

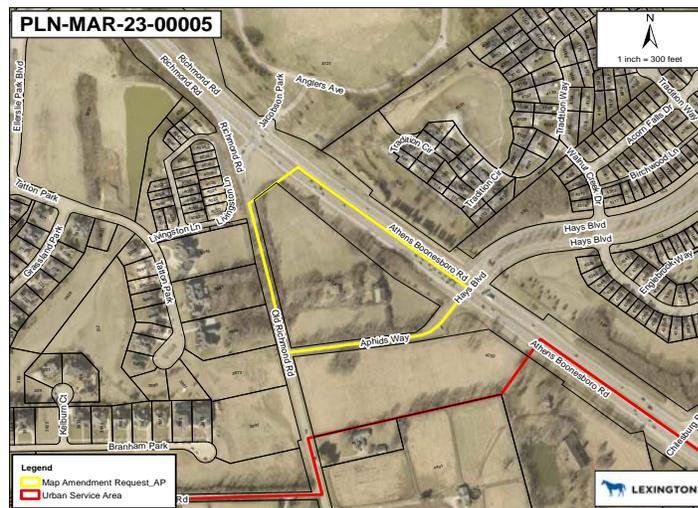
# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-22-00005 ANDERSON COMMUNITIES, INC.

## DESCRIPTION OF ZONE CHANGE

Zone Change: From an Agricultural Rural (A-R) and Highway Service Business (B-3) zone  
To an Community Center (CC) zone

Acreage: 8.36 net (11.95 gross) acres

Location: 4075 Old Richmond Road



## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	A-R/B-3	Agriculture
To North	A-R/EAR-1	Jacobson Park & Single Family Residential
To East	EAR-1	Single Family Residential
To South	A-R/B-3	Agriculture
To West	EAR-1	Single Family Residential

## URBAN SERVICE REPORT

**Roads** - The subject property is bound on all sides by right-of-way, including Athens Boonesboro Road (KY 418), a five-lane state-owned major arterial road; Old Richmond Road (US 25), a state-owned, two-lane collector roadway; and Aphids Way, a two-lane county maintained local road.

The roadways around the subject property are in the process of substantial reconfiguration and re-alignment. KYTC is implementing Restricted Crossing U-Turn (R-CUT) improvements on Athens Boonesboro Road that will restrict left hand turn movements across the roadway. Accompanying these improvements is a planned reconfiguration of the alignment of Aphids Way, and the eventual closure of Old Richmond Road between Athens Boonesboro Road and Aphids Way.

**Curb/Gutter/Sidewalks** - This portion of Athens Boonesboro Road, Old Richmond Road, and Aphids Way lack curb, gutter, or sidewalk facilities. Urban improvements will be designed in association with the KYTC R-CUT project, and will be required for any public or private local street.

**Utilities** - All utilities, including natural gas, electric, water, phone, cable television, and internet are available in the area, and are available to serve future development of the site.

**Storm Sewers** - This portion of the subject property is primarily located within the East Hickman Creek watershed. The subject property lacks stormwater facilities. There are no known FEMA Special Flood Hazard Areas or known flooding issues within the immediate area. Stormwater management is planned to be addressed on a regional basis throughout Expansion Area 2c.

**Sanitary Sewers** - The subject property and surrounding residential uses are located within the East Hickman Sewershed and are served by the West Hickman Treatment facility located in northern Jessamine County. A sanitary sewer force main line runs parallel to Aphids Way, although capacity will need to be evaluated at the time of a final development plan by the Capacity Assurance Program (CAP).

**Refuse** - The Urban County Government serves this area with refuse collection on Fridays. Supplemental service may be desired to serve the needs of the proposed development, which can be accomplished by contracting with private refuse haulers.

**Police** - The nearest police station to this location is the East Sector Roll Call Center on Center Parkway, near Armstrong Mill Road, approximately 3 miles west of this location.

**Fire/Ambulance** - The nearest fire station (No. 21) is located approximately 1 1/4 miles north of the subject property on Mapleleaf Drive, just south of Man O War Boulevard.

Transit - There is no LexTran service available within close proximity of the subject property.

