

2. PROPCO NORTH BROADWAY, LEXINGTON, KY, LLC & HOSPITALITY MOTOR INNS ZONING DEVELOPMENT PLAN

- a. **PLN-MAR-22-00003: PROPCO NORTH BROADWAY, LEXINGTON, KY, LLC** – a petition for a zone map amendment from an Interchange Service Business (B-5P) zone to a Planned Neighborhood Residential (R-3) zone, for 6.022 net (15.204 gross) acres, for a portion of property at 2143 North Broadway. A conditional use for an assisted living facility has also been requested with this zone change.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 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 proposes the rezoning of a portion of the subject property to the Planned Neighborhood Residential (R-3) zone to allow for the adaptive reuse of the established hotel as an assisted living facility. The proposed facility will retain the indoor pool, while enhancing outdoor recreation space and eliminate impervious area. The proposed development seeks to include 139 one-bedroom dwelling units at a residential density of approximately 20 dwelling units per net acre.

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

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

1. A Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed project will encourage the expansion of housing choices (Theme A, Goal #1) by converting the existing hotel into an assisted living facility that will accommodate the demand for housing in Lexington responsibly, prioritizing higher-density residential and a mixture of housing types (Theme A, Goal #1.b and 1.c and Theme A, Goal #2.a and #2.c).
 - b. The proposed rezoning will support infill and redevelopment (Theme A, Goal #2), through the reuse of a property that will provide for well-designed neighborhoods (Theme A, Goal #3).
 - c. The proposed rezoning minimizes the disruption of the natural features on the property, reduces impervious surfaces, and increases tree canopy coverage (Theme A, Goal #3.c). Numerous parking spaces are proposed to be converted to vegetated open space.
 - d. The proposed project will incorporate greenspace and open space into the development project (Theme A, Goal #2.c), while promoting positive and safe social interactions with the surrounding neighborhood. These interactions will be achieved by providing pedestrian facilities through the site and connecting neighborhood for pedestrians and other modes of transportation and the removal of the current fence line along Judy Lane (Theme A, Goal #3.b).
 - e. The proposed rezoning will also allow for the creation of jobs and prosperity (Theme C, Goal #2), as an assisted living facility will generate more jobs than the current hotel.
 2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the development will re-utilize an older hotel property for a residential use, while providing amenities, increasing internal connectivity, and promoting the preservation and maintenance of natural features.
 - b. The proposed rezoning includes safe facilities for the potential users of the site by prioritizing the inclusion of safe pedestrian facilities and connecting the neighboring local street system. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage, decrease impervious surfaces, and increase the vegetative coverage on the site.
 3. This recommendation is made subject to approval and certification of PLN-MJDP-22-00010: Hospitality Motor Inns, Inc. (AMD), 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. **CONDITIONAL USE REQUEST** - The applicant is requesting to utilize of the property as an assisted living facility within the Planned Neighborhood Residential (R-3) zone.

The Planning Commission shall have the power to hear and decide applications for conditional use permits to allow the proper integration into the planning area of uses which are specifically named in this Zoning Ordinance, which may be suitable only in specific locations in the zone only if certain conditions are met and which would not have an adverse influence on existing or future development of the subject property or its surrounding neighborhood.

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

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

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

1. The proposed assisted living facility of greater than eight individuals will provide a needed facility in the area and should not adversely affect the subject or adjoining/nearby properties.

This recommendation of Approval is made subject to the following conditions:

- a. Provided the Urban County Council approves the requested zone change to the R-3 zone, otherwise the requested conditional use shall be null and void.
 - b. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
 - c. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
 - d. Action of the Planning Commission shall be noted on the Development Plan for the subject property.
- c. PLN-MJDP-22-00010: HOSPITALITY MOTOR INNS, INC. (AMD) - located at 2143 NORTH BROADWAY, LEXINGTON, KY.
Project Contact: Earthcycle Design LLC

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

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Provided the Planning Commission approves a conditional use permit for an assisted living facility.
8. Discuss Placebuilder criteria.
 - a. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
 - b. D-CO2-2 Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.

