

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL URBAN (A-U) ZONE TO A HIGH DENSITY APARTMENT (R-4) ZONE, FOR 10.68 NET AND GROSS ACRES, FOR PROPERTY LOCATED AT 2250 LEESTOWN ROAD (A PORTION OF). (LEESTOWN VA HOUSING, LLLP; COUNCIL DISTRICT 12).

WHEREAS, at a Public Hearing held on August 24, 2017, a petition for a zoning ordinance map amendment for property located at 2250 Leestown Road from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone, for 10.68 net and gross acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

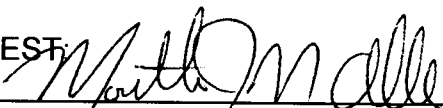
Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 2250 Leestown Road from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone, for 10.68 net and gross acres, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: October 12, 2017

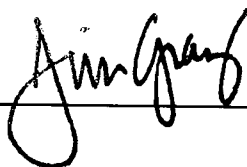
ATTEST:


CLERK OF URBAN COUNTY COUNCIL

Published: October 19, 2017-1t

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MAYOR



UNITED STATES OF AMERICA
Zone Change from A-U to R-4
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED LOCATED ALONG OPPORTUNITY WAY;
SOUTHWEST OF LEESTOWN ROAD IN NORTHWEST FAYETTE COUNTY, KENTUCKY AND
BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT A POINT at a found iron pin in the southern property line of the Veterans Affairs Administration (VA) property having Kentucky State Plane North Coordinates (US Survey Feet) North 207,525.7990 East 1,557,833.175; thence leaving the said property line and with the proposed zone line for the following three (3) calls: North 50 Degrees 26 Minutes 54 Seconds West a distance of 636.60 feet to a point; thence North 38 Degrees 56 Minutes 26 Seconds East a distance of 706.72 feet to a point; thence South 56 Degrees 51 Minutes 38 Seconds East a distance of 581.15 feet to a point in the VA southern property line; thence with the said property line for the following four (4) calls: South 29 Degrees 44 Minutes 26 Seconds West a distance of 458.27 feet to a point; thence South 41 Degrees 32 Minutes 28 Seconds West a distance of 167.21 feet to a point; thence South 41 Degrees 43 Minutes 31 Seconds West a distance of 105.82 feet to a point; thence South 41 Degrees 33 Minutes 14 Seconds West a distance of 47.20 feet TO THE POINT OF BEGINNING.

The above described parcel contains 10.68 acres.

Rec'd by Bm

Date: 9-8-17

RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: **PLN-MAR-17-00026: LEESTOWN VA HOUSING, LLLP** – a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone, for 10.68 net and gross acres, for property located at 2250 Leestown Road (a portion of). (Council District 12)

Having considered the above matter on **August 24, 2017**, at a Public Hearing, and having voted **10-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The requested High Density Apartment (R-4) zoning is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan encourage expanded housing choices, specifically safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents (Theme A, Goal #1c.). The project will be comprised of 50 dwelling units that are deed restricted for low income households, with preference given to military veterans.
 - b. Additionally, the 2013 Comprehensive Plan recommends infill, redevelopment, and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a); compact and contiguous development within the Urban Service Area (Theme E, Goal #1) and encourages development of vacant and underutilized parcels (Theme E, Goal #3). The petitioner plans to adaptively reuse four structures on the VA Medical Campus and construct six new buildings to provide necessary housing for disadvantaged populations. The VA Medical Campus is not only "found land," but is considered underutilized based upon its vast acreage and abundant open spaces. There will be an opportunity in the future to increase the density of the underutilized subject property above the density currently proposed.
 - c. The Goals and Objectives recommend well-designed neighborhoods that include mixed-type housing (Theme A, Goal #3), which the petitioner is providing with a combination of townhouses and multi-family dwelling units.
 - d. The 2013 Comprehensive Plan Goals and Objectives encourage accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2). The proposed residential development will have direct access to services provided by the Veterans Administration, as well as access to educational services.
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-17-00076: Leestown VA Housing**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 8th day of September, 2017.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-17-00076: Leestown VA Housing was approved by the Planning Commission on August 24, 2017 and certified on September 7, 2017.