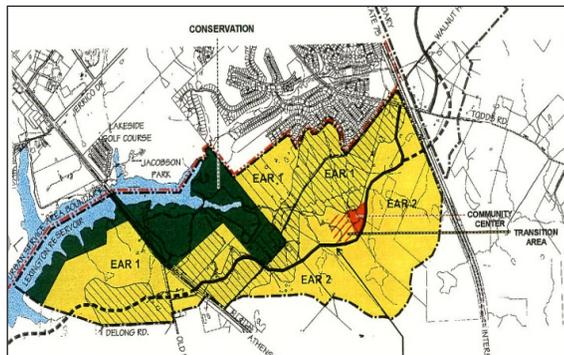
Parks - Jacobson Park is located approximately 260 feet to the north, across Athens Boonesboro Road.

### SUMMARY OF REQUEST

A petition for a zone map amendment from an Agricultural Rural (A-R) and a Highway Service Business (B-3) zone to a Community Center (CC) zone, for 8.36 net (11.95 gross) acres, for the property located at 4075 Old Richmond Road.

### EXPANSION AREA

Expansion Area 2 is an area of approximately 4,213 acres of land which is located between Winchester Road and the western end of Jacobson Reservoir. The future land use element divides Expansion Area 2 into three subareas - Expansion Area 2a, Expansion Area 2b and Expansion Area 2c. Expansion Area 2c was envisioned to be a low-to mid-density residential area that served as a transitional buffer between existing urbanized areas and the agricultural areas in the southeast portion of the county. Expansion area 2c is approximately 1,232 acres in size, and a majority of the area has been developed since 1996.



### PLACE-TYPE

CORRIDOR

A Corridor is Lexington’s major roadways focused on commerce and transportation. The overriding emphasis of Imagine Lexington is significantly overhauling the intensity of the major corridors. The future of Lexington’s corridors lies in accommodating the shifting retail economic model by incorporating high density residential and offering substantial flexibility to available land uses.

### DEVELOPMENT TYPE

MEDIUM- DENSITY  
NON-RESIDENTIAL/ MIXED-USE

Primary Land Use, Building Form, & Design

Primarily community-serving commercial uses, services, places of employment, and/or a mix of uses within midrise structures with a higher Floor Area Ratio. Mixed-use structures typically include more multi-family residential units and places of employment, and retail and commercial options generally draw from a larger geographic area. An activated and pedestrian-scale ground level should be provided. These developments may include more employment space for professional office and can include some larger entertainment spaces.

Transit Infrastructure & Connectivity

Though they draw more external users, they should still include multi-modal connections allowing for easy neighborhood access. Mass transit infrastructure is to be provided on par with that of other modes, and the higher density housing types should be located in close proximity.

Parking

The buildings should be oriented to the street, and developments should avoid over-parking, with provided parking located internally.

### PROPOSED ZONING



The Community Center zone is intended to implement the Community Center land use designation in the Expansion Area Master Plan by providing a mixture of residential uses and nonresidential uses which serve the needs of the surrounding residential neighborhoods. Development in the CC Zone shall comply with the Community Design Element of the Expansion Area Master Plan. The zone should be established in accordance with the Goals, Objectives, Policies and Development Criteria in the Comprehensive Plan.

### APPLICANT’S PROPOSAL



The applicant is rezoning the property to allow for the construction of a mixed-use development including an automobile service station, coffee shop, and eight multi-family apartment buildings. These apartments will be four stories tall, and include a total of 192 single-bedroom dwelling units, for a density of 40.67 units per net acre. The multi-family residential use will be accompanied by amenities including a dog park, fitness center, and pool. A total of 279 parking spaces are proposed between the commercial and residential components of the development.

## PROPERTY & ZONING HISTORY



The subject property is an 8.36 acre parcel that historically contained a single-family residence and barn. Prior to the 1969 comprehensive rezoning of the city and county, the subject property was zoned Agricultural (A-1), with a small portion of business (B-3) zoning. During the 1969 comprehensive rezoning, the Agricultural (A-1) zoning was changed to an Agricultural Rural (A-R) zone. While there is a remnant portion of Highway Service Business (B-3) zone at this location, it does not appear the site has ever been utilized commercially.

In 1996, the subject property was included in the expansion of the Urban Service Area boundary, and became subject to the Expansion Area Master Plan (EAMP) and Article 23 of the Zoning Ordinance.

## APPLICANT & COMMUNITY ENGAGEMENT



According to the submitted justification letter, the applicant has met with several members of the Ellerslie neighborhood association. The applicant should provide further information about their larger community engagement efforts, and interactions with the other affected neighborhood associations in this area.

