

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2015-5: BOSTON ROAD, LLC

DESCRIPTION

Zone Change: From a Professional Office (P-1) zone
To a Planned Neighborhood Residential (R-3) zone

Acreeage: 1.3385 net (1.3829 gross) acres

Location: 3900 Boston Road (a portion of)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	P-1	Single Family Residence
To North	R-3 & B-6P	Single Family Residential & Regional Detention Basin
To East	B-6P	Regional Detention Basin
To South	R-3	Vacant & Single Family Residential
To West	R-3	Single Family Residential

URBAN SERVICES REPORT

Roads – The subject property is located on the east side of Boston Road, about ¼ of a mile south of its intersection with Man o’ War Boulevard. Grassy Creek Drive intersects Boston Road directly across from the subject property. Old Mill Lane and Mill Ridge Road, both local streets (cul-de-sacs), adjoin the applicant’s property, but there is no intent to provide vehicular access or connection to these public streets into or through the proposed townhouse development.

Curb/Gutter/Sidewalks – Sidewalks, curbs and gutters exist along Boston Road, as well as along other local and collector streets in the immediate vicinity. In addition, a pedestrian trail exists, and borders the subject property, to the immediate north.

Storm Sewers – The subject property is located in the South Elkhorn Creek watershed. Storm sewers are not currently located anywhere on the subject property; however, nearby subdivisions have been developed with storm sewers. The developer will be required to provide these facilities or upgrade existing ones at the time this property is developed. The Clemens Run tributary of South Elkhorn Creek is located on the adjacent property to the northeast of the site, within the regional detention basin. A small portion of the subject property (less than ¼ of an acre) is within a FEMA designated Special Flood Hazard Area, along the entire northeast property boundary.

Sanitary Sewers – The subject property is located in the South Elkhorn sewershed and is served by the West Hickman Wastewater Treatment facility in northern Jessamine County. The developer will need to provide an extension of the sanitary sewers as a part of the proposed residential development of the property. There is currently sanitary sewer capacity available in this sewershed, according to the latest Capacity Assurance Program information.

Refuse – The Urban County Government serves this portion of the Urban Service Area with refuse collection to residences on Mondays. Townhouse developments often utilize dumpsters and sometimes contract with private refuse collectors for more frequent service.

Police – The nearest police station is located on Centre Parkway at the East Sector Roll Call Center, about 4 miles east of the subject property.

Fire/Ambulance – The nearest fire station (#15) is located about 1½ miles to the northeast, inside Shillito Park, just south of West Reynolds Road.

Utilities – All utilities including natural gas, electric, water, cable television, telephone, and streetlights should be able to be extended to serve the subject property, as they have been provided to the surrounding residential developments in this area.

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 2013 Plan’s Goals and Objectives

emphasize the importance of growing successful neighborhoods (Theme A) by expanding housing choices (Goal #1), supporting infill and redevelopment (Goal #2) and providing well-designed neighborhoods (Goal #3).

The petitioner proposes to develop 25 attached single-family residences (townhouses) and two detached single-family residences on the site, which would yield a residential density of 9.38 dwelling units per acre.

CASE REVIEW

The petitioner has requested a zone change from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone for approximately 1.3 acres of property, which is a portion of 3900 Boston Road.

The subject property is a triangle-shaped piece of a larger parcel, which is located on the east side of Boston Road, south of the Millpond Shopping Center and Man o' War Boulevard. The Willow Oak Subdivision borders the property to the south, and a regional retention pond for the neighborhood is located to the immediate northeast between the subject property and Millpond Road. The High Plains Subdivision is located to the west, across Boston Road from the property. The property is bounded on two sides by residential zoning (R-3), with a mixture of detached single-family and duplex residential dwelling units. The Willow Oak retention pond to the northeast side of the property is located within a Planned Shopping Center (B-6P) zone. This portion of the Urban Service Area is characterized by mostly residential development, with some commercial uses located closer to Man o' War Boulevard, such as the Millpond Shopping Center.

The petitioner is proposing to rezone a 1.33-acre tract in order to develop 25 townhouses (attached single-family residences) and two detached single-family residences at an overall density of 9.38 dwelling units per net acre for the 2.88-acre site. The corollary development plan, filed in conjunction with this zone change, depicts reducing the size of the two existing single-family lots along the cul-de-sac of Mill Ridge Road in order to increase the development area for the proposed townhouses. Within the subject property (currently zoned P-1), only 12 townhouses are proposed, for a density there of 8.96 dwelling units per acre. As proposed, the townhouse development would have no connection to the existing Willow Oak subdivision, but would utilize two new access points on Boston Road, although one residential drive-way exists there currently.

