

1. **UCD MIDLAND, LLC ZONING MAP AMENDMENT AND ARTHUR E ABSHIRE PROPERTY (LEXINGTON CUT STONE & MARBLE TILE CO) DEVELOPMENT PLAN**

- a. **PLN- MAR-23-00022: UCD MIDLAND, LLC** – a petition for a zone map amendment from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone, for 0.82 gross and 1.15 net acres for property located at 610 Winchester Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. 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 is proposing the Downtown Frame Business (B-2A) zone in order to expand a planned mixed-use residential and commercial development onto 610 Winchester Road. The applicant's overall proposal includes the construction of two five-story multi-family residential structures. This request will increase the total number of units in the development from 182 to 266 dwelling units, for a residential density of 70 units per acre. The applicant proposes approximately 2,000 square feet of commercial space, located on the first floor. The associated parking will be located on the first floor of the structures, with surface parking along the rear of the property. The applicant is proposing an activated corner that will incorporate a future shared use trail improvement called the Liberty Trail.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested Downtown Frame Business (B-2A) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed project will encourage expanded housing choices (Theme A, Goal #1), prioritizing higher density housing by adding 80 additional residential dwelling units (Theme A, Goal #1.a).
 - b. The proposed rezoning supports infill and redevelopment by infilling an industrial area that is now more appropriate for residential or mixed-use projects (Theme A, Goal #2.a; Theme E, Goals #1.c, 1.d).
 - c. The proposed project will prioritize multi-modal options to de-emphasize single occupancy vehicle dependence (Theme B, Goal #2.d), and support the Complete Streets concept, prioritizing a pedestrian first design that also accommodates the needs of bicycle, mass transit, and other vehicles (Theme D, Goal 1.a).
2. The requested Downtown Frame Business (B-2A) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed rezoning creates a people first design by providing expanded multi-modal connections and infrastructure (Theme A, Design Policy #1).
 - b. The proposal is in conformance with the Multi-Family Design Standards (Theme A, Design Policy #3).
 - c. The proposal activates the on-site structured parking using landscaping and wall openings, and locates the remaining lots to the rear of the property, where it is screened from view (Theme A, Design Policy #7).
 - d. The proposal concentrating higher density development along higher capacity roadways (Theme A, Density Policy #1).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the recommendations for Land Use, as the applicant's proposal creates new walkable neighborhood serving commercial opportunities (A-DN3-1), increases density (A- DN2-1; D-CO3-1), and provides for a mixing of uses (C-LI4-1).
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as it provides increased access to planned multi-modal trail systems, incorporates direct pedestrian linkages to the nearby transit stop (A-DS1-2), provides safe multi-modal connections to the surrounding development (A-DS4-1), and creates a walkable street with the use of trees and structures to incorporate vertical elements (A-DS5-2).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as it will significantly increase the amount of green open space, and reduce the overall amount of impervious

surface on-site (B-SU4-1). Additionally, the proposed development will add canopy coverage along the Midland Avenue and Winchester Road frontages (B-RE1-1).

- d. The request meets the requirements for Site Design, Staff finds that this request meets the requirements for Site Design, as the proposed development reinforces the streetscape along two arterial roadways (A-DS5-4), provides for additional interior programmable open space for the development (A-DS9-1; D-PL10-1) and provides for significant multi-modal improvements along Winchester Road (C-LI8-1).
 - e. The request meets the criteria for Building Form, as the proposal is in agreement with the Multi-Family Design Standards (A-DS3-1), is at an appropriate scale for development along a major corridor (A-DS4-2), and uses a trail, open space, landscaping and articulation in order to activate the road frontage (A-DS5-3).
4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00005 Arthur E Abshire Property (Lexington Cut Stone & Marble Tile Co)(UCD Midland) 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-24-00005: ARTHUR E. ABSHIRE PROPERTY (LEXINGTON CUT STONE & MARBLE TILE CO.) (AMD) (4/1/24)* - located at 610 WINCHESTER ROAD, LEXINGTON, KY

Council District: 3

Project Contact: Prime AE

Note: The purpose of this plan is to depict the development of the site for multi-family units, in support of the requested zone change from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone.

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

1. Provided the Urban County Council approves the zone change to B-2A; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Dimension buildings A & B.
9. Dimension drive aisles in parking garages and surface lot.
10. Identify use of area between Building B and surface parking.
11. Dimension proposed dog run.
12. Delete required parking information.
13. Delete required additional front yard information.
14. Correct zone information in site statistics and denote existing zoning on plan face.
15. Provide documentation regarding proposed ground floor activation for parking per Article 16-11.
16. Denote location of bicycle parking.
17. Discuss compliance with Articles 16-6 and 16-11 the B-2A zone.
18. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendation for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone, for 0.82 gross and 1.15 net acres for property located at 610 Winchester Road. Mr. Crum stated that the applicant is seeking to expand a planned mixed-use development that was presented to the Planning Commission a year ago. Mr. Crum indicated that the applicant was using the Downtown Place-Type and the High Density Non Residential/Mixed Use Development Type and Staff was in agreement with the choices.

Mr. Crum highlighted the various mixed-use zones around the property, and mentioned the adaptive reuse properties in the area. Mr. Crum stated that the applicant had made significant outreach to the adjoining neighborhoods and the neighborhoods seemed generally supportive of the development, but had concerns

about traffic and safety on Midland Avenue. Mr. Crum noted the one-story building currently there, but indicated that it would be torn down to build the new development.

Mr. Crum stated that the new development would be two, five-story buildings, with the first floor being parking and the other four being residential with a total of 266 units. Additionally, Mr. Crum noted the access from Midland Avenue, the small amount of commercial space, improved open space, and future connections to the Liberty Trail.

Mr. Crum concluded his presentation stating that the applicant is meeting all applicable development criteria, as well as the multi-family design standards and that Staff was recommending approval of the application.

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location and characteristics of the subject property. Mr. Martin stated that the two buildings combined would be about 370,000 square feet, with four residential stories, and 266 dwelling units, and 274 parking spaces. Mr. Martin indicated that there was considerable discussion meeting requirements under Article 16 and that the access from Midland Avenue was slightly offset, but the applicant was in compliance with Article 16. Mr. Martin also highlighted the greenspace along Midland Avenue and stated that the applicant would present changes made after discussion during the Zoning Committee.

Mr. Martin concluded his presentation stating that Staff is recommending approval and could answer any questions from the Planning Commission.

Applicant Presentation – Chris Clendenen, attorney for the applicant, indicated that the applicant was able to acquire additional land and expand the property and made the appropriate changes in design. Mr. Clendenen stated that they were in agreement with Staff's recommendations and conditions and could answer any questions from the Planning Commission.

Commission Questions and Comments – Mr. Wilson expressed his appreciation for using the term "architectural nuance", which was a concern from the Zoning Committee meeting.

Action – A motion was made by Mr. Wilson, seconded by Mr. Johnathon Davis and carried 7-0 (Nicol, Michler, Owens, Barksdale, and Pohl absent) to approve PLN- MAR-23-00022: UCD MIDLAND, LLC for reasons provided by Staff.

Action – A motion was made by Mr. Wilson, seconded by Ms. Barksdale and carried 7-0 (Nicol, Michler, Owens, and Pohl absent) to approve PLN- MJDP-24-00005: ARTHUR E. ABSHIRE PROPERTY (LEXINGTON CUT STONE & MARBLE TILE CO.) (AMD with the revised conditions recommended by Staff.