K.R.S. 100.211(7) requires that the Council take action on this request by November 22, 2017.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Rory Kahly, landscape architect.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (10) Bell, Berkley, Brewer, Cravens, Forester, Mundy, Owens, Plumlee, Richardson, and Wilson

NAYS: (0)

ABSENT: (1) Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-17-00026 carried.

Enclosures: Application
Plat
Staff Report
Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: Leestwon VA Housing, LLLP, 159 Old Georgetown Street, Lexington, KY 40508
Owner(s): UNITED STATES OF AMERICA, 2250 LEESTOWN RD, LEXINGTON, KY 40511
Attorney:

2. ADDRESS OF APPLICANT'S PROPERTY

2250 LEESTOWN RD, LEXINGTON, KY (a portion of)
--

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing Use	Requested Use		Acreage	
		Zoning	Use	Net	Gross
A-U	Vacant with Existing Buildings	R-4	Residential	10.68	10.68

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



Lexington-Fayette Urban County Planning Commission
200 East Main Street
Lexington, Kentucky 40507

RE: Zone Change Application from A-U to R-4
141 Opportunity Way, a newly created parcel of 2250 Leestown Road

Dear Chairman,



Proposed Request

AU Associates has requested that the 10 acre parcel on 141 Opportunity Way to be rezoned from Agricultural Urban (A-U) zone to High Density Apartment (R-4) zone. We submit that the proposed use is appropriate. Likewise, we believe that the parcel can be redeveloped in accord with the goals and objectives spelled out in the 2013 Lexington-Fayette Comprehensive Plan ("Comp Plan").

Location of Property

The roughly 10 acre parcel is located on 141 Opportunity way, off of Leestown Rd. The site is under the ownership of the Veterans Administration Medical Center at 2250 Leestown Rd. The property is across from Leestown Middle School and Bluegrass Community and Technical School and connected to VA Medical Center. The current Zone designation is A-U, Agricultural Urban. Most nearby parcels are also designated by A-U Zoning. The planned development will be responsible for coordinating all public utilities. The longest connection is from public works locations at the Leestown intersection on Opportunity Way. Sanitation and storm water capacity is available due to the new Town Branch Commons Corridor Project. The VA Hospital was opened in 1934 and sits on a total of 135 acres with a total of sixty-four structures on site. This specific section of the VA requesting rezoning, formerly housed medical facilities and living quarters for the staff. The buildings on the proposed 10 acre development were last occupied in the 1980s. This project will be composed of 50 units that are deed restricted for low income households that have incomes of 60% AMI (area median income) or lower, with preference given to veterans.

Justification

First, it is our conclusion that the current zoning designation is no longer an appropriate designation for the uses that this parcel proposes.

A-U zoning has been described as a "placeholder" zone for properties within the urban service area, that are not quite ready for development and until proper community services are readily available. According to our analysis, the site is ready to be developed for multifamily affordable housing.

Secondly, it is our conclusion that this rezoning request is in agreement with the 2013 Comprehensive Plan is based on the following:

"Theme A: Growing Successful Neighborhoods" (2-3)

Theme A of the comp plan expresses several ideas embracing higher quality residential living in Lexington-Fayette. It states that "Goal 1: Expand housing choices" has an objective of "plan for safe,

AU Associates, Inc.
159 Old Georgetown Street
Lexington, Kentucky 40508
Telephone (859) 233-2009
Telefax (859) 259-0401
www.auassociates.com

affordable, and accessible housing to meet the needs of older and/or disadvantaged residents" (2). This objective is met with this zone change because safe, modern and accessible affordable housing is provided for specific disadvantaged residents, in this case, veterans. This zone change allows for high density residential living for families in area that needs more housing stock and options to support Lexington's growing population. "Goal 2: Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth," is supported with this rezoning. This project has identified areas of opportunity for infill and adaptive reuse that is respective of the areas current context and setting. Redeveloping existing structures that are already well within the Urban Service Area (3), instead of sprawling outwards, inefficiently using rural land is a necessity for sustainable growth in Lexington, as well as providing access to nearby LexTran Stops. "Goal 3: Provide well designed neighborhoods and communities," is also supported with this rezoning. R-4 zoning will allow for "expanded option for mixed-use and mixed-type housing throughout Lexington-Fayette County" (3). The proposed development will not only use well designed new developments and adaptive uses but will also increase the overall quality of the existing neighborhood (38).

