

AN ORDINANCE CHANGING THE ZONE FROM A HIGHWAY SERVICE BUSINESS (B-3) ZONE TO A WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE, FOR 1.744 NET (2.745 GROSS) ACRES, FOR PROPERTIES LOCATED AT 1540 EASTLAND PARKWAY (A PORTION OF). (CENTENNIAL AMERICAN PROPERTIES; COUNCIL DISTRICT 6).

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WHEREAS, at a Public Hearing held on June 25, 2020, a petition for a zoning ordinance map amendment for property located at 1540 Eastland Parkway from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 1.744 net (2.745 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 1540 Eastland Parkway from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 1.744 net (2.745 gross) acres, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: August 27, 2020

  
MAYOR

ATTEST:

  
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: September 3, 2020-1t

Rec'd by \_\_\_\_\_

Date: \_\_\_\_\_

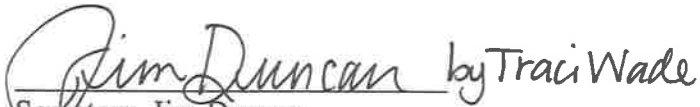
**RECOMMENDATION OF THE**  
**URBAN COUNTY PLANNING COMMISSION**  
**OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY**

IN RE: **PLN-MAR-20-00005: CENTENNIAL AMERICAN PROPERTIES** – a petition for a zone map amendment from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 1.744 net (2.745 gross) acres, for property located at 1540 Eastland Parkway (a portion of). (Council District 6)

Having considered the above matter on **June 25, 2020**, at a Public Hearing, and having voted **10-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The requested Wholesale and Warehouse Business Zone (B-4) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning allows for the development of vacant parcels (Theme A, Goal #2.a) at an increased intensity of use.
  - b. The proposed development provides a well-designed neighborhood (Theme A, Goal #3) by providing safe connections to the surrounding businesses, and preferencing pedestrian safety along the access easement, which connects commercial development to transit opportunities.
  - c. The proposed development will promote, maintain, and expand the urban forest (Theme A, Goal #3.d) by increasing the canopy coverage, while also maintaining the established tree line along the rear of the subject property.
  - d. The proposed rezoning will assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater density of business use, and by maximizing development on a vacant parcel in a manner that will enhance the existing urban form (Theme E, Goal #1.d). The multi-story, self-storage structure respects the existing commercial character of the immediate area.
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 site creates a business development that supports pedestrian mobility, while also providing cross access between businesses.
  - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of a pedestrian walkway along the access easement. The access easement also connects those commercial operations located along the Winchester Road frontage with transit facilities located on Eastland Parkway. 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 works with the current landscape, limits the impacts on the surrounding environment, and increases tree canopy coverage.
3. This recommendation is made subject to approval and certification of **PLN-MJDP-20-00014: Eastland Parkway Subdivision Tract 1 Block B Lot 3**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 28<sup>th</sup> day of July, 2020.

  
Secretary, Jim Duncan

MIKE OWENS  
CHAIR

Note: The corollary development plan, PLN-MJDP-20-00014: EASTLAND PARKWAY SUBDIVISION TRACT 1 BLK B LOT 3 was approved by the Planning Commission on June 25, 2020 and certified on July 9, 2020.

K.R.S. 100.211(7) requires that the Council take action on this request by September 23, 2020.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Richard Murphy, attorney.**

**OBJECTORS**

- None

**OBJECTIONS**

- None

**VOTES WERE AS FOLLOWS:**

AYES: (10) Bell, Brewer, deMovellan, Forester, Mundy, Nicol, Owens, Penn, Plumlee, and Wilson

NAYS: (0)

ABSENT: (1) Pohl

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-20-00005** carried.

Enclosures: Application  
Plat  
Staff Report  
Supplemental Staff Report  
Applicable excerpts of minutes of above meeting

## MAP AMENDMENT REQUEST (MAR) APPLICATION

**1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)**

<b>Applicant:</b> CENTENNIAL AMERICAN PROPERTIES, 935 SOUT MAIN STREET, STE 201, GREENVILLE, SC 29601
<b>Owner(s):</b> 1540 EASTLAND PARKWAY LLC, PO BOX 55628, LEXINGTON, KY 40555
<b>Attorney:</b> RICHARD MURPHY, 250 WEST MAIN STREET, STE 2510, LEXINGTON, KY 40507 PH: 859-233-9811

**2. ADDRESS OF APPLICANT'S PROPERTY**

1540 EASTLAND PKWY LEXINGTON KY 40505 (a portion of)
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**3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY**

