

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-17-00039: ANDERSON LURADANE, LLC

CASE REVIEW

Since the Zoning Committee met in early November, the applicant has met with the staff twice to provide additional information and discuss revisions to the corollary development plan in order to meet the requirements of the R-4 zone and the Group Residential Project provisions established by the Zoning Ordinance (Articles 8 and 9), and to discuss agreement with the Comprehensive Plan.

As previously stated, the neighborhood has experienced redevelopment pressure, both in terms of replacement of single-family residences and densification around the edges (closer to South Broadway and Virginia Avenue). The neighborhood has changed over the past 20 years. The current homeownership rate is less than 20%, 8.5% of the single-family lots in the neighborhood are vacant, and over 25% of the single-family dwelling units that do exist are replacement units (teardown and redevelopment). These statistics provide a glimpse into a neighborhood that is in transition.

The petitioner now proposes a mixture of single-family residences (maintaining two units) and multi-family dwelling units (26 dwelling units), with off-street parking to the rear of the units. A total of 28 dwelling units (40 bedrooms) are proposed, which will result in a residential density of 30.57 dwelling units per net acre. The corollary development plan depicts one multi-family structure with 16 dwelling units oriented toward American Avenue, and four structures oriented toward Burley Avenue (two single-family homes with substantial additions to convert them to multi-family structures, and two single-family homes to remain unchanged). The mix of units has remained consistent since the application was first filed. However, the petitioner has reduced the size of the proposed additions to the single-family residences, and will alter one unit to make it a two-story structure.

The petitioner has updated the zone change justification in order to document the issues that have been addressed through the course of the review process, and to further emphasize their contention that the request is in agreement with the 2013 Comprehensive Plan, as well as the newly adopted 2018 Comprehensive Plan Goals and Objectives. While the application may be supported by the recently adopted goals and objectives, the Law Department has always advised the Planning Commission to consider an application utilizing the ordinances, regulations and plans at the time of its filing. For this reason, the staff will not make a definitive statement regarding the 2018 Goals and Objectives, since the zone change was filed in early October, prior to their adoption.

The 2013 Comprehensive Plan Goals and Objectives recommend expanding housing choices (Theme A., Goal #1); supporting infill and redevelopment as a strategic component of growth, including compact and contiguous growth (Theme A., Goal #2 and Theme E., Goal #1b); providing for well-designed neighborhoods and communities (Theme A., Goal #3); reducing Lexington's carbon footprint (Theme B, Goal #2); and improving a desirable community by working to achieve an effective and comprehensive transportation system (Theme D., Goal #1). Chapter 7 (*Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land*) of the 2013 Plan also addresses specific recommendations for Infill and Redevelopment within Lexington-Fayette County, and discusses the concept of the Urban Service Area and how it should be utilized to encourage compact, contiguous and/or mixed-use sustainable development (Theme E).

In reviewing the proposed rezoning and development in relation to the 2013 Comprehensive Plan, the staff originally had several concerns about the proposal and if the development could meet the

requirements of the Zoning Ordinance. The corollary development plan has since been modified in a manner to adequately address the concerns and inconsistencies.

Of major concern to the staff in reviewing the proposed zone change to R-4 is the location of higher density within the core of the neighborhood, and the lack of existing infrastructure to support the intensification. As far back as the 1990s, when the *South Broadway Corridor Plan* was adopted, the community has noted the neighborhood's deteriorating housing stock, lack of transportation connectivity, and lack of infrastructure (stormwater management and sidewalks). Upon further discussion with the petitioner, they have agreed to provide additional improvements (three more feet of roadway pavement) beyond those first offered. Sidewalks will be constructed and stormwater will be handled so that it can be taken off site to a basin near the termination of Simpson Avenue, northeast of the subject property. These improvements, although not a complete network, will be within the existing right-of-way, which makes further improvements along adjoining properties more likely and/or convenient either for other property owners or for the government. In general, redevelopment on a larger scale (more than one dwelling unit on one lot) has included streetscape improvements, whereas these same improvements are not required (and typically not built) for single-family residence demolition and replacement.

Although the 2013 Comprehensive Plan encourages infill and redevelopment, the replacement units in this neighborhood are typically four-bedroom/four-bathroom homes, generally built to attract University of Kentucky students that wish to live near campus. While these homes are new and meet the stated desire of the *South Broadway Corridor Plan* to improve the housing stock, they have modified the character of the neighborhood in a negative manner. Such replacement dwelling units have varied architectural styles, including cantilever or offset second stories, that do not complement the historic fabric of the neighborhood, do not respect the area's design features, and are not context-sensitive. Allowing these less than desirable changes on an ad hoc basis, and without Planning Commission oversight, caused the staff to reconsider some of the original concerns about the proposed rezoning and redevelopment.

