

C. FULL PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **ZOTA 2016-7: AMENDMENTS TO ARTICLE 8-24 FOR THE OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE**
– petition for a Zoning Ordinance text amendment to Article 8-24 to allow additional uses in the P-2 zone.

REQUESTED BY: University of Kentucky

PROPOSED TEXT: Copies are available from the staff.

The proposal to modify the P-2 zone is directly a result of the UK Master Plan completed in 2009. The proposed changes are as follows:

- Modify the name of the zone to University Research Campus (P-2) Zone and update the intent of the zone accordingly;
- Add hospitals and veterinary/animal clinics and laboratories as principal permitted uses;
- Create a category of "Supportive Uses," which includes townhouses; multi-family residential; restaurants, brew-pubs and banquet facilities without live entertainment; hotels/motels; and designated retail sales and mixed-use areas;
- Move hotels and motels from a principal permitted use to a supportive use;
- Delete automotive service stations; gas pumps without an on-site employee; automobile and vehicle refueling stations; incidental residential dwellings (caretaker); and ecotourism activities as supportive, accessory or conditional uses;
- Clarify that the designated retail sales area may also be a mixed-use area;
- Add outdoor patio areas as an accessory use; add outdoor live entertainment as a conditional use;
- Adjust the list of prohibited uses based upon other use changes, add establishments for the storage, display, rental or sales of any type of vehicle as a prohibited use;
- Eliminate minimum lot requirements, reduce front yard requirement on collector and local streets within a park to 5', and reduce side yard requirement to 15';
- Reduce useable open space requirement to 40% across the entire P-2 zoned development;
- Increase maximum floor area ratio from 0.5 to 0.75;
- Increase maximum height of buildings to 120';
- Add parking standards for new uses;
- Provide more flexibility in landscaping requirements; eliminate requirement for 25 trees/acre; and provide for screening adjacent to residential structures;
- Require a summary report from the design committee in conjunction with any final development plan presented to the Planning Commission for consideration;
- Allow parking in required side and rear yards;
- Limit the allowable supportive use land area to a maximum of 15% of the overall P-2 development;
- Provide for phasing of supportive uses either concurrent or after construction of other principal permitted uses; and maintain 75%/25% ratio of uses until at least 250,000 square feet of other research campus uses are constructed.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval of the Staff Alternative Text,** for the following reasons:

1. The University of Kentucky has a proven track record of economic development, with over 1.3 million square feet of space that actively supports 56 organizations and over 2,000 employees in the Coldstream Research Campus. This text amendment will allow the University to more effectively compete with similarly situated research parks across the United States.
2. The proposed text amendment will allow for a higher intensity use of the research campus and allow additional supportive uses, such as a mixed-use village and residential dwelling units, while still providing significant areas of open space.
3. The proposed text amendment will rename the zone to the "University Research Campus (P-2) Zone" to support the university in implementing their Master Plan for the Coldstream Research Campus. After 25+ years, theirs is the only one in Lexington-Fayette County with this zoning designation.

Staff Zoning Presentation – Ms. Wade presented and summarized the staff report and recommendations for this text amendment. She said this is a request by the University of Kentucky, specifically the Coldstream Research Park. She said that they are asking to amend portions of the P-2 zone, with the intent of increasing the land utilization, improve the open space, and create a live-work-play-learn environment. She gave a brief history of the property and the major changes requested for this amendment, which will be a name change of the zone, allow residential land uses, and modification of the lot, yard, and height requirements to allow greater utilization of the land. She said that another change would be a report to the Planning Commission, which would be competed for any new building on Coldstream, would go to their Design Review Board who would then make recommendations to the Planning Commission.

Ms. Wade also said that limitations and phasing would be appropriate for the supportive uses. She said that that applicant is proposing a limitation of supportive uses of 15% of the land area; and until a threshold of 250,000 square feet developed principle uses other than supportive uses is reached that there will be a 80%/20% split (measured in square footage).

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

Once that threshold has been met, there will no longer be any limitations. She said the land will be distributed at 40% open space; 15% supportive uses; and 45% campus and research uses. She said that the supportive uses will be both residential and non-residential, including hotels, restaurants, banks, offices, retail sales, etc.

Ms. Wade referenced other "innovation districts" in other areas of the country and how well they are succeeding. These areas are located in the research triangle (North Carolina), MIT (Boston), and also St. Louis.

Commission Comments – Mr. Penn asked if the farm on the corner of Nicholasville and Man o' War Boulevard could also be considered. Ms. Wade replied that the P-2 zone would have to be requested at this location. Mr. Duncan said that the South Nicholasville Road Small Area Plan had been approved to include a mixed-use future land use for Southfarm, similar to the Fritz Farm and that UK would need to apply for a P-2 zone change for that area.

Mr. Owens asked if in the supportive use area, are there any open space requirements. Ms. Wade stated the P-2 requirements, which specify that no more than 60% of the land can be covered with buildings and parking, leaving 40% for open space, which can be grouped together.

Mr. Wilson asked how the supportive uses were handled in the other areas have been successful. Ms. Wade replied that she didn't research that specific information.

Ms. Wade distributed a letter of support to the Planning Commission from the Fayette Alliance.

Petitioner Presentation – Nick Nicholson, attorney, was present representing the petitioner. He said that the driver behind this text amendment is not supportive uses; it's about making a more efficient land use and better designed research park. He said that the design requirements are strict in P-2 zones and this application would fix those requirements.

Mr. Nicholson described the current P-2 restrictions and presented aerials of large tracts of land and large parking areas with no pedestrian activity between them leading to a disconnected campus. He said that UK has been studying other research innovation areas and they want connectivity, and want to create a place where young people want to live, play, work, and learn. He said that they want to create an urban feeling village. There will be green space, social infrastructure and increased building density. UK will retain ownership of this land.

Mr. Nicholson said that the P-2 zone is already heavily restrictive. The P-2 zone requires 40% open space, 0.75 Floor Area Ratio, and the allowable uses, such as retail sales, hotels, and dormitories. They want people to live there, stay there, eat there, and buy things there.

Commission Questions – Mr. Penn asked if the 250,000 square foot ratio has already been met. Mr. Nicholson said that it has been met and that the phasing is in place for the next P-2 property to come along, to make sure that it won't be driven by supportive uses.

Mr. Cravens asked if new uses would be added to the large lots. Mr. Nicholson said the possibility is there to further subdivide several of the parcels.

Mr. Owens asked if college dormitories will be allowed on the subject property. Mr. Nicholson said that they are currently permitted.

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

Action – A motion was made by Mr. Owens, seconded by Mr. Smith, and carried 8-0 (Brewer, Drake and Mundy absent) to approve the staff alternative text for ZOTA 2016-7: AMENDMENTS TO ARTICLE 8-24 FOR THE OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE, for the reasons provided by the staff.

Note: Commission member Will Berkley left the meeting at 5:00 p.m.