

# SUPPLEMENTAL STAFFREPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-21-00018: FLORA INVESTMENTS, LLC (AMD)



## STAFF REVIEW

In the period following the June Subdivision and Zoning Committee meetings, the applicant met with staff to discuss the concerns described within the initial staff report and the comments made during the committee meetings. Since that time, the applicant has submitted updated information including an updated development plan and letter of justification, and has adjusted the requested zoning boundary to create a more conventional shape.

As part of the supplemental information, the applicant provided a new layout of the proposed site. The new design features a building that has been brought as close as possible to Flora Fina Street. In doing so, the parking areas to the south and east of the proposed building have been removed, with areas converted into usable and vegetated open space. The design of the parking areas to the rear of the site has also been updated to provide a more simplified circulation pattern, a decrease in the total amount of parking on-site, and an increase in the amount of landscaping/open space being provided.

## GOALS, OBJECTIVES, & POLICIES

In their revisions, the applicant has addressed several of staff 's concerns relating to meeting the Goals, Objectives, and Policies of the 2018 Comprehensive Plan. In response to staff 's concerns regarding having adequate greenspace to serve the needs of the population (Theme A, Goal #2.c), the applicant has reconfigured the design of the site and has demonstrated that both the P-1 and B-6P portions of the site meet all open space requirements. The supplemental justification provides further information regarding the design's compatibility with the existing urban form (Theme A, Goal #2.b), detailing how the height and size of the proposed structure are in line with the style of medium-density development present within the adjoining professional office park. Finally, the revised plan creates more meaningful and direct pedestrian and multi-modal connections, which contributes to an effective and comprehensive transportation system in this area (Theme D, Goal #1.c).

## DEVELOPMENT CRITERIA

The revised plan also addresses several of the Development Criteria previously identified by staff.

### 1. Site Design, Building Form and Location

*A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere; A-DS7-1 Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments*

In the revised design, the applicant has shifted the structure closer to the roadway to provide a significantly improved pedestrian experience. The building, outdoor dining and sitting areas, and open space directly adjoin Flora Fina Street. Under the revised plan, parking for the use has been concentrated to the rear of the site, away from the bulk of pedestrian traffic, and adjacent to the professional office parking to the north.

*C-PS10-3 Over-parking of new developments should be avoided (B-SU5); C-PS10-2 Developments should explore options for shared and flexible parking arrangements for currently underutilized parking lots.*

In the revised letter of justification, the applicant indicates that they reached out to adjoining property owners regarding a shared parking agreement; however, the applicant states that their efforts were unsuccessful. Overall, there was a slight reduction in parking spaces from the applicant's initial request, from a total of 116 to 115 spaces. The request also reduces the amount of parking within the B-6P portion of the site, from 56 to 37 spaces.

2. Transportation and Pedestrian Connectivity

*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; A-DS10-2 Roadways should provide a vertical edge, such as trees or buildings.*

The new structure location proposed by the applicant now provides a defined edge along Flora Fina Street, and allows for more direct connections to the Flora Fina pedestrian network and nearby transit routes.

3. Greenspace and Environmental Health

With their supplemental justification, the applicant has demonstrated that the redesigned layout meets both the required usable and vegetated open space requirements for both the P-1 and the B-6P zone. The new design meets the requirements of the Greenspace and Environmental Health criteria, as the proposed design works with the existing landscape, and does not impact any environmentally sensitive areas.

**STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASON:**



1. The proposed Commercial Center (B-6P) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives, and Policies, for the following reasons:
  - a. The proposed development supports infill opportunities (Theme A, Goal #2) by developing a vacant tract within an existing development.
  - b. The project will respect the context & design features of areas surrounding development projects by maintaining compatibility with height and density found in the adjoining office park (Theme A, Goal #2.b).
  - c. By configuring the parking areas to the side and rear, and implementing outdoor dining and seating, the proposed development provides adequate greenspace and open space to serve the needs of the intended population (Theme A, Goal #2.c).
  - d. The proposed development will create entertainment and other quality of life opportunities that attract young, and culturally diverse professionals, and a work force of all ages and talents to Lexington (Theme C, Goal #2.d).
  - e. The proposal creates more meaningful and direct pedestrian and multi-modal connections, which contributes to an effective and comprehensive transportation system in this area (Theme D, Goal #1.c).
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 proposal activates the Flora Fina Street frontage, connects to the existing pedestrian network, and locates parking to the side and rear of the development.
  - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity, as the revised proposal simplifies the site's vehicular circulation, and provides for safer and more direct pedestrian connections both within the site and throughout the larger Hamburg development.
  - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposed design works with the existing landscape, and does not impact any environmentally sensitive areas.
3. This recommendation is made subject to approval and certification of PLN-MJDP-21-00060: HAMBURG PLACE FARM SIR BARTON WAY OFFICE PARK, LOT M)(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.

## SUPPLEMENTAL STAFF REPORT ON CONDITIONAL USE PERMIT REQUEST



### CASE REVIEW

In the period following the June Subdivision and Zoning Committee meetings, the applicant met with staff to discuss the concerns described within the initial staff report relating to the proposed development. Since that time, the applicant has submitted updated information, including an updated development plan and supplemental letter of justification.

The changes in building orientation and proposed zoning boundary line have resulted in some changes to the proposed parking lot within the P-1 zoned portions of the property. By creating a more pedestrian-oriented entrance, a larger portion of parking has been relocated to the rear of the site. This resulted in an increase in the number of spaces within the P-1 parking area, from 59 parking spaces to 78 parking spaces. This increase in scope has resulted in a corresponding increase in the amount of interior landscaping being proposed in the P-1 portion of the site.

The revisions proposed by the applicant address many of staff 's initial concerns. With regard to site circulation and safety, the removal of vehicular use area around the southern and eastern portions of the structure has simplified the site circulation for the parking lot, and has reduced the areas of pedestrian conflict. While staff does still have concerns about the visibility at the northwest corner of the site, the revised design as a whole is significantly more safe.

In addition, the applicant's new design demonstrates conformance with the greenspace requirements for both the P-1 and B-6P zoned portions of the property. The applicant indicates that the usable open space requirements will be met with outdoor dining and seating areas around the structure, and that adequate interior landscaping areas are being provided to counteract the increase in the number of parking spaces to the rear.

Finally, the supplemental letter of justification submitted by the applicant indicates that they explored options for cross-parking agreements with neighboring property owners in order to reduce the amount of parking being provided on-site, but were unsuccessful in obtaining a cross-parking agreement. The applicant indicates that adjoining properties were concerned about potential spillover traffic, and that they wished to ensure sufficient capacity to handle both the restaurant and office traffic load on-site.

In review of the applicant's revised submission and the character of the surrounding area, staff finds that the proposed parking lot use is appropriate at this location, and that the facilities available to the property are adequate to serve the site.

**STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:**



1. Granting the requested conditional use permit should not adversely affect the subject property or surrounding properties as the parking lot will be of a sufficient size to accommodate the parking demand for the proposed uses without spilling over into adjacent properties.
2. The parking lot use is consistent with the style and character of the surrounding professional office park.
3. Adequate public facilities will be available in the area to support the proposed parking area.

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

- a. Provided the Urban County Council approves the requested zone change to the B-6P 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 and approvals shall be obtained from the KY Transportation Cabinet, and 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.