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
B-3	VACANT	B-4	STORAGE	1.744	2.745

**4. COMPREHENSIVE PLAN**

a. Utilizing Placebuilder, what Place-Type is proposed for the subject site?	CORRIDOR
b. Utilizing Placebuilder, what Development Type is proposed for the subject site? If residential, provide the proposed density	MEDIUM DENSITY NON-RESIDENTIAL / MIXED-USE

**5. EXISTING CONDITIONS**

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO

**6. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)**

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



1540 Eastland Parkway, LLC  
630 E. New Circle Road  
Lexington, KY 40505

February 28, 2020

Members of the Lexington-Fayette Urban County Planning Commission  
200 East Main Street  
Lexington, KY 40507

Re: 1540 Eastland Parkway

Dear Members of the Planning Commission:

1540 Eastland Parkway, LLC is the owner of the property at 1540 Eastland Parkway. The company hereby gives permission to Centennial American Properties, LLC, to apply for a zone change to the B-4 zone for a portion of this property.

Thank you.

Sincerely,

1540 Eastland Parkway, LLC

By:



Title:

member

# MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

LEXINGTON FINANCIAL CENTER  
250 West Main Street, Suite 2510  
Lexington, Kentucky 40507

TEL: (859) 233-9811  
FAX: (859) 233-0184

E-MAIL

Richard@MurphyClendenen.com  
Chris@MurphyClendenen.com

RICHARD V. MURPHY  
CHRISTOPHER M. CLENDENEN

March 2, 2020

Mr. Michael Owens, Chairman  
and Members of the Lexington-Fayette Urban County Planning Commission  
200 East Main Street  
Lexington, Kentucky 40507

Re: Proposed zone change for a portion of 1540 Eastland Parkway

Dear Chairman Owens and Members of the Planning Commission.

This letter is written on behalf of Centennial American Properties, LLC, which is filing a zone change application and preliminary development plan for a portion of 1540 Eastland Parkway. The property is currently zoned Highway Service Business (B-3). We are requesting a zone change to the Wholesale Warehouse Business (B-4) zone in order to construct a modern, climate controlled, self-storage facility.

## **Description of Project.**

The property is a portion of the old Continental Inn property, and contains about 1.7 acres. It is currently a flat, level building site. It is at the end of the cul-de-sac of the newly-constructed Eastland Place, and it also borders New Circle Road (without access). It is bordered on the east by a large parking lot for the Spectrum headquarters, on the north by Eastland Place, on the west by vacant land and by the new Infiniti car dealership, and on the south by New Circle Road. We are proposing a modern, climate-controlled, self-storage building on this site. The applicant has constructed a number of similar facilities in other localities, and specializes in interior only, architecturally compatible buildings.

The building will be compatible with the auto dealership buildings and equipment rental facilities which are completed and or planned. Although the subject property has visibility from New Circle Road, the indirect access does not lend itself to attracting high volume retail users from that corridor. This use will have the visibility it needs to make its location known, but will not generate a great deal of in and out traffic. Its major users will be the large number of apartments and residential units and small businesses in the area.

Unlike older self-storage facilities, our development will have no exterior storage. There will be no exterior storage of boats, recreational vehicles, any other kind of vehicle or any other item outdoors. There will be no exterior access to the individual storage units. All access will be from the interior. A client will drive in the entrance door and remove the item from a vehicle,

place it on the elevator, and take it to the storage unit. The units will be climate-controlled. Also, there will be no chain link fence or other security fence around the building, as there will be no exterior storage. This will be a multi-story building which will be compatible with the architecture of surrounding uses.

The need for modern self-storage facilities is accentuated by the trend in Lexington and other communities for greater residential density. Greater residential density often means less storage space, either interior or exterior. The need for storage manifests itself in many ways: a natural accumulation of cherished items as we grow older; the need to move a loved one into a dwelling unit and temporarily remove furniture or other items to make space; a similar need for additional space if adult offspring move back in; and a need to store items if a resident moves to assisted living or nursing home residence.

The availability of storage is also attractive to small business. Many businesses cannot afford to store items on-site due to the high rents for space. So, old records, excess inventory or equipment that is rarely used can be stored offsite, to prevent the need for larger, more expensive office space.

Thus, although storage units do not generate a great number of jobs themselves, they are an essential service use to both families and businesses in the community. About 60% of storage units are rented by families. Currently, about 10% of American families utilize off-site storage facilities. As housing continues to become more dense, it is estimated that in 10 years, 20% of families will use off-site storage space. The other 40% of self-storage is utilized by businesses. The similar factors mentioned above also indicate a growth in the need for that space.

