

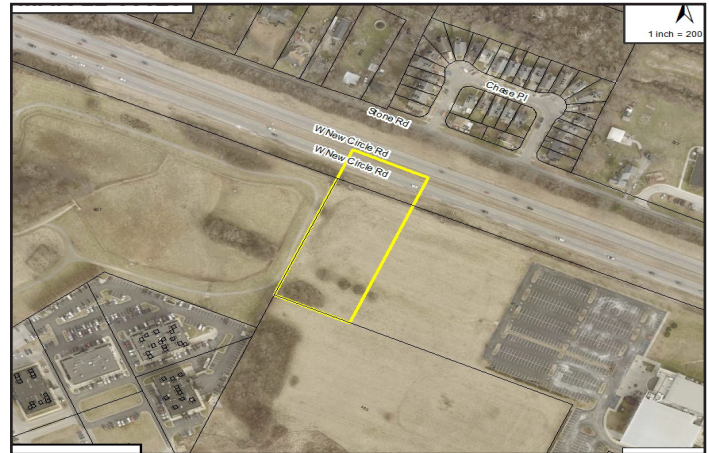
# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-22-00028: AU ASSOCIATES, INC.

## DESCRIPTION OF ZONE CHANGE

Zone	From a Professional Office (P-1) zone
Change:	To a Planned Neighborhood Residential (R-3) zone
Acreage:	2.00 net (2.50 gross) acres
Location:	410 Sporting Court (a portion of)

## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	P-1 / I-1	Vacant / Parking
To North	R-4	Multi-family Residential
To East	I-1	Warehousing
To South	R-4	Vacant
To West	A-U	Park



## URBAN SERVICE REPORT

**Roads** - The subject property is located at the end of Sporting Court, which is a local roadway that extends off of Ruccio Way, a local roadway that provides access to the development north of W. Reynolds Road and east of the Norfolk-Southern Railroad. The portion of the property proposed for rezoning is situated along a proposed access easement, which runs along southern portion of the site. The proposed access easement would connect to an established access easement that runs north-south along the Ashland Baptist Church western property line to W. Reynolds Road. New Circle Road, a limited access major arterial roadway, is located to the north of the subject property and no access is allowed from the property.

**Curb/Gutter/Sidewalks** - Curb, gutter and sidewalk facilities have been constructed along Ruccio Way and Sporting Court. Additional sidewalks will be installed along the proposed access easement and internal to the site to ensure safe pedestrian connections.

**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.

**Storm Sewers** - The subject property is located within the South Elkhorn Creek watershed. Storm sewers are not currently located on this portion of the subject property; however, storm sewers have been constructed within the adjacent NDC Property. The developer will be required to provide these facilities or upgrade existing ones at the time this property is developed. There are no FEMA Special Flood Hazard Areas or environmentally sensitive areas on the subject property.

**Sanitary Sewers** - The subject site is located within the South Elkhorn sewershed. Sanitary sewer treatment is provided by the West Hickman Wastewater Treatment facility in northern Jessamine County for properties within this portion of the Urban Service Area. Prior to any construction on the site, the Division of the Water Quality's Capacity Assurance Program will evaluate the available capacity of the system.

**Refuse** - The Urban County Government serves this area with refuse collection on Mondays. However, supplemental service by private refuse haulers is commonly utilized for multi-family land uses, such as those proposed on the associated development plan.

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

**Fire/Ambulance** - Fire Station #15 is located less than half of a mile to the southeast, inside the main entrance to Shillito Park, just south of West Reynolds Road.

**Transit** - LexTran service is available within the immediate area at the Lexington Green Target. Outbound service is available for the Nicholasville Road Route (#5) approximately ¾ mile southeast of the subject property.

**Parks** - There are two parks within proximity of the development. Directly adjacent to the subject property is Wellington Park and Shillito Park is less than a half mile southeast of the subject property.

## SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property from a Professional Office (P-1) zone to the Planned Neighborhood Residential (R-3) zone in an effort to construct a three-story affordable multi-family residential structure.

## PLACE-TYPE

REGIONAL  
CENTER

A Regional Center is a vibrant hub of commerce, employment, diverse housing opportunities, and entertainment. They include larger buildings with active ground levels, intentional open spaces, & walkable transportation networks, all to provide the user/resident with a unique experience. It is often located at major intersections & along primary corridors.