The Comprehensive Plan emphasizes the importance of infill and redevelopment to be in keeping with the scale, massing, land use patterns and infrastructure of the neighborhood. The petitioner is proposing two-story residential structures, oriented to the street, with parking to the rear of the lots. In this case, the scale and massing are generally consistent with other dwelling units in the area; however, the proposed land use pattern would be a variation from the historic character of the neighborhood. The petitioner contends that the Comprehensive Plan encourages expanded housing choices (Theme A, Goal #1), and the Plan does further state that "diverse neighborhoods feature townhomes, apartments and condominiums, and duplex housing adjacent and mixed with single-family homes" (page 40). The one-bedroom dwelling units proposed on the subject property will increase the available types of dwelling units in the neighborhood and should appeal to upperclassmen, graduate students and persons working in the university area.

The petitioner opines in their justification that more density near the University of Kentucky campus is appropriate, because it will reduce Lexington's carbon footprint by allowing students to live close enough to campus to ride a bicycle, walk or utilize transit. The staff has supported the concept of locating denser housing near the campus in the past.

Chapter 7 of the 2013 Plan also addresses specific recommendations for infill and redevelopment within Lexington-Fayette County, including consideration of multi-modal transportation and open space (pg. 101), and respecting the context and character of a neighborhood (pg. 102). The transportation needs of the neighborhood are now being adequately addressed with street improvements and sidewalks in order to achieve an effective and comprehensive transportation system, as recommended by Theme D., Goal #1 of the Plan. Given the higher than average number of pedestrians and students residing in the neighborhood, this is vitally important, and will set the precedent for any future redevelopment and/or government improvements.

The staff has in the past made a recommendation that Burley Avenue be a physical boundary for land use separation of single family residential (to the southwest and toward American Avenue) and multi-family residential (to the northeast toward Virginia Avenue). Holding to this divide could preserve the lower density of the area in the future, but it has not thus far preserved the character or quality of life for the neighborhood. At this time, the staff believes that the neighborhood is rapidly transitioning in a negative manner, and the proposed mixing of multi-family dwelling units with single-family homes will make critical infrastructure improvements; will create a compact, urban development; will increase the mix of housing types in the area; will allow people to live near a major employment center (UK); and will improve the character of the neighborhood. For these reasons, the staff is now recommending approval of the requested R-4 zone.

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

1. The proposed High Density Apartment (R-4) zone is in substantial agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives recommend growing successful neighborhoods through expanded housing choices that address the market needs for all residents (Theme A, Goal #1b.). The petitioner proposes the addition of 24 one-bedroom dwelling units, and maintaining four 3-4 bedroom units, which creates a variety of dwelling unit types in the immediate area that complement the existing neighborhood. Such mixing of housing types also encourages stability in the neighborhood.
 - b. The Goals and Objectives encourage infill development throughout the Urban Service Area as a strategic component of growth for our community (Theme A, Goal #2) and to encourage compact, contiguous and/or mixed-use sustainable development within the Urban Service Area, as guided by market demand, to accommodate future growth (Theme E, Goal #1b). The petitioner proposes to increase the density of the subject property, from 7.6 dwelling units per acre to 30.57 dwelling units per acre. These Goals and Objectives are furthered by the applicant's proposal to create affordable, safe/secure high density residential dwelling units, which will allow students and others to live near the University of Kentucky.
 - c. The Goals and Objectives recommend providing well-designed neighborhoods that are connected for all modes of transportation (Theme A, Goal #3b.), and working to achieve an effective and comprehensive transportation system for the community (Theme D, Goal #1). The petitioner is providing sidewalks and increased right-of-way pavement to provide adequate infrastructure to accommodate all modes of transportation.
 - d. Chapter 3 (Growing Successful Neighborhoods) and Chapter 7 (Maintaining a Balance Between Planning for Urban Uses and Safeguarding Rural Land) of the Comprehensive Plan emphasize the importance of safe, secure, well-designed neighborhoods that are context sensitive, compatible with the surrounding area, and compact, contiguous and/or mixed-use sustainable development. The proposed two-story development will be consistent in scale and mass with the surrounding neighborhood.
2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00106: Sullivan Park and Devereux 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.