

**STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT**

**PLN-MAR-17-00030: GREENDALE PROPERTIES, LLC**

**DESCRIPTION**

<b>Zone Change:</b>	<b><u>REQUEST</u></b>		<b><u>ACREAGE</u></b>	
	<b><u>FROM</u></b>	<b><u>TO</u></b>	<b><u>NET</u></b>	<b><u>GROSS</u></b>
	B-1	B-6P	9.45	10.26
	R-3	B-6P	<u>0.00</u>	<u>0.42</u>
	<b>TOTAL</b>		9.45	10.68

**Location:** 1201 Greendale Road

**EXISTING ZONING & LAND USE**

<b><u>Properties</u></b>	<b><u>Zoning</u></b>	<b><u>Existing Land Use</u></b>
Subject Property	B-1	Vacant
To North	R-3	Vacant & Single Family Residential
To East	R-3	Single-Family Residential
To South	R-3	Vacant & Citation Boulevard
To West	R-3	Single-Family Residential

**URBAN SERVICES REPORT**

**Roads** – Citation Boulevard is a four-lane minor arterial roadway, which was recently constructed in this vicinity, and that now provides a major connection between Leestown Road (US 421) and Newtown Pike (KY 922). Greendale Road (KY 1978) has a signalized intersection with Citation Boulevard, and is a state rural roadway that connects Spurr Road (north) to Leestown Road (south) of this location. As part of the construction of Citation Boulevard in this vicinity, Greendale Road was realigned to remove two 90 degree turns (south of this location) for safety reasons. That re-alignment has now left a right-of-way that has yet to be abandoned. Mulundy Way and Cielo Vista Road, two local streets, also border the subject site, and their rights-of-way are part of the proposed rezoning. Access to the subject site is proposed via Mulundy Way, Cielo Vista Road and also by Lucille Drive, which is a collector street a short distance north of Citation Boulevard. Except for the completion of Mulundy Way, no new local streets will be necessary for the proposed development to occur.

**Curb/Gutter/Sidewalks** – Sidewalks, curb and gutter have been constructed along the new Citation Boulevard, Greendale Road, Mulundy Way and Cielo Vista Road. Sidewalk improvements may be required to be constructed along Greendale Road by the developer and throughout any future commercial development of the site, so as to adequately connect proposed land uses to the public pedestrian system.

**Storm Sewers** – The subject property is located within the Town Branch watershed. Stormwater facilities are expected to be constructed when improvements to the overall site occur, and stormwater is planned to flow from this site northward, across and under Lucille Drive, to a larger detention basin originally designed to accommodate this drainage. No FEMA Special Flood Hazard Area (100-year floodplain) exists within the immediate area, and no known flooding problems exist either.

**Sanitary Sewers** – The subject site is located within the Town Branch sewershed. Sanitary sewer treatment is provided by the Town Branch Wastewater Treatment Plant for properties within this portion of the Urban Service Area, which is located approximately two and one-half miles to the southwest. Prior to any construction on the site, the Division of the Water Quality's Capacity Assurance Program (CAP) will evaluate the sanitary sewer demand anticipated by the developer's specific land use request compared to the available capacity of the system. The site is part of a grandfathered development plan with a remaining capacity of less than 1,000 gallons per day.

**Refuse** – The Urban County Government provides waste collection to this area on Thursdays. Supplemental refuse collection service is often necessary for commercial developments.

**Police** – The site is located in Police Sector 1. The West Sector Roll Call Center is the nearest police station to the subject property, located on Old Frankfort Pike near New Circle Road, approximately two miles southwest of the subject property.

**Fire/Ambulance** – The subject property is approximately two miles from Fire Station #13, which is located on West Main Street/Leestown Road, approximately one-half mile southeast of the Leestown Road/New Circle Road

interchange. A new fire station is proposed in the very near vicinity of the subject property at the intersection of Magnolia Springs Drive and Mable Lane, which is located about one-third of a mile to the west of the subject property. Utilities – Private utilities, including natural gas, cable television, electric, telephone and water service are to be extended into the site by the developer.

### **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 Plan's 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. In addition, the Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The petitioner proposes a rezoning mostly from a restricted Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone in order to develop a community shopping center (between 3 and 10 acres in size), to include retail sales establishments, restaurants, a convenience store, a bank and associated off-street parking areas.

### **CASE REVIEW**

The petitioner has requested a zone change from a Neighborhood Business (B-1) zone for nearly 10 acres of property, and from a Planned Neighborhood Residential (R-3) zone for some existing rights-of-way, to a Planned Shopping Center (B-6P) zone located at 1201 Greendale Road.