It is essential that storage space be placed conveniently to residential and business communities. Most storage space is rented within three miles of the residence or business.

Thus, this facility will assist business growth and it will assist in the trend toward greater density and attached or multi-family housing. The available of quality, nearby, climate-controlled storage space encourages compact residential and business development.

### **Goals and Objectives of the 2018 Comprehensive Plan.**

This multi-story, dense, interior storage facility is in agreement with the Goals and Objectives of the 2018 Comprehensive Plan. It supports Theme A, Growing Successful Neighborhoods, and Goal 1, Expand Housing Choices, and Objective (b), Accommodating the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types. As mentioned above, the availability of quality, secure, nearby, climate-controlled storage space encourages higher density, attached and multi-family housing, by allowing flexibility to families who encounter changes in their lifestyles or needs. It is in agreement with Theme A, Goal 2, supporting infill and redevelopment throughout the Urban Service Area as a strategic component of growth. Objective (a) calls for redevelopment and infill, as is being done on this parcel. Objective (b) calls for respecting the design features and context of the surrounding development projects. This use is compatible in size and design to the other uses in this area. It supports Objective A.4.c. by making road connections to the existing Spectrum development to the east.

By making storage uses available to surrounding residential and business users, it promotes Goal B.2., reducing Lexington's carbon footprint, by reducing the distance which users have to travel to access their personal property. By supporting business use, and allowing additional storage space to provide flexibility for expansion, it supports Theme C, creating jobs and prosperity. It promotes the entrepreneurial spirit by allowing flexibility and adaptability for today's rapidly changing small businesses. It promotes employment sectors which need quality, nearby storage space. This dense, multi-story storage facility will asset in upholding the Urban Service Area concept (Theme E.1.) by allowing greater density of housing and business use, and it will maximize development on this vacant parcel in a manner that enhances existing urban form (Objective E.1.d). It will assist in the redevelopment of this underutilized corridor. Similarly, it will assist in maintaining the current boundaries of the Urban Service Area, Goal E.3.

The corridor place-type is designed to offer "substantial flexibility to available land uses." This proposal accommodates both residential and commercial uses in this area.

### **Engagement.**

A representative of the developer has contacted a board member of the Eastland Parkway Neighborhood Association. The parties agreed to follow-up to determine if the association needed additional information about the proposed development. It appears that the redevelopment of the Continental Inn site has been positive for the area.

### **Place-type, development type and requested zone.**

This proposal fits within the Corridor category, as a place-type under the PlaceBuilder portion of the Comprehensive Plan. This property is located within the commercialized area along New Circle Road. This proposed use fits within the Medium Density Non-Residential/Mixed-Use (MDNR-MU) category.

### **Development criteria.**

Here is a discussion of the criteria that were not specially addressed on the development plan, or which need further discussion:

- A-DS4-2. As this property is adjacent to New Circle Road, it is at a scale appropriate to the corridor. It will be finished and attractive on all four sides.
- A-DS5-3. The front of the building will be on Eastland Place, the new road, but as mentioned above, it will be finished on all four sides and sidewalks will be provided.
- A-DS5-4. There will be limited traffic to the site. Most traffic will be by vehicle. There will be a ground level office for the project.
- A-DS7-1. All parking for loading and unloading will be in the interior of the building. There will be a small number of visitor parking spaces on the exterior.



- A-DN2-2. The scale of the development will be appropriate directly adjacent to the corridor, and adjacent to other highway-oriented businesses.
- A-EQ3-1. The three-story height will transition between New Circle Road and the adjacent Spectrum headquarters facility.
- B-PR9-1. This lot is a generally flat lot formerly occupied by a motel.
- B-SU11-1. This development will utilize the infrastructure provided with the new subdivision of the Continental Inn property.
- C-DI1-1. Although this building will not itself create a large number of new jobs, it provides the flexibility to entrepreneurial and small businesses to have nearby, climate-controlled, flexible storage space to accommodate changing needs.
- C-LI7-1. This property is part of a subdivision which allows a connection between the existing commercial area including Spectrum, and the property to the north along Eastland Parkway.
- D-PL7-1. See discussion above regarding discussions with Eastland Parkway Neighborhood Association.
- E-GR9-4. This development is a dense storage facility on a vacant or underutilized lot.
- E-GR10-2. Although this lot will be at the end of a cul-de-sac, full sidewalks will be available and there will be a connection to the neighboring, older development.
- A-DS1-2. Transit service is available on Eastland Parkway via Route 7.
- A-DS4-1. As mentioned above, although this property is at the end of a cul-de-sac, it will have sidewalk access and vehicular connections to neighboring commercial properties, and to nearby residential areas.
- A-DS5-2. The building will provide a vertical edge to the New Circle Road right-of-way.
- A-DS13-1. A connection will be available to the existing older area including the Spectrum headquarters.
- A-EQ3-2. As mentioned above, although this project is a very low traffic generator, the site is walkable, connected to adjacent neighborhoods, and to transit facilities.
- C-PS10-1. This use is a low user of parking. Ten spaces are provided for visitor use.
- B-CO2-2. The building and site will be accessible.