Staff Zoning Presentation – Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and of the general area. He said that the petitioner proposes the rezoning of a portion of the subject property to the Planned Neighborhood Residential (R-3) zone to allow for the reuse of the established hotel as an assisted living facility. The proposed facility will retain the indoor pool, while enhancing outdoor recreation space and eliminate impervious area. The proposed development seeks to include 139 one-bedroom dwelling units at a residential density of approximately 20 dwelling units per net acre. Mr. Baillie indicated that the assisted living facility is a conditional use within the R-3 zone, which will be discussed following the staff review of the development plan.

Mr. Baillie indicated that the staff agreed with the applicants that the project is located within the Enhanced Neighborhood Place-Type and is a Medium Density Residential Development Type. He stated that prior to the Zoning Committee the staff had one primary concern regarding the integration of the site with the established pedestrian system. He indicated that in the time between the Zoning Committee and the hearing, the applicant had worked with staff from the Division of Planning to create a connected pedestrian system along Judy Lane, which will help to integrate the development with the established residential neighborhood. Mr. Baillie finalized the presentation of the proposed application with the review of the recommended findings for approval that were enumerated in the staff report and indicated that the rezoning was recommended for approval by the Zoning Committee.

Commission Questions – None.

Staff Development Plan Presentation – Mr. Martin presented the staff report and recommendations for the associated Final Development Plan. He presented the colored rendering of the subject property and reviewed the current development. He stressed that this was a final development plan due to the minimal changes to the site. He stated that this was a reuse of a hotel and would remove a significant level of impervious surface and reduce the amount of parking. Mr. Martin noted that there was one discussion item focused on the Placebuilder criteria, which can be removed, as the applicant has added the pedestrian facility along Judy Lane.

Commission Questions – None.

Staff Conditional Use Presentation – Mr. Baillie presented the applicant's request to utilize the property as an assisted living facility within the proposed Planned Neighborhood Residential (R-3) zone. He reviewed the information that was submitted by

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the applicant that described the demand for assisted living facilities within the Lexington market and specifically in the northeast section of the city. Mr. Baillie finalized the presentation of the proposed application for a conditional use with the review of the recommended findings and associated conditions for approval, as enumerated in the staff report, and indicated that the conditional use request was recommended for approval by the Zoning Committee.

Applicant Presentation – Mr. Scott Southall, EarthCycle Design and representative for the applicant, indicated the applicant was in agreement with the conditions of the staff. He reviewed some of the fenced areas for the memory care unit and the proposed additions to the development. He stressed that many of the existing facilities onsite will be incorporated into the assisted living facility, including the pool that will be utilized for the residents of the facility. He then requested approval of the rezoning, conditional use permit and development plan, in accordance with the staff recommendations.

Commission Questions – None.

Public Comment – None.

Commission Discussion – Ms. Worth asked about the access points and the impact of traffic on Judy Lane. Mr. Baillie discussed the historical development of the site and indicated that the current roadway systems would be able to handle the proposed traffic. Mr. Martin described the historic modifications of North Broadway that does cause slowdowns in traffic, but that this site would not worsen those issues.

Zoning Action – A motion was made by Mr. Penn, seconded by Mr. Pohl, and carried 9-0 (Nicol and Bell absent) to approve PLN-MAR-22-00003: PROPCO NORTH BROADWAY, LEXINGTON, KY, LLC, for the reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Penn, seconded by Ms. Meyer, and carried 9-0 (Nicol and Bell absent) to approve PLN-MJDP-22-00010: HOSPITALITY MOTOR INNS, INC. (AMD) removing Condition #8.

Conditional Use Action – A motion was made by Mr. Penn, seconded by Ms. Worth, and carried 9-0 (Nicol and Bell absent) to approve the conditional use of an assisted living facility with the findings and conditions provided by staff.

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