The subject property is comprised of a single parcel located on the west side of Greendale Road, about 400 feet north of its intersection with Citation Boulevard. Mulundy Way stubs into both the north and south sides of the subject property. It is expected to be extended through the property, which will divide the land into two smaller sites. Mulundy Way intersects Cielo Vista Way at the southern corner of the site, and extends eastward to an intersection with Greendale Road. The subject property is also bordered to the north by Lucille Drive, and two existing homes within the Masterson Station neighborhood.

Shortly after the construction of Citation Boulevard was completed, a zone change was filed on the vacant R-3 site to the south (PLN-MAR-16-00006: Citation Shoppes, LLC), wherein a Highway Service Business (B-3) zone was requested. That zone change was indefinitely postponed just more than one year ago.

Except for Citation Boulevard and the vacant property nearby to the north, this immediate area is characterized by residential land uses and zoning to the west, east and south. However, the subject property was rezoned more than a decade ago to its current B-1 classification (MAR 94-05: Chesapeake Equine, Inc.) to allow for a 10-acre mixed-use community center, to include both residential and commercial uses – all a short distance north and west of the intersection of Greendale Road and Citation Boulevard. The subject property was heavily restricted via conditional zoning in order to specifically implement a "community center concept" from the 2001 Comprehensive Plan.

The petitioner now proposes a Planned Shopping Center (B-6P) zone in order to construct a community shopping center (defined as between 3 and 10 acres in size), to include an automobile service station, retail sales establishments, restaurants, a bank and associated off-street parking areas.

The 2013 Comprehensive Plan no longer supplies a future land use map for decision-making, but it does focus upon general land use policies, such as promoting land use compatibility; recommending 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. The petitioner contends that the proposal is in agreement with the 2013 Comprehensive Plan, and specifically finds agreement with several Goals and Objectives. The staff does not disagree with the applicant's conclusions.

In terms of the Comprehensive Plan, they opine that a development of this vacant property, encouraged by this rezoning, would support infill and redevelopment efforts recommended by the Plan (Theme A, Goal #2), as infrastructure is in place to support this development with a minimal disruption of existing natural features of the land (Theme A, Goal #3.c). Allowing a community-oriented commercial development of the subject site would result in a better designed neighborhood and community (Theme A, Goal #3), and create some jobs in close proximity to where people live (Theme C, Goal #1d.). It will have the ability to be accessed by sidewalks, bicycles and passenger

vehicles (Theme D, Goal #2.). Finally, this center will provide accessible community facilities and services to an under-served area of the community (Theme E, Goal #1b.). All of these policies and recommendations are supported by this change from B-1 (heavily restricted) to B-6P.

The staff has concluded in previous reports that the Planned Shopping Center (B-6P) zone and the Neighborhood Business (B-1) zone are the most appropriate for commercial uses in this vicinity. The proposed development, as depicted in the corollary development plan, has the potential to create neighborhood business opportunities in a new shopping center where none are in close proximity.

The transition from a shopping center to the existing residential homes along Mulundy Drive and Lucille Drive caused some concern for the staff. For this reason, the staff recommends that some residential use be present along the Lucille Drive frontage. This would continue at least one element of the previously adopted "community center concept," which required residential floor area in the B-1 zone.

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

1. The proposed Planned Shopping Center (B-6P) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
  - a. The development of this vacant property, encouraged by this rezoning, would support infill and redevelopment efforts recommended by the Plan (Theme A, Goal #2),
  - b. Infrastructure is in place to support this development with a minimal disruption of existing natural features of the land (Theme A, Goal #3c.).
  - c. A community-oriented commercial development of the subject site would result in an improved design for this neighborhood and for this portion of the community (Theme A, Goal #3.).
  - d. A neighborhood-oriented shopping center at this location will create some jobs in close proximity to where people live (Theme C, Goal #1d.).
  - e. Such a commercial center will have the ability to be accessed by sidewalks, bicycles and passenger vehicles (Theme D, Goal #2).
  - f. This center will provide accessible community facilities and services to an under-served area of the community, as there are no other shopping centers within two miles of this site (Theme E, Goal #1b.).
2. This recommendation is made subject to the approval and certification of the associated development plan, PLN-MJDP-17-00084: Greendale Hills, Unit 3 (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.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions for the property B-6P zone shall be imposed on the subject property:
  - a. A residential use, and residential floor area, shall be located in a building constructed on the northern-most portion of the subject property nearest the intersection of Lucille Drive and Mulundy Drive.

This restriction is appropriate and necessary to provide a transition from adjacent residential uses to the planned shopping center.

WLS/TLW

7/31/17

Planning Services/Staff Reports/MAR/2017/PLN-MAR-17-00030.doc