- A-DS4-3. The applicant is purchasing a redevelopment lot. Natural features have been reviewed through the subdivision process.
- B-PR7-2, B-PR7-3 and B-RE2-1. Trees will be included in the development process. There are currently no trees on the site as this is a redevelopment parcel.

**Conclusion.**

This proposal provides an essential service for residential and business communities. The building will be appropriate with the other commercial buildings in the area and along New Circle Road. This use fully supports the Comprehensive Plan by making greater density and flexibility possible for both residential and commercial uses.

Thank you for your consideration of this application.

Sincerely,



Richard V. Murphy

RVM/prb  
Justification letter 3-2-20.docx

# MEDIUM DENSITY NON-RESIDENTIAL / MIXED-USE

## SITE DESIGN, BUILDING FORM, & LOCATION

- A-DS3-1** Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
- A-DS4-2** New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
- A-DS5-3** Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
- A-DS5-4** Development should provide a pedestrian-oriented and activated ground level.
- A-DS7-1** Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
- A-DS7-2** Any non-residential or multi-family parking not buffered by a building should be screened from the streetscape view and adjacent properties.
- A-DS7-3** Parking structures should activate the ground level.
- A-DS8-1** At the individual street level, medium density housing types should be interspersed with single-family detached units and should be context sensitive.
- A-DS10-1** Residential units should be within reasonable walking distance to a focal point.
- A-DS11-1** Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single loaded streets.
- A-DN2-1** Infill residential should aim to increase density.
- A-DN2-2** Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods. (D-PL9, E-GR6)
- A-DN3-1** Pedestrian-oriented commercial opportunities should be incorporated within residential neighborhoods.
- A-DN3-2** Development should incorporate residential units in commercial centers with context sensitive design.
- A-EQ3-1** Development should create context sensitive transitions between intense corridor development and existing neighborhoods.
- A-EQ7-1** School sites should be appropriately sized.
- B-PR9-1** Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
- B-SU11-1** Green infrastructure should be implemented in new development. (E-GR3)

- C-DI1-1** Consider flexible zoning options that will allow for a wide range of jobs.
- C-DI5-1** In Opportunity Zones with a clearly defined local context, consider adaptive reuse to enhance the existing context.
- C-LI2-2** Non-agricultural uses at or near potential and existing gateways, as mapped in the Rural Land Management Plan, should be buffered.
- C-LI2-3** Design should create a positive gateway character at existing and proposed gateways as identified in the Rural Land Management Plan.
- C-LI2-4** Setbacks, signage, and screening should complement the iconic Bluegrass landscape along Historic Turnpikes, Scenic Byways, Turnpikes, and other scenic roads listed in the RLMP.
- C-LI6-1** Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors.
- C-LI7-1** Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS9-2** Modify current office space to include complementary uses.
- C-PS10-2** Developments should explore options for shared and flexible parking arrangements for currently underutilized parking lots.
- C-PS10-3** Over-parking of new developments should be avoided. (B-SU5)
- D-PL7-1** Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-PL9-1** Historically significant structures should be preserved.
- D-PL10-1** Activate the streetscape by designating public art easements in prominent locations.
- D-SP3-1** Adequate right-of-way, lease areas and easements for infrastructure, with emphasis on wireless communication networks should be provided to create reliable service throughout Lexington.
- D-SP3-2** Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping should be used to improve the visual impact from the roadway and residential areas.
- D-SP9-1** Encourage co-housing, shared housing environments, planned communities and accessory dwelling units for flexibility and affordability for senior adults and people with disabilities.
- E-GR4-1** Developments should incorporate reuse of viable existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.
- E-GR9-1** Live/work units should be incorporated into residential developments.