"Theme D: Improving a Desirable Community" (7-8)

Theme D of the Comp Plan discussed ideals related to improving the standard of living in Lexington. As mentioned earlier, this zoning provides for additional housing density in a desirable location within the urban service area, while respecting the context of the neighborhood. This rezone will also bring residents into closer proximity to their needed services, as specified in Goal 3 (7), especially education (Leestown Middle and Blue Grass Technical College) and services (provided at the Veterans Administration Building).

"Theme E: Maintaining a Balance Between Planning for Urban Uses and Safeguarding Rural Land" (8-9)

The desires of Theme E specifically spell out ways to uphold the different urban and rural uses in Lexington-Fayette. This rezone aligns with Goal 1, "Uphold the Urban Services Area Concept," and Goal 3, "Maintain the current boundaries of the Urban Service Area Rural Activity Centers," by having dense development occur with the Urban Service Area, instead of a sprawling development that consumes vital rural lands (8). The new development on this parcel will occur on A-U zoned land not currently contemplated as available in the land index.

Conclusion

Given the reasons stated above, 141 Opportunity Way should be rezoned from Agricultural Urban (A-U) zone to High Density Apartment (R-4) zone. This proposal adheres to many of the applicable goals and objectives of the Comp Plan. We also submit that the current designation of A-U zoning is no longer appropriate and R-4 is appropriate. The new zoning will allow for safe and responsible development to occur that we will adhere to the demands of the Lexington-Fayette community.

Sincerely,

Jordan Lloyd
AU Associates





Vicinity Map

Supplemental Notification Map

A-U to R-4
 10.68 AC. GROSS & NET

N38°56'26"E
 706.72'

S56°51'38"E
 581.15'

S29°44'28"W
 458.27'

N50°26'54"W
 636.60'

S41°32'28"W
 187.21'

S41°43'31"W
 105.82'

S41°33'14"W
 47.20'

ZOMAR
LEESTOWN VA HOUSING, LLLP

ADDRESSES: 2250 Leestown Road (portion of)

APPLICANT:
 Leestown VA Housing, LLLP
 159 Old Georgetown Street
 LEXINGTON, KY 40508

