

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

**PLN-MAR-17-00005: DAVID M. HARL AND JOSPHIA D. HARL**

**DESCRIPTION**

**Zone Change:** From a Wholesale and Warehouse Business (B-4) Zone  
To a Planned Neighborhood Residential (R-3) Zone

**Acreage:** 0.34 net (0.43 gross) acre

**Location:** 1251 Red Mile 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-4	Formerly General Contractor's Office
To North	B-3 & MU-3	Vacant
To East	MU-3	Vacant
To South	B-4	Vacant, Single-Family Residence, & Commercial
To West	B-3 & B-4	Vehicle Rental Establishment & Vacant

**URBAN SERVICES REPORT**

**Roads** – Red Mile Road is a four-lane, minor arterial roadway that connects from Versailles Road (US 60) to South Broadway (US 68). The subject property is located on the southwest side of Red Mile Road, which provides about 75 feet of frontage for the site. Uhlan Court stubs into the subject property from the southeast. It is a sub-standard local street that functions more like an alley, parallel to Red Mile Road. It has an intersection with South Broadway only 130 feet from the Red Mile Road/South Broadway signalized intersection. Uhlan Court has only 20 feet of right-of-way and only 15 feet of pavement. Access to the subject property is planned solely from Red Mile Road.

**Curb/Gutter/Sidewalks** – Red Mile Road has curb, gutter and sidewalk facilities. Uhlan Court does not have any of the typical urban roadway improvements.

**Storm Sewers** – The subject property is located within the Wolf Run watershed. Storm sewers exist in this portion of the Urban Service Area along Red Mile Road, and will most likely be adequate to handle the proposed re-use of the subject property. There appears to be a stormwater inlet in the existing parking lot in the center of this lot. No FEMA special flood hazard area exists on the site and no known flooding issues are present.

**Sanitary Sewers** – The subject properties are located within the Wolf Run sewershed, which is served by the Town Branch Sewage Treatment Facility, located on Old Frankfort Pike, east of New Circle Road. Sanitary sewer capacity will need to be verified by the Capacity Assurance Program prior to certification of the final development plan for the proposed re-use of the subject property, as an increase in sanitary sewer flows are anticipated for this use.

**Refuse** – The Urban County Government serves this area with refuse collection on Mondays.

**Police** – The subject property is located within the West Sector, and served by the West Sector Roll Call Center. It is located on Old Frankfort Pike, less than 2 miles to the northwest of the subject property.

**Fire/Ambulance** – The nearest fire station (#11) is located approximately 3/4 mile to the southwest on Harrodsburg Road between St. Joseph Hospital and Picadome Elementary School.

**Utilities** – All utilities, including gas, electric, water, phone, and cable TV are available in the area, and have served the properties for many years.

## **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 petitioner proposes to rezone to a Planned Neighborhood Residential (R-3) zone in order to maintain the existing structure on the site, and convert it to a fraternity house with associated off-street parking. A conditional use permit for a fraternity house and several dimensional variances has also been submitted with the requested zone change.

## **CASE REVIEW**

The petitioner has requested a zone change from a Wholesale and Warehouse Business (B-4) zone to a Planned Neighborhood Residential (R-3) zone for a fraction of an acre of property at 1251 Red Mile Road.

The subject site is located along the southwest side of Red Mile Road, and Uhlan Court stubs into the side yard of the subject property. The property is accessed from Red Mile Road, and the existing structure located on the site prevents the continuation of Uhlan Court as a through street. The site is currently occupied by an office building that is vacant.

The Red Mile Road corridor is a mixture of business, office, institutional and residential uses along its southwest side. The northeast side of the corridor is primarily comprised of the Red Mile racetrack and event center. The Red Mile has plans to further develop its site with mixed-use, including residential, retail establishments, hotels, and restaurants. Additionally, the South Broadway/Harrodsburg Road corridor, located to the southeast of the site, is predominantly commercial in nature within the immediate vicinity of the proposed zone change.

The petitioner proposes the rezoning in order to maintain the existing structure on the site, and convert it to a fraternity house with associated off-street parking. The petitioner has requested several variances and a conditional use permit for a 25-bed fraternity house in conjunction with the zone change request.

The 2013 Comprehensive Plan no longer makes a specific land use recommendation for the subject properties, but rather directs the Planning Commission to consider planning policies and the Goals and Objectives of the Plan for guidance when considering zone change requests. The petitioner contends, first, that the requested R-3 zone is appropriate and the existing B-4 zone is in appropriate. Second, they state that the proposed use is supported by several goals and objectives of the 2013 Comprehensive Plan. Third, the 1990 South Broadway Corridor Plan, an adopted amendment to the 1988 Comprehensive Plan, recommended Retail Office Mixed Use (RO) future land use for the area. This land use category encouraged residential use, and the petitioner opines that the Small Area Plan recommendation lends credence to the idea of locating residential land uses along Red Mile Road, near the South Broadway corridor, and on the subject property.

Although the South Broadway Corridor Plan is a historical planning document, its recommendations are no longer considered current, since the plan is now 27 years old. Rather, the Planning Commission must consider if the request does comply with the 2013 Comprehensive Plan. The staff agrees with the petitioner's justification that the request is in agreement with the Goals and Objectives of the 2013 Comprehensive Plan. The Goals and Objectives of the Plan recommend expanded housing choices (Theme A, Goal #1); housing options that address the market needs of all citizens (Theme A, Goal #1b.); infill and redevelopment, as well as adaptive reuse of existing structures (Theme A, Goal #2); and calls

compact, contiguous and/or mixed-use sustainable development within the Urban Service Area to accommodate future growth needs (Theme E, Goal #1b.).

The proposed residential zoning for a fraternity house in close proximity, especially within walking distance, of the University of the Kentucky serves the community well. It also reduces vehicles miles traveled as most students that live nearby walk, bike, or utilize public transit to campus. Mixed-use residential development is also planned for land directly across Red Mile Road from this location and a non-conforming, single-family residence exists on adjacent property on Uhlan Court; therefore; it will be compatible with the nearby uses. Lastly, there are redevelopment opportunities near the intersection of South Broadway and Red Mile Road, and residential land use and redevelopment has historically been a good fit in the immediate area.

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

1. The request Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The Goals and Objectives of the Plan recommend expanded housing choices (Theme A, Goal #1); housing options that address the market needs of all citizens (Theme A, Goal #1b.); infill and redevelopment, as well as adaptive reuse of existing structures (Theme A, Goal #2); and calls compact, contiguous and/or mixed-use sustainable development within the Urban Service Area to accommodate future growth needs (Theme E, Goal #1b.).
  - b. The proposed rezoning will allow adaptive re-use of an existing structure that already has a distinctively residential character. This will allow an additional housing option to address demand for residential Greek housing near the UK campus.
  - c. Multi-family residential dwelling units are common along both the Red Mile Road and South Broadway corridors. These residential developments are located in close proximity to the University of Kentucky and provide much needed housing for students and faculty near the university campus.
  - d. The proposed redevelopment is located within the Urban Service Area, is proposed in a compact and contiguous manner, and addresses future residential growth needs.
  - e. Residential zoning for a fraternity house in close proximity, especially within walking distance, of the University of the Kentucky serves to reduce vehicles miles traveled, as most students that live nearby walk or utilize public transit to campus.
  - f. Redevelopment opportunities exist near the intersection of South Broadway and Red Mile Road. Residential land use and redevelopment has historically been a harmonious land use in the immediate area.
2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00010: Uhlan Court Subdivision, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

TL/WLS

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