## 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.

### EXPANSION AREA MASTER PLAN

In 1996, the subject property was added to the Urban Service Area with the approval of the Expansion Area and adoption of the Expansion Area Master Plan (EAMP). During the 1996 expansion, the Planning Commission initiated and recommended approval of a zone change for the entire 5,400 acres of the Expansion Area to update the zoning across the county. However, at that time, the Urban County Council denied the zone change because of community concerns and a want to have a broader discussion regarding the potential zoning in the area. In 2001, the EAMP became an adopted element of the Comprehensive Plan, and its future land use recommendations have been carried forward to the 2018 Comprehensive Plan.

Within the 1996 Expansion Area Master Plan, the subject property was recommended for Expansion Area Residential 1 (EAR-1) land uses, which allows for residential development of 0-3 units per gross acre. When the EAMP was drafted, the EAMP envisioned the area around the subject property as a lower density buffer between the established agricultural uses along Athens Boonesboro Road and Old Richmond Road. The applicant acknowledges that the Expansion Area Master Plan calls for EAR-1 zoning in this area, but opines that such zoning is inappropriate due to the intensity of Athens Boonesboro Road.

With regards to the applicant's proposed Community Center (CC) zone, the EAMP future land use element contemplated that commercial, office and institutional uses be located in community centers which have the form and function of a traditional village or town center, where individual uses are organized around public spaces and streets that are attractive and open to multiple modes of transportation. The EAMP also emphasizes that the key elements of a community of place are multi-purpose trips, reliance on alternative modes of transportation, calmed traffic and a mix of uses organized around places of public and private assembly.

Staff finds that the applicant's proposal is not in agreement with the land use element of the Expansion Area Master Plan. The applicant's proposed residential density of over 40 units per gross acre diverges significantly from the 0-3 units per acre recommended by the EAMP for this portion of Expansion Area 2c. The EAMP advocates for low intensity residential development or greenbelts along the edge of the Urban Service Area boundary in order to protect and buffer adjoining agricultural areas; however, this request would represent a significant increase in residential density in the area adjoining the Urban Service Area boundary, with no transitional areas proposed. Furthermore, the EAMP calls for the Community Center areas to be well



connected and located centrally, where it can serve as a community hub. The proposed location is bound by several major roadways, and is geographically isolated from the rest of the residential development in Expansion Area 2c. Finally, the proposal does not address the Community Center design element, as required by the Zoning Ordinance and Expansion Area Master Plan.

### **GOALS, OBJECTIVES, & POLICIES**

In their justification statement, the applicant identifies several goals and objectives within the 2018 Comprehensive Plan that they opine are being met with this request.

By introducing multi-family residential uses into an area predominately characterized by single-family attached and detached units, the applicant opines that they are meeting goals relating to providing a variety of housing types and densities (Theme A, Goal #1.c). They further state that by developing an underutilized parcel of land within the Urban Service Area, that they are supporting goals relating to redevelopment and strategic growth (Theme A, Goal #2.a; Theme E Goal #1.c).

The applicant indicates that the proposal meets goals relating to providing for positive & safe social interactions in neighborhoods, including neighborhoods that are connected for pedestrians & various modes of transportation (Theme A, Goal #3.b). While sidewalks are present along the eastern, western, and southern perimeter of the site, no sidewalk or trail facilities are present on the northern portion of the site along Athens Boonesboro Road. The applicant should explore providing a sidewalk or trail facility in this location in order to better facilitate pedestrian movement to Athens Boonesboro Road and the neighborhoods to the north. The applicant should also explore utilizing the abandoned right-of-way along Old Richmond Road in order to provide a more direct connection to the Ellerslie neighborhood.

The letter of justification submitted with this request did not include a discussion of the Comprehensive Plan Policies. The applicant should provide further information regarding how their proposal is in line with these components of the Comprehensive Plan.

### **PLACE TYPE & DEVELOPMENT TYPE**

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, a Place-Type based on the location of the subject property is identified. 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 has indicated that the site is located within the Corridor Place-Type and is seeking to develop the property as a Medium Density Non-Residential / Mixed Use Development Type. Staff concurs with the applicant's assessment of the Place-Type, as the site is located along a major arterial roadway, and Athens Boonesboro Road is identified within the 2018 Comprehensive Plan as a "major corridor." At a maximum of four stories, the proposed development is in line with the characteristics of the Medium Density Non-Residential/ Mixed Use Development Type. While the Expansion Area Master Plan calls for low-density residential in this area, a Medium Density Non-Residential / Mixed Use Development Type is a recommended Development Type within the Corridor Place Type, and could be appropriate for the subject property with adequate connectivity, site design, and buffering.