OWNER:
 United State of America
 2250 Leestown Road
 LEXINGTON, KY 40511

PREPARED BY: EA PARTNERS, PLC

DATE FILED: JULY 3, 2017
 DATE REVISED: JULY 14, 2017

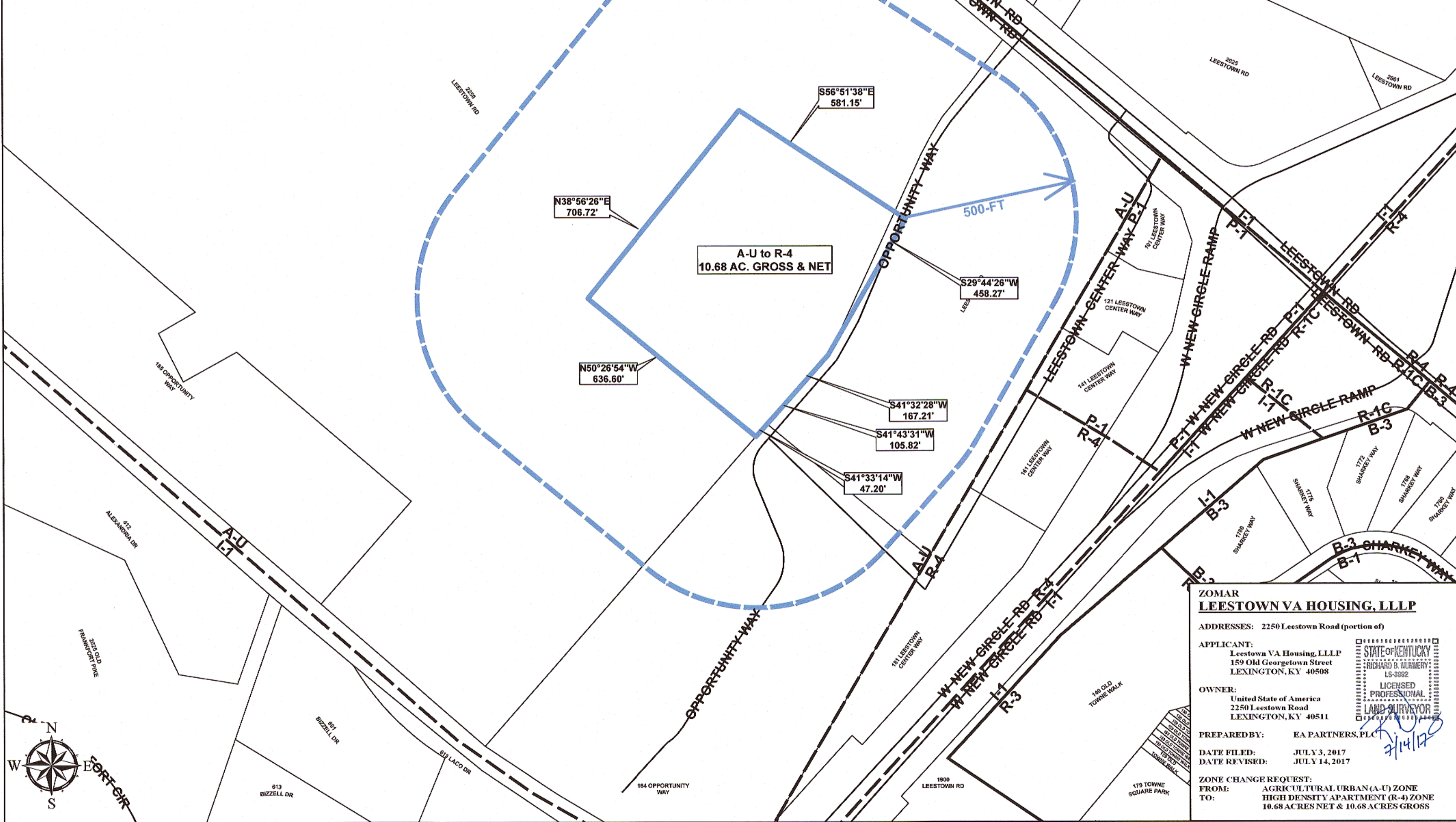
ZONE CHANGE REQUEST:
 FROM: AGRICULTURAL URBAN (A-U) ZONE
 TO: HIGH DENSITY APARTMENT (R-4) ZONE
 10.68 ACRES NET & 10.68 ACRES GROSS

7/14/17



Site Location

Vicinity Map



A-U to R-4
10.68 AC. GROSS & NET

N38°56'26"E
706.72'

S56°51'38"E
581.15'

S29°44'26"W
458.27'

N50°26'54"W
636.60'

S41°32'28"W
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S41°43'31"W
105.82'

S41°33'14"W
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500-FT

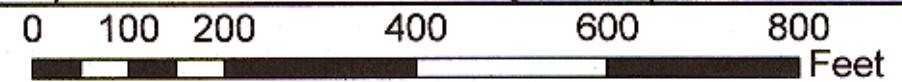
ZOMAR
LEESTOWN VA HOUSING, LLLP
 ADDRESSES: 2250 Leestown Road (portion of)
 APPLICANT: Leestown VA Housing, LLLP
 159 Old Georgetown Street
 LEXINGTON, KY 40508
 OWNER: United State of America
 2250 Leestown Road
 LEXINGTON, KY 40511
 PREPARED BY: EA PARTNERS, PLLC
 DATE FILED: JULY 3, 2017
 DATE REVISED: JULY 14, 2017
 ZONE CHANGE REQUEST:
 FROM: AGRICULTURAL URBAN (A-U) ZONE
 TO: HIGH DENSITY APARTMENT (R-4) ZONE
 10.68 ACRES NET & 10.68 ACRES GROSS

STATE OF KENTUCKY
 RICHARD B. MURPHY
 LS-3992
 LICENSED PROFESSIONAL
 LAND SURVEYOR

7/14/17



Notification Map



STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-17-00026: LEESTOWN VA HOUSING, LLLP

DESCRIPTION

Zone Change: From an Agricultural Urban (A-U) zone
To a High Density Apartment (R-4) zone

Acreage: 10.68 net and gross acres

Location: 2250 Leestown Road (a portion of)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	A-U	Veterans Administration Medical Center
To North	A-U	Veterans Administration Medical Center
To East	A-U & P-1	Leestown Middle School & Professional Offices
To South	A-U	Bluegrass Community and Technical College
To West	A-U	Veterans Administration Medical Center

URBAN SERVICES REPORT

Roads – The subject property is located on the north side of Opportunity Way, an access easement that provides access to several institutional uses, including Leestown Middle School, and Bluegrass Community and Technical College campus, and the rear of the Veterans Administration Medical Center. Opportunity Way intersects with Leestown Road (US 421) approximately 600 feet from the subject property. Leestown Road was recently widened from New Circle Road to Bracktown Road, near Masterson Station Park. This major construction and improvement project was completed within the past two years. No new public streets are planned to be constructed by the developer for the proposed residential development, and existing roadways internal to the existing Veterans Administration Medical Campus site are planned to be severed.

