

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

MAR 2014-3: HAYMAKER DEVELOPMENT CO., LLC

DESCRIPTION

Zone Change:	<u>REQUEST</u>		<u>ACREAGE</u>	
	<u>FROM</u>	<u>TO</u>	<u>NET</u>	<u>GROSS</u>
	R-3	I-1	81.22	81.22
	R-4	I-1	3.77	3.77
	R-3	P-1	4.49	4.49
	R-4	P-1	<u>9.32</u>	<u>9.32</u>
TOTAL			98.80	98.80

Location: 2250 Spurr Road, and 2350, 2400 & 2550 Georgetown Road (a portion of each)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-3 & R-4	Vacant/Agricultural
To North	A-U	University of Kentucky Farm
To East	P-2	Greenway & Coldstream Research Campus
To South	R-4	Multi-Family Residential
To West	R-3 & R-4	Vacant & Residential

URBAN SERVICES REPORT

Roads – Georgetown Road is a five-lane highway (US 25) that currently has a dedicated center (left) turning lane in the vicinity of the subject property. Citation Boulevard is a minor arterial, four-lane divided boulevard that currently connects Jaggie Fox Way (west of Georgetown Road) to Newtown Pike (KY 922). Plans for Citation Boulevard include extending the roadway in both directions to ultimately connect many neighborhoods and employment centers in the northern half of the community, from Leestown Road (US 421) at Alexandria Drive to Russell Cave Road (KY 353). Remington Way is expected to extend into the subject property from Citation Boulevard.

Curb/Gutter/Sidewalks – Curb, gutter and sidewalks have not been constructed Georgetown Road, although such facilities do exist along Citation Boulevard and Remington Way. It is expected that new streets constructed on the subject property will include curb, gutter and sidewalk improvements.

Storm Sewers – No storm sewers currently exist on the vacant site, but will be necessary to address stormwater drainage on the subject property. Cane Run Creek, located to the east of the subject property on the Coldstream Research Campus, runs north toward Scott County. The FEMA D-FIRMs indicate that a Special Flood Hazard Area (100-year floodplain) exists along the creek, but does not impact the subject property. Water quality treatment of new storm water basins remains an issue for this site, since the property is located within the Royal Spring Aquifer’s primary recharge area.

Sanitary Sewers – Sanitary sewers will serve all new development on this property and in this portion of the Urban Services Area. A pump station is operational a few hundred feet to the northeast of the site on Cane Run, near I-64/I-75. The property will be served by the Town Branch Wastewater Treatment Facility, less than 3 miles to the southwest of the property, between Old Frankfort Pike and Leestown Road.

Refuse – Collection to individual properties is provided by the Urban County Government in this portion of the Urban Services Area on Thursdays. Private providers often provide additional service to commercial and industrial developments, as well.

Police – The nearest police station is the West Roll Call Center facility, located on Old Frankfort Pike inside of New Circle Road, approximately 3 miles to the southwest.

Fire/Ambulance – Fire Station #10 is located 1¼ miles to the south of the property, along Finney Drive near the Georgetown Road and New Circle Road interchange.

Utilities – Natural gas, telephone service, electric, water, streetlights, and cable television are all available to the south of this location, and can be extended into the subject site as it develops.

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. Theme C: "Creating Jobs and Prosperity," identifies the need to protect and provide readily available economic development land to meet the need for jobs. The petitioner proposes professional office (about 14 acres) and industrial land use (about 85 acres) for the 99-acre subject property in hopes of attracting new business to the region.

CASE REVIEW

The petitioner has requested a zone change from a Planned Neighborhood Residential (R-3) zone to a Light Industrial (I-1) zone (about 81 acres); from a High Density Apartment (R-4) zone to a Light Industrial (I-1) zone, (about 4 acres); from a Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone (about 4½ acres); and from a High Density Apartment (R-4) zone to a Professional Office (P-1) zone (about 9½ acres) for a portion of the Belmont Farm.

The subject property is located on the east side of Georgetown Road, north of Citation Boulevard, and is accessible via Remington Way. The property is currently vacant, but has been used for agricultural purposes in the recent past. The property is bordered to the west by a portion of the Belmont Farm (Coventry) Subdivision, to the south by a existing multi-family residential development (R-4 zone), to the north by the one of UK Department of Agriculture farms, and the east by the UK Coldstream Research Campus.

The subject property has been the subject of two previous zone changes over the past 25 years. In 1992, the property was rezoned in substantial conformance with the Coldstream Small Area Plan to a mixture of R-3, P-1 and P-2 zoning. In 2001, the property was rezoned to its existing configuration in substantial agreement with the 2001 Comprehensive Plan for a mixture of residential (R-3 and R-4 zoning), professional office (P-1 zoning along Georgetown Road), and retail/shopping center (B-6P at the corner of Georgetown Road and Citation Boulevard) uses with a neighborhood park. The mixed use development had yet to be fully implemented; single-family residences and the neighborhood park were constructed along Spurr Road and a multi-family apartment complex was constructed along Citation Boulevard.