## DEVELOPMENT TYPE

MEDIUM DENSITY RESIDENTIAL

### Primary Land Use, Building Form, & Design

Primarily multi-family units. Multi-family units should complement and enhance existing development through quality design and connections.

### Transit Infrastructure & Connectivity

Nearby commercial/employment uses and greenspaces should be easily accessible, and bicycle and pedestrian modes should be maximized to connect residents to destinations.

### Quality of Life

These developments should include intentional open space designed to fit the needs of area residents, and a variety of neighborhood-serving commercial/employment uses.

## PROPOSED ZONING



This zone is primarily for multi-family dwellings and other residential uses. This zone should be at locations and at the density (units/acre) recommended by the Comprehensive Plan, and in areas of the community where necessary services and facilities will be adequate to serve the anticipated population.

## PROPOSED USE



The petitioner proposes the rezoning of a portion of the subject property to the Planned Neighborhood Residential (R-3) zone to allow for the construction of a three-story, affordable multi-family residential structure focused on serving Lexington's aging population. The proposed structure is planned to contain a total of 30 dwelling units, for a total density of 15 dwelling units per net acre.

## APPLICANT & COMMUNITY ENGAGEMENT



Prior to the submission of the application, the applicant engaged property owners in the Wellington Place subdivision, to the far south of the property, and with the Open Gates neighborhood association, which is located north of New Circle Road. Two distinct neighborhood meetings were conducted at LexCity Church in the evenings to accommodate neighborhood feedback on the design choices and Placebuilder type as well to conduct feedback on the type of amenities that the senior facility should offer. The applicant should describe the conversations that were held at those meetings.

## PROPERTY & ZONING HISTORY



The subject property was part of a much larger portion of property that was planned for major development by the Reynolds Tobacco Company. In 1991, the National Council for Community Development (NDC) purchased the property before selling portions to various groups including the Lexington Christian Academy, and donating other portions including what is now Shillito Park.

This portion of the property was initially rezoned from the Agricultural (A-1) zone in 1960 (MAR 60-49) to a Heavy Industrial (I-2) zone in anticipation of continued production by the Reynolds Tobacco Company. The property saw little development before a 1996 (MAR 96-42 CZ) rezoning from the I-2 zone to the Professional Office (P-1) zone. At the time, staff was concerned with the change to the P-1 zone, stating that it would be more advantageous to match the High Density Apartment (R-4) zone that was being established to the south of the subject property and was planned for affordable housing targeted at seniors within Lexington.

## 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.

The applicant opines that the proposed rezoning for the subject property is in agreement with the 2018 Comprehensive Plan.

### GOALS, OBJECTIVES, & POLICIES

The applicant opines that they are in agreement with the adopted Goals, Objectives, and Policies of the 2018 Comprehensive Plan. The applicant indicates that the proposed project will encourage expanded housing choices (Theme A, Goal #1), by offering additional housing options along the Reynolds Road corridor that are convenient to the various commercial opportunities, public parks, and social services in the area. They posit that the development will infill a current vacant portion of property and accommodate the growing demand for housing in Lexington by seeking a higher density residential building (Theme A, Goal #1.b; Theme A, Goal #2). Furthermore, the applicant indicates that the proposed development will provide a well-designed neighborhood (Theme A, Goal #3) by focusing on a pedestrian first design and including activated entrances that improve pedestrian accessibility (Theme A, Goal #3.a & b). The applicant opines that the development will work toward an urban and rural balance (Theme E, Goal #1).

While not specifically described by the applicant the proposed development is focused on providing affordable housing options to Lexington's aging population. These types of developments are imperative to meeting the goals of providing safe and affordable housing options to meet the need of all peoples within Lexington (Theme A, Goal #1.c; Goal #2.d; and Equity Policy #2; Theme D, Support Policy #9).

The staff agrees that these Goals, Objectives, and Policies can be met with the proposed development and rezoning.

### PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject property. 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 indicates that the project is located within the Regional Center Place-Type and is a Medium Density Residential Development Type. The Regional Center Place-Type is a vibrant hub of commerce, employment, diverse housing opportunities, and entertainment. They include larger buildings with active



ground levels, intentional open spaces, and walkable transportation networks, all to provide the user/resident with a unique experience. It is often located at major intersections and along primary corridors. The proposed development is planned to be located at the rear of the commercial development associated with the NDC property off of Reynolds Road. Although the smaller two-acre site itself does not carry all the traits of the Regional Center Place-Type, the surrounding multi-modal, commercial, residential and office land uses combine to create a Regional Center, which is anchored by the Fayette Mall, Lexington Green, Shillito Park and the Ruccio Way Meijer. The applicant posits what is missing is the inclusion of the multi-family housing into the area. An element that they are seeking to provide. Staff agrees with the applicant's assessment of the proposed Regional Center Place-Type.