### **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 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 applicant's proposed Corridor Place Type and is seeking to create an Medium Density Non-Residential/ Mixed Use Development Type.

### 1. Site Design, Building Form and Location

Despite compliance with several of the criteria for Site Design, Building Form and Location, there are additional criteria that necessitate further discussion.

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

The applicant notes that they are subject to the Multi-Family Design Standards on the associated development plan. However, the applicant has not provided information regarding how they are meeting the Site Planning, Open Space and Landscaping, and Architectural Design standards, as discussed in Appendix 1 of the Comprehensive Plan. The applicant should review the information in Appendix 1 of the Comprehensive Plan and address those standards. While architectural design standards can be reviewed later in the process, the other standards should be addressed prior to Planning Commission approval.

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

While much of the development locates the parking areas internally or to the rear, the proposed coffee shop places its parking on the newly proposed public street. As such, the orientation of the building and drive through is aimed toward accommodating vehicular users, rather than activating the street frontage or encouraging pedestrian access and use.

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

With the higher topography present on the subject property, the height difference between the proposed four-story multi-family residential structures and the nearby two-story townhouse development within the Ellerslie neighborhood will result in a significant contrast in building scale.

### 2. Transportation and Pedestrian Connectivity

The request meets several criteria for Transportation and Pedestrian Connectivity; however, there is one criteria that warrants further discussion

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

The proposal does depict a pedestrian connection to the intersection of Athens Boonesboro Road and Aphids Way; however, accessing this connection requires the pedestrians present on the northern portion of the site to circulate through the site to the far side of the development, follow the perimeter of the site, and then cross at the intersection. In order to provide greater, more efficient connectivity, pedestrian facilities should be provided on the northern portion of the site, along Athens Boonesboro Road.

### 3. Greenspace and Environmental Health

While the request meets many of the criteria for Greenspace and Environmental Health, one criteria warranted further discussion:

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

The designated community green and amenities are clustered to the southern portion of the property, where they are not easily accessible for the northernmost units. The applicant should explore opportunities to provide functional open space in these areas.



### **PARKING DEMAND MITIGATION STUDY**

Under the requirements of the newly adopted Parking and Landscaping Zoning Ordinance Text Amendment, all “Significant Developments,” or developments with over 5,000 square-feet of building coverage that require a Zoning Map Amendment, shall provide a Parking Demand Mitigation Study for the project that details the following information:

1. Review of national best practices for parking calculations for the project, including the current ITE Manual Parking ranges or the ranges produced by the ITEParkGen Report;
2. The anticipated parking demand for the project;
3. How the anticipated parking demand will be satisfied on-site or off-site;
4. The methods and strategies to be implemented in order to reduce vehicle trips by site users;
5. The methods and strategies to be implemented in order to promote transportation options by site users;
6. The projected mode share by site users from the utilization of the study’s strategies.

Within the applicant’s most recent review of the parking demand, they have provided specific numbers regarding the ITE manual for the proposed apartment, automobile service station, and coffee shop use. Based on the provided square footage, the ITE manuals indicate that the development as a whole would require 279 spaces, which matches the number of spaces provided on the plan.

The applicant indicates that they expect that due to the property’s location and the lack of available transit service, that 95% of the trips to the site would be by automobile, but are providing 38 bike parking spaces in order to accommodate multi-modal transportation options as well.

Lastly, a Traffic Impact Study was submitted for MPO and Traffic Engineering to review to meet Article 6 requirements.

### **STAFF RECOMMENDS: POSTPONEMENT, FOR THE FOLLOWING REASONS:**



1. The applicant should provide further information on how the proposal is in line with the policies of the 2018 Comprehensive Plan.
2. The zone change application does not address the Community Design Element of the Expansion Area Master Plan, an adopted element of the 2018 Comprehensive Plan.
3. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Corridor Place Type, and the Medium Density Non-Residential/Mixed Use Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
  - a. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
  - b. A-DS7-1 Parking should be oriented to the rear of the property for non-residential or multi-family residential development.
  - c. A-DS5-3 Building Orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
  - d. A-DN2-2 Development should minimize contrasts in scale, massing, and design, particularly along the edges of historic areas and neighborhoods.
  - e. D-CO2-2 Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users’ needs, including those with disabilities.
  - f. A-EQ7-3 Community open spaces should be easily accessible and clearly delineated from private open spaces.