The Willow Oaks area was originally re-zoned in 1973. Small zoning tweaks were approved in 1979, and some more significant changes were approved 1987, including rezoning the land immediately south of the subject property from P-1 to R-3. The original plan was for office use to be developed on the property and for apartments to be constructed within the R-3 portion of the Willow Oak area; however, the developer modified the plan and proposed single-family residential lots within the immediately adjoining R-3 zoned area in 1987. The area has generally developed in accordance with those plans; although the last two lots at the end of Mill Ridge Road remain vacant and a majority of the parcel's frontage along Boston Road is unimproved.

The 2013 Comprehensive Plan's Goals and Objectives emphasize the importance of growing successful neighborhoods (Theme A) by expanding housing choices (Goal #1), supporting infill and redevelopment (Goal #2) and providing well-designed neighborhoods (Goal #3). This theme and these goals speak directly to the review of new residential development. More specifically, the Plan's Objectives recommend growing successful neighborhoods through expanded housing choices that address the market needs for all residents (Theme A, Goal #1, Obj. b.); encouraging infill development throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2); identifying areas of opportunity for infill development that respect the area's context and design features (Theme A, Goal #2, Obj. a); and providing well-designed neighborhoods (Theme A, Goal #3).

The petitioner contends that the request is in agreement with the Goals and Objectives of the 2013 Comprehensive Plan. The staff agrees that the proposal is supported by several of the Goals and Objectives of the 2013 Comprehensive Plan (as outlined above), and concludes that this request is in agreement with the Comprehensive Plan.

This rezoning proposal is also justified by the fact that the existing P-1 zone is no longer appropriate and the proposed R-3 zoning is appropriate at this location. The existing P-1 zoning is disconnected from other professional office development in the vicinity; and although it is bordered to the north by B-6P zoning, that land is used as a detention basin and a floodplain separates it from the subject property. The P-1 portion of the property has only about 50 feet of frontage along Boston Road. Additionally, the current P-1/R-3 zoning boundary is positioned at an awkward angle to Boston Road, which is reflective of the former Old Higbee Mill Road (parallel to the northeastern property line). The roadway has been abandoned, but the odd zoning configuration remains. If not rezoned in some fashion,

access to the subject property from Boston Road would be difficult because a commercial access could not be improved to traverse the residential portion of the lot, and an entrance along this property line would likely impact the existing floodplain.

The proposed R-3 zoning is compatible with the rest of the property, and will match that of some of the bordering parcels. A slightly higher density development along Boston Road, a collector street, is appropriate between the existing lower density single family residences and the business zoning to the north. The R-3 zone will also allow a more consistent infill development for this parcel of land.

The petitioner's proposal to develop townhouses can also complement the existing detached single-family homes in the Willow Oak neighborhood and along Boston Road. This will meet the 2013 Plan's Goal of providing expanded housing choices in our community. By completing the Mill Ridge Road subdivision with two single-family residences, the applicant is respecting the existing neighborhood character and ensuring that there will be minimal disruption to the established adjoining neighborhood.

The Staff Recommends: Approval, for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan, as follows:
 - a. The Goals and Objectives recommend growing successful neighborhoods through expanded housing choices that address the market needs for all residents (Theme A, Goal #1, Obj. b.). The petitioner proposes a townhouse style development of 25 dwelling units, which creates a variety of housing types in the immediate area that complement the existing neighborhood.
 - b. The Goals and Objectives encourage infill development throughout the Urban Service Area as a strategic component of growth for our community (Theme A, Goal #2). The petitioner proposes to increase the density of this parcel, as compared to the surrounding area, to 9.38 dwelling units per net acre.
 - c. The Goals and Objectives recommend identifying areas of opportunity for infill development that respects the area's context and design features (Theme A, Goal #2, Obj. a). By completing the Mill Ridge Road subdivision with two single-family residences, the applicant is respecting the existing character and ensuring that there will be minimal disruption to the established adjoining neighborhood.
2. The proposed Planned Neighborhood Residential (R-3) zone is also more appropriate than the existing Professional Office (P-1) zone at this location, because the existing P-1 zoning is disconnected from other professional office development in the vicinity, while the R-3 zoning is compatible with the remainder of the property, and the adjacent land to the west and southeast of the subject property. Allowing the parcel to be in one zoning category will also permit a more consistent development for this location. The slightly higher density development along Boston Road, which is a collector street, will be an appropriate transition between the existing lower density single family residences and the business zoning to the north.
3. This recommendation is made subject to approval and certification of ZDP 2015-25: Ted R. Osborn & Thomas Wood Property/Millpond unit 1-B, Section 2A (FKA Willow Oak) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

TLW/BJR/WLS

5/6/15

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