Theme Letter - Pillar Abbreviation & Policy Number – Criteria Number  
Ex: from Theme A - Design Pillar & Policy #1 - Criteria #1 = A-DS1-1. Full decoder on page ###

Criteria that include additional policy items in parentheses refer to companion policies that will provide additional context to the related criteria.

# MEDIUM DENSITY NON-RESIDENTIAL / MIXED-USE

## SITE DESIGN, BUILDING FORM, & LOCATION (CONT.)

- E-GR9-4** Development should intensify underutilized properties and develop vacant and underutilized gaps within neighborhoods. (E-GR6)
- E-GR10-2** Developments should provide walkable service and amenity-oriented commercial spaces.
- E-GR10-3** Shared common space in commercial developments should be provided to encourage experiential retail programming.

## TRANSPORTATION & PEDESTRIAN CONNECTIVITY

- A-DS1-1** Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).
- A-DS1-2** Direct pedestrian linkages to transit should be provided.
- A-DS4-1** A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided. (A-DS2, A-DN1, B-SU1, B-SU2, C-LI7, E-AC5)
- A-DS5-1** Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
- A-DS5-2** Roadways should provide a vertical edge, such as trees and buildings.
- A-DS10-2** New focal points should be designed with multi-modal connections to the neighborhood.
- A-DS13-1** Stub streets should be connected. (D-CO4)
- A-EQ3-2** Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3)
- A-EQ7-2** Multi-modal transportation options for healthcare and social services facilities should be provided. (E-ST3)
- B-SU4-1** Where greenspace/community centers are not located within walking distance of a new development, applicants should attempt to incorporate those amenities. (A-DS9)
- C-PS10-1** Flexible parking and shared parking arrangements should be utilized.
- D-CO1-1** Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.
- D-CO2-1** Safe facilities for all users and modes of transportation should be provided.
- D-CO2-2** Development should create and/or expand a safe, connected multimodal transportation network that satisfies all users' needs, including those with disabilities.

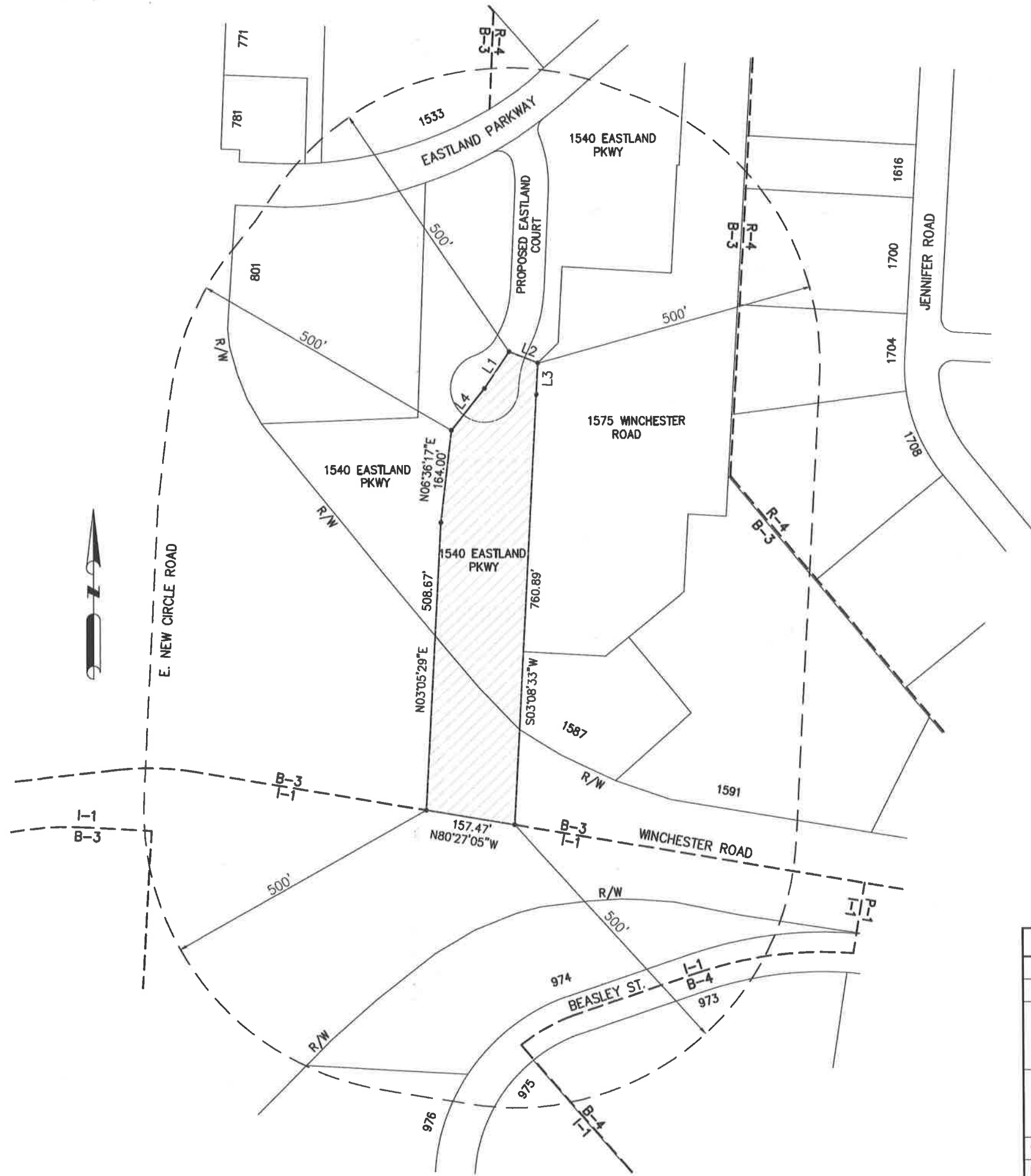
- D-CO4-2** Roadway capacity should be increased by providing multiple parallel streets, which alleviate traffic and provide multiple route options, in lieu of additional lanes.
- D-CO5-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
- D-SP1-3** Developments should provide multi-modal transportation infrastructure to school sites, including sidewalks, shared-use paths, and roadways that can accommodate the bus and vehicle traffic associated with the site.
- E-ST3-1** Development along major corridors should provide for ride sharing pick up and drop off locations along with considerations for any needed or proposed park and ride functions of the area. (E-GR10, E-GR7)

