth needs (Theme E, Goal #1); and developing vacant and underperforming land within the Urban Service Area to safeguard rural land.
 - b. The proposed senior living cottage housing type, proposed as duplexes and four-plexes, is generally not available in this portion of the Urban Service Area; thus, it will allow for expanded housing choices. The proposed use will also provide housing options for seniors that do not require healthcare services and are fully independent, but would like to utilize the services that modern independent living facilities provide.
 - c. The property has remained vacant for an extended period of time, even with multiple zone changes made in the last 15 years in an attempt to improve potential development opportunities. The proposed residential development will put an underperforming site to use, and the development will serve as an appropriate land use transition between the commercial uses to the north and the residential uses to the south and east.
 2. This recommendation is made subject to approval and certification of PLN-MJDP-16-00020: Coons Property, Unit 11 (Highgrove Cottages – Independent Living Homes), 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-16-00020: COON'S PROPERTY, UNIT 11 (HIGHGROVE COTTAGES – INDEPENDENT LIVING HOMES) (12/01/16)* - located at 4268 Saron Drive. **(Rich Design Studios)**

Note: The purpose of this amendment is to rezone the property and develop an independent living homes.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Denote location of required 5' or 15' landscape buffer, per the zone-to-zone (P-1/R-4) requirements.
6. Addition of conditional zoning restrictions, on plan.

Staff Zoning Presentation – Ms. Wade summarized the staff report and recommendations of the proposed zone change. She said that this property originally had a zone change in the 1990's and a few more after that and is now proposing to return to R-4 zone.

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

Development Plan Presentation – Ms. Gallt presented the staff report on the development plan and said that there is a required landscape buffer between the proposed property and the neighboring P-1 property. She has passed out copies of a map displaying this buffer.

Petitioner Presentation – Kevin Rich, Rich Design Studios, was present representing the petitioner. He said that he believes the applicant is in agreement with the staff's recommendations.

Zoning Action – A motion was made by Ms. Richardson, seconded by Mr. Drake, and carried 9-0-1 (Penn abstained; Brewer absent) to approve PLN-MAR-16-00011: LEXINGTON SENIOR HOUSING 2, LLC, for the reasons provided by the staff.

Citizen Comments – There were no citizens present to comments on this application.

Development Plan Action – A motion was made by Ms. Richardson, seconded by Mr. Drake, carried 10-0 (Brewer absent) to approve PLN-MJDP-16-00020: COON'S PROPERTY, UNIT 11 (HIGHGROVE COTTAGES – INDEPENDENT LIVING HOMES), for the reasons provided by the staff.