Additionally, the applicant is seeking to apply the Medium Density Residential Development Type, which is recommended within the Regional Center Neighborhood Place-Type and is meant to be comprised of primarily multi-family units, where the multi-family units complement and enhance existing development through quality design and connections. The applicant has proposed the development of a three-story multi-family residential structure that activates the rear portion of an area that is primarily comprised of commercial, industrial, and social service land uses. The proposed development will incorporate a medium density housing option that is connected to the various amenities and can complement the existing Regional Center. The proposed access easement will also create a more connected area and can result in greater residential development in the future. Staff agrees that the Medium Density Residential Development Type is appropriate for the subject property.

Finally, the applicant has requested the rezoning of the property to the Planned Neighborhood Residential (R-3) zone. This zone is not a recommended zone associated with the Regional Center Place-Type. However, with an adequate justification the applicant can request a different zone. The applicant indicates that the R-3 zone is the most appropriate zone for the property due to the current composition of the regional center. The proposed project aims to use infill land within the existing Regional Center Place-Type to create a complementary multi-family use that is missing in this portion of the Urban Service Area. In order to do this on a smaller parcel and to focus on multi-family senior housing only, the applicant posits that the R-3 zone is the most appropriate given the proposed development. Staff agrees that the R-3 zone can be appropriate for the subject property.

### **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 proposed Regional Center Place-Type and Medium Density Residential Development Type.

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

The proposed rezoning meets the criteria for Site Design, Building Form and Location. The site has been designed to emphasize connections to the existing development, minimize the visual impact of the provided parking areas, and reinforce the streetscape at along the proposed access easement. The proposed development will also directly tie into the adjacent Wellington Park. This request is also in agreement with the Multi-family Design Standards, as it provides a residential development with a pedestrian oriented design into an area that is primarily commercial in character.

#### 2. Transportation and Pedestrian

The proposed rezoning meets the Transportation and Pedestrian Connectivity development criteria, as the proposal will activate the frontage of the proposed development and creates pedestrian connections throughout the site that allows for safe connections to the established pedestrian systems and transit stops. It will be critical at the next stage to ensure that the transportation system is accessible from the site, otherwise it will be isolated from the rest of the regional center.

#### 3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage through additional VUA screening, landscaping islands, and the requirements of the R-3 zone.

**STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:**



1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives and Policies, for the following reasons:
  - a. The proposed project will encourage expanded housing choices (Theme A, Goal #1), by offering additional housing options along the Reynolds Road corridor that are convenient to the various commercial opportunities, public parks, and social services in the area.
  - b. The proposed development will infill a current vacant portion of property and accommodate the growing demand for housing in Lexington by seeking a higher density residential building (Theme A, Goal #1.b; Theme A, Goal #2).
  - c. The proposed development will provide a well-designed neighborhood (Theme A, Goal #3) by focusing on a pedestrian first design and including activated entrances that improve pedestrian accessibility (Theme A, Goal #3.a & b).
  - d. The proposed development will meet the goals of providing safe and affordable housing options to meet the need of all peoples within Lexington (Theme A, Goal #1.c; Goal #2.d; and Equity Policy #2; Theme D, Support Policy #9).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location. The site has been designed to emphasize connections to the existing development, minimize the visual impact of the provided parking areas, and reinforce the streetscape at along the proposed access easement. The proposed development will also directly tie into the adjacent Wellington Park. This request is also in agreement with the Multi-family Design Standards, as it provides a residential development with a pedestrian oriented design into an area that is primarily commercial in character.
  - b. The proposed rezoning meets the Transportation and Pedestrian Connectivity development criteria, as the proposal will activate the frontage of the proposed development and creates pedestrian connections throughout the site that allows for safe connections to the established pedestrian systems and transit stops.
  - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage through additional VUA screening, landscaping islands, and the requirements of the R-3 zone.
3. This recommendation is made subject to approval and certification of PLN-MJDP-22-00082: NDC Property Unit 1A, Lot 11, Unit 3 (Wellington Park)(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.

HBB/TW  
1/4/2022

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