Curb/Gutter/Sidewalks – Opportunity Way, as an access easement, has limited improvements along its right-of-way. Sidewalks exist along the south side of the street from the Leestown Middle School parking lot to Leestown Center Way. Since Opportunity Way is an access easement, further improvements are unlikely, but crosswalks and sidewalks are recommended from the Leestown Center and Opportunity Way intersection into the subject property. Curbs, gutters and sidewalks may be necessary internally, and if needed, should be provided by the developer.

Storm Sewers – The subject property is located in the Town Branch watershed. Stormwater management facilities will be necessary to serve the site, and should be constructed at the time of development in accordance with the Engineering Stormwater Manuals. No known flooding problems exist on the subject property or in the immediate area.

Sanitary Sewers – The subject property is located in the Town Branch sewershed and is served by the Town Branch Wastewater Treatment facility, which is located about 3/4 of a mile to the southeast of the property, inside New Circle Road near Leestown Road and Lisle Industrial Avenue. Existing sewer lines to the site are planned to be severed, and new lines will be extended from Leestown Road along Opportunity Way to serve the site.

Refuse – This portion of the Urban Service Area is served by the Urban County Government with solid waste collection on Thursdays. Supplemental service or use of compactors, provided by private refuse companies, is often desirable for multi-family residential uses.

Police – The site is located in Police Sector 1, and is served by the West Sector Roll Call Center, located on Old Frankfort Pike, less than one mile to the southwest of the subject property.

Fire/Ambulance – Fire Station #13 is located on Leestown Road, about one mile to the southeast of this location.

Utilities – Electric, gas, water, phone and cable television services are all existing in the area and can be extended into the subject property when further developed.

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 Plan encourages infill, redevelopment, and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a), providing well-designed neighborhoods (Theme A, Goal #3); protecting the environment (Theme B); working to achieve an effective and comprehensive transportation system (Theme D, Goal #1); providing for accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2); protecting and enhance natural landscapes that give Lexington its unique identity and image (Theme D, Goal #3); compact and contiguous development within the Urban Service Area (Theme E, Goal #1); and encourages development of vacant and underutilized parcels (Theme E, Goal #3). Additional policy statements in the Plan are also relevant to the proposed zone change request.

The petitioner proposes to develop the 10-acre site with a mixture of townhouses and multi-family residential units, and the associated off-street parking. The petitioner proposes a total of 50 dwelling units, for a residential density of 4.7 dwelling units per acre.

CASE REVIEW

The petitioner has requested a zone change from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone for approximately 10 acres of property, located on a portion of the Veterans Administration (VA) Medical Center campus.

The site is located on the south side of Leestown Road, just outside of New Circle Road, along Opportunity Way, which is a private access easement from Leestown Road to the Bluegrass Community and Technical College (BCTC). Across Leestown Road from the VA campus is a business park, which is in a Light Industrial (I-1) zone. There are also industrial parks to the northwest, west and southwest of the campus, also located in the I-1 zone. A number of other land uses exist between Opportunity Way and New Circle Road, including BCTC, Leestown Middle School, professional offices and an apartment complex (adaptive re-use of vacant office buildings).

The petitioner has a long-term lease contract with the VA in order to develop 50 dwelling units and associated off-street parking for the primary purpose of providing low-income housing, with preference given to veterans. The site was the former location of medical facilities and staff living quarters, but the existing structures, on the site, have been unoccupied since the 1980s.

The 2013 Comprehensive Plan focuses on general land use policies, such as land use compatibility; well-designed neighborhoods; improving a desirable community; protecting the natural landscapes and the environment; and making the best use of land inside the Urban Service Boundary for the protection of the surrounding rural areas. The Plan no longer relies upon a future land use map with specific land use recommendations. However, the general concepts, policies and guiding principles of the Plan should always be considered by the Planning Commission and the Urban County Council.