This is the second zone change in the vicinity from a residential zoning category to a commercial/industrial zoning category in recent months. The other was along the south side of Citation Boulevard to accommodate a distribution facility for veterinary supplies. It was approved by the Urban County Council in December 2013.

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

The 2013 Comprehensive Plan suggests that more "jobs land" is needed, that is, additional land that will permit employment opportunities should be seriously considered by the Planning Commission and the Council. According the Comprehensive Plan, since the 1990s, the inventory of jobs land has been depleted by over 500 acres (page 57). The proposed zone change will restore almost 100 acres of that acreage, with the goal of providing "shovel ready" land to be marketed by local economic development professionals, including Commerce Lexington.

In addition to the supporting statements about creating more jobs land in the Urban Service Area of the Plan, the staff believes that the proposed zoning is appropriate and the existing zoning is inappropriate at this location. Since the Comprehensive Plan was adopted in November, the Fayette County School Board announced plan to purchase land at the southeast corner of the intersection of Spurr and Georgetown Road

for a new elementary school. That portion of the Belmont Farm (Coventry) subdivision is zoned for professional office use, and will no longer be available for employment land use. For that reason, it is appropriate to maintain professional office zoning within the immediate area, and its proposed location adjacent to the multi-family residential land use will create a logical step-down in intensity of land use to the proposed industrial use further to the north. The light industrial land use is compatible and complementary to the Coldstream Research Campus to the east, and is one of several zoning categories that can fulfill the goal of increasing opportunities for employment locations within the urban county. The existing greenway to the west provides a physical boundary that can be utilized as a logical land use boundary as well. This land use boundary will still allow residential development to the west of the location, but employment generating land to the east of the greenway. Lastly, the R-3 and R-4 zoning is inappropriate because a less than favorable market in this portion of the community exists for multi-family residential, evidenced by the slow rate of sale/occupancy over the past decade for the multi-family condominium development at Remington Way and Citation Boulevard, immediately adjacent to the subject property.

Conditional zoning restrictions are currently in place on the subject property to assure that the possibility of contaminating the Royal Spring Aquifer, a municipal water source for the City of Georgetown, is not impacted. Those restrictions should remain so that any future development of this site will be sensitive to this identified water supply and to the designated greenway through the site.

The petitioner has also submitted a Traffic Impact Study, which the Transportation Planning/Metropolitan Planning Organization (MPO) will provide a separate report on to the Planning Commission.

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

1. The existing Planned Neighborhood Residential (R-3) and High Density Apartment (R-4) zones are inappropriate, and the proposed Professional Office (P-1) and Light Industrial (I-1) zones are appropriate for the following reasons:
 - a. Land that is currently zoned P-1 is being utilized by Fayette County Public Schools for a new elementary School along Spurr Road. Thus, the proposed 14 acres of P-1 zoning will offset that loss of "jobs land" within the immediate vicinity.
 - b. The proposed P-1 zoning is located adjacent to a multi-family residential land use, which will create a logical step-down in intensity of land use to the proposed industrial use further to the north.
 - c. The proposed I-1 zoning and land are compatible and complementary to the Coldstream Research Campus to the east.
 - d. The existing greenway to the west provides a physical boundary that can be utilized as a logical land use boundary as well. This land use boundary will separate residential development to the west of the location, and provide employment generating land to the east of the greenway.
 - e. A less than favorable market in this portion of the community exists for multi-family residential, evidenced by another multi-family condominium development in the immediate vicinity that has been sold/occupied at a slow rate over the past decade.
2. The 2013 Comprehensive Plan, Theme C "Creating Jobs and Prosperity" identifies the need to protect and provide readily available economic development land to meet the need for jobs. The petitioner proposes professional office (about 14 acres) and industrial land use (about 85 acres) for the 99-acre subject property in hopes of attracting new business to the region. The P-1 and I-1 zones are able to fulfill the goal of increasing opportunities for employment locations within the urban county.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses are recommended to be prohibited on all portions of the subject property:
 - a. Underground storage tanks for materials other than petroleum products.
 - b. Mining of non-metallic minerals.
 - c. Establishments or facilities for hazardous waste transporters.
 - d. Any type of facility for hazardous waste storage, treatment and/or disposal.These use prohibitions are appropriate and necessary since all of the subject property is located within the Royal Spring Aquifer Recharge Area, defined in the Land Subdivision Regulations as an environmentally sensitive area, and since these restrictions are currently in place on the subject property and should continue.