

STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

**ZOTA 2016-7: AMENDMENT TO ARTICLE 8-24 FOR THE
OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE**

REQUESTED BY: University of Kentucky

PROPOSED TEXT: See attachment
(Text underlined indicates an addition to the existing Zoning Ordinance;
text ~~dashed through~~ indicates a deletion.)

STAFF REVIEW:

The University of Kentucky has filed a Zoning Ordinance text amendment to make modifications to the allowable uses and development standards in the Office, Industry and Research Park (P-2) zone. The University of Kentucky Coldstream Research Park is wholly located within a P-2 zone, and no other land in Fayette County is currently encumbered with the P-2 zoning category. The P-2 zone is considered one of several zones in the Urban County that is categorized as employment land, along with the ED, P-1, I-1 and I-2 land.

The Office, Industry and Research Park (ORP) future land use designation was first introduced through the 1988 Comprehensive Plan, when multiple sites were identified for this new land use. At that time, the Land Use Element did not designate Coldstream Research Park for the ORP future land use; it wasn't until the 1990 Coldstream Small Area Plan that the University of Kentucky property was recommended for ORP future land use. The Office, Industry and Research (P-2) zone was drafted and adopted as a Zoning Ordinance text amendment in 1990. The P-2 zone has been tweaked several times over its 27 year life to provide more flexibility in lot sizes and setbacks, and to address signage needs. However, the proposal now before the Planning Commission is the first major text amendment to the zone.

The University of Kentucky conducted a master plan redesign process in 2009, which included participation by both the Divisions of Planning and Parks and Recreation. The proposed master plan intensifies the density of research and jobs-creating uses, and introduces residential and mixed-use land use to the Coldstream Research Park. The University of Kentucky intended to follow through with their plan recommendations immediately, so they sought counsel and assistance from the Division of Planning staff in 2009. At that time, the staff met with the Coldstream Research Park staff and identified the changes necessary to the P-2 zone in order to implement the master plan. After seven years, the University of Kentucky now wishes to move forward with the text amendment.

Since the Division of Planning staff and the Coldstream Research Park staff first began their discussions, a new director has been hired for the Park; the national economy has experienced a recession. Also, more recently, the Planning Commission has given significant consideration to a similar zoning category, the Economic Development (ED) zone, which is the major employment land use category in the Expansion Area portion of Fayette County. The major points of discussion about the recent ED zone text amendment centered around "supportive uses" – specifically the percentage of allowable supportive and residential uses – and relaxing the development standards and open space requirements for the zone.

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:

- Add hospitals; veterinary/animal clinics and laboratories; townhouses; multi-family residential and are principal permitted uses;
- Add townhouses, and multi-family residential, and delete automobile service stations as uses allowed in the designated retail sales and mixed-use area;

- Clarify that the designated retail sales area may also be a mixed-use area;
- Add outdoor patio areas and delete caretaker dwelling units as accessory uses;
- Delete gasoline pumps 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 0', and eliminate side and rear yard requirements;
- Reduce useable open space requirement to 40% across the entire P-2 zoned park;
- Increase maximum floor area ratio from 0.5 to 0.75, with no limitation for residential uses;
- Increase maximum height of buildings to 110';
- Add parking standards for new uses;
- Provide more flexibility in landscaping requirements; eliminate requirement for 25 trees/acre;
- Require a summary report from the design committee in conjunction with any final development plan presented before the Planning Commission;
- Allow parking in required side and rear yards;
- Increasing the permitted size of the designated retail sales and/or mixed-use area from a maximum of 5% to 10% of the total floor area of the development; and
- Add an allowance for a designated residential area to be up to 25% of the total floor area of the P-2 development.

Upon reviewing the requested text amendment, seven years following its initial drafting, the staff has several concerns about the proposed text amendment. First, by permitting residential land uses within the P-2 zone, there is the possibility for a net loss of employment land for Lexington-Fayette County. This was also a major concern when the ED zone was reviewed earlier this year. If swaths of employment land were to be converted to residential land uses, or even supportive/retail/mixed-use land use, the community forever forfeits its opportunity to attract businesses or employers within a park set-up for those purposes. Second, the staff is concerned about the elimination of many of the yard and lot requirements for the zone. This appears to provide too much flexibility, even knowing there is active involvement from a design committee, which may be to the detriment of the community and any office park. Lastly, the staff believes that a different approach to the text amendment and/or rezoning merits further discussion with the applicant prior to recommending alternative text to the Planning Commission for consideration.

The Staff Recommends: **Postponement**, for the following reasons:

1. After seven years, the staff would like re-engage discussions with the applicant about the proposed text amendment and other development options, prior to formulating a substantive recommendation to the Commission.

WLS/TLW

12/1/16

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