The Plan encourages expanded housing choices, specifically safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents (Theme A, Goal #1c.); infill, redevelopment,

and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a); well-designed neighborhoods which include mixed-type housing (Theme A, Goal #3); accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2); compact and contiguous development within the Urban Service Area (Theme E, Goal #1); and encourages development of vacant and underutilized parcels (Theme E, Goal #3).

The 2013 Comprehensive Plan did not identify the subject property as vacant land during its inventory analysis, as the land is and has been held by the federal government since the 1930s as part of the VA. Now that a portion of the parcel is being made available for development, the staff considers the parcel "found land" and encourages its future development as an infill site.

The petitioner contends that the requested zone change is in agreement with the 2013 Comprehensive Plan. The applicant further opines that the proposed project meets several of the Goals and Objectives of the Plan, most notably the provision of housing for disadvantaged populations, in this case, veterans. The VA Medical Campus is not only "found land," but is considered underutilized based upon its vast acreage and abundant open spaces. The petitioner's proposal includes adaptively re-using several structures, as well as adding two buildings. There will remain an opportunity for a second phase of development to allow further infill development of the site. The proposed residential development will also have direct access to services provided by the Veterans Administration, as well as access to educational services. The staff agrees with the petitioner's assertion and recommends approval of the requested rezoning.

The Staff Recommends: Approval, for the following reasons:

1. The requested High Density Apartment (R-4) zoning is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan encourage expanded housing choices, specifically safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents (Theme A, Goal #1c.). The project will be comprised of 50 dwelling units that are deed restricted for low income households, with preference given to military veterans.
 - b. Additionally, the 2013 Comprehensive Plan recommends infill, redevelopment, and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a); compact and contiguous development within the Urban Service Area (Theme E, Goal #1) and encourages development of vacant and underutilized parcels (Theme E, Goal #3). The petitioner plans to adaptively reuse four structures on the VA Medical Campus and construct six new buildings to provide necessary housing for disadvantaged populations. The VA Medical Campus is not only "found land," but is considered underutilized based upon its vast acreage and abundant open spaces. There will be an opportunity in the future to increase the density of the underutilized subject property above the density currently proposed.
 - c. The Goals and Objectives recommend well-designed neighborhoods that include mixed-type housing (Theme A, Goal #3), which the petitioner is providing with a combination of townhouses and multi-family dwelling units.
 - d. The 2013 Comprehensive Plan Goals and Objectives encourage accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2). The proposed residential development will have direct access to services provided by the Veterans Administration, as well as access to educational services.
2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00076: Leestown VA Housing, 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. LEESTOWN VA HOUSING, LLLP ZONING MAP AMENDMENT & LEESTOWN VA HOUSING ZONING DEVELOPMENT PLAN

- a. PLN-MAR-17-00026: LEESTOWN VA HOUSING, LLLP (10/1/17)*- petition for a zone map amendment from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone, for 10.68 net and gross acres, for property located at 2250 Leestown Road (a portion of).

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 Plan encourages infill, redevelopment, and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a), providing well-designed neighborhoods (Theme A, Goal #3); protecting the environment (Theme B); working to achieve an effective and comprehensive transportation system (Theme D, Goal #1); providing for accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2); protecting and enhance natural landscapes that give Lexington its unique identity and image (Theme D, Goal #3); compact and contiguous development within the Urban Service Area (Theme E, Goal #1); and encourages development of vacant and underutilized parcels (Theme E, Goal #3). Additional policy statements in the Plan are also relevant to the proposed zone change request.

The petitioner proposes to develop the 10-acre site with a mixture of townhouses and multi-family residential units, and the associated off-street parking. The petitioner proposes a total of 50 dwelling units, for a residential density of 4.7 dwelling units per acre.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested High Density Apartment (R-4) zoning is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan encourage expanded housing choices, specifically safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents (Theme A, Goal #1c.). The project will be comprised of 50 dwelling units that are deed restricted for low income households, with preference given to military veterans.
 - b. Additionally, the 2013 Comprehensive Plan recommends infill, redevelopment, and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a); compact and contiguous development within the Urban Service Area (Theme E, Goal #1) and encourages development of vacant and underutilized parcels (Theme E, Goal #3). The petitioner plans to adaptively reuse four structures on the VA Medical Campus and construct six new buildings to provide necessary housing for disadvantaged populations. The VA Medical Campus is not only "found land," but is considered underutilized based upon its vast acreage and abundant open spaces. There will be an opportunity in the future to increase the density of the underutilized subject property above the density currently proposed.
 - c. The Goals and Objectives recommend well-designed neighborhoods that include mixed-type housing (Theme A, Goal #3), which the petitioner is providing with a combination of townhouses and multi-family dwelling units.
 - d. The 2013 Comprehensive Plan Goals and Objectives encourage accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2). The proposed residential development will have direct access to services provided by the Veterans Administration, as well as access to educational services.
 2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00076: Leestown VA Housing, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. PLN-MJDP-17-00076: LEESTOWN VA HOUSING (10/1/17)* - located at 2250 Leestown Road.
(EA Partners)

The Subdivision Committee Recommended: Approval, subject to the following conditions:

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

4. Urban Forester's approval of tree inventory map.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Denote: No building permit shall be issued unless and until a final development plan is approved by the Planning Commission.
7. Denote proposed detention areas on plan.
8. Denote height of building in feet on plan.
9. Addition of sidewalk connections to existing ones on Opportunity Way.
10. Addition of existing and proposed easements on plan.
11. Discuss necessary improvements to Opportunity Way.

Staff Zoning Presentation – Ms. Wade presented and summarized the staff report and recommendations for this zone change, and displayed photographs of the subject property and aerial photographs of the general area. She said the subject property actually fronts onto Opportunity Way, which is an access easement that divides the VA Medical Center from several other institutional uses. She said the applicant is proposing to develop 50 dwelling units, as low income housing for veterans. She said the applicant is proposing to re-use several of the existing buildings on the property, which were the former locations of medical facilities and staff living quarters and have been unoccupied since the 1980's.

Ms. Wade said the applicant contends that their application is in agreement with the 2013 Comprehensive Plan, Goals & Objectives. The proposed facility will connect with the VA hospital with sidewalks. She said that generally the VA would be exempt from the County's zoning regulations as a Federal entity, but because they are doing a long term lease to a separate entity, the zone change is required. She said the staff is in agreement with the applicant that this zone change proposal is compliant with the 2013 Comprehensive Plan and the Zoning Committee also recommended approval.

Development Plan Presentation – Mr. Martin presented a rendering of this preliminary subdivision and a preliminary development plan, which was displayed, and he also handed out an updated staff report (blue) to the Commission with revised conditions, as follows:

The Staff Recommends: Approval, subject to the following conditions:

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. ~~Denote: No building permit shall be issued unless and until a final development plan is approved by the Planning Commission.~~
7. ~~Denote proposed detention areas on plan.~~
8. ~~Denote height of building in feet on plan.~~
9. ~~Addition of sidewalk connections to existing ones on Opportunity Way.~~
10. ~~Addition of existing and proposed easements on plan.~~
6. 11. Discuss necessary Denote: Improvements to Opportunity Way shall be resolved at time of Final Development Plan.

Mr. Martin pointed out the existing and proposed buildings on the subject property. He said the applicant is proposing 50 units, with 101 bedrooms, associated parking, and a playground. He said the lot coverage and the floor area ratio are well below the maximum requirements in the zone. He also pointed out the proposed detention area.

Mr. Martin said there was one item that had a lengthy discussion, which was the improvements of Opportunity Way, mostly the safe pedestrian access to the neighboring schools. He said the staff is recommending that the appropriate level of improvements be resolved at the time of the final development plan. He addressed condition #6; and stated that street improvements address more than traffic and pedestrian movement; curb and gutter and stormwater are also areas of concern.

Applicant Presentation – Rory Kahly, representing the petitioner. He said the applicant is in agreement with the staff's recommendations and is available for questions.

Citizen Comment – There were no citizens present to speak to this application.

Zoning Action – A motion was made by Mr. Cravens, seconded by Ms. Richardson, and carried 10-0 (Penn absent) to approve PLN-MAR-17-00026: LEESTOWN VA HOUSING, LLLP, for the reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Cravens, seconded by Ms. Richardson, and carried 10-0 (Penn absent) to approve PLN-MJDP-17-00076: LEESTOWN VA HOUSING, for the revised conditions provided by the staff.