## GREENSPACE & ENVIRONMENTAL HEALTH

- A-DS4-3** Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
- A-EQ7-3** Community open spaces should be easily accessible and clearly delineated from private open spaces.
- B-PR2-1** Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
- B-PR2-2** Dividing floodplains into privately owned parcels with flood insurance should be avoided.
- B-PR2-3** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- B-PR7-1** Connections to greenways, tree stands, and stream corridors should be provided.
- B-PR7-2** Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.
- B-PR7-3** Developments should improve the tree canopy.
- B-RE1-1** Developments should incorporate street trees to create a walkable streetscape.
- B-RE2-1** Green infrastructure should be used to connect the greenspace network.
- D-SP2-1** Visible, usable greenspace and other natural components should be incorporated into school sites.
- D-SP2-2** Active and passive recreation opportunities should be provided on school sites.
- E-GR3-1** Physical and visual connections should be provided to existing greenway networks.
- E-GR3-2** New focal points should emphasize geographic features unique to the site.

Theme Letter - Pillar Abbreviation & Policy Number – Criteria Number  
Ex: from Theme A, Design Pillar, Policy #1, Criteria #1: A-DS1-1. Full decoder on page ###

Criteria that include additional policy items in parentheses refer to companion policies that will provide additional context to the related criteria.



VICINITY MAP

LINE	BEARING	DISTANCE
L1	N34°11'10"E	78.24'
L2	S68°40'52"E	55.18'
L3	S03°08'33"E	55.48'
L4	N38°27'04"E	93.88'

AREA NOTIFICATION MAP  
1"=200'



ZOMAR				
TITLE: PLN-MAR-20-000	FROM	TO	GROSS	NET
PROPERTY ADDRESS: 1540 EASTLAND PARKWAY (A PORTION OF)	B-3	B-4	2.745 AC.	1.744 AC.
OWNERS: 1540 EASTLAND PARKWAY, LLC PO BOX 55628 LEXINGTON, KENTUCKY 405	<div style="border: 1px solid black; padding: 5px; text-align: center;"> STATE OF KENTUCKY  WESLEY B. WITT  2187  LICENSED PROFESSIONAL LAND SURVEYOR  </div>			
APPLICANT: CENTENNIAL AMERICAN PROPERTIES, LLC 935 S MAIN STREET, SUITE 201 GREENVILLE, SOUTH CAROLINA 29601				
PREPARED BY: WESLEY B WITT, INC.				
DATE PREPARED: MARCH 2, 2020				



# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-20-00005: CENTENNIAL AMERICAN PROPERTIES

## DESCRIPTION OF ZONE CHANGE

Zone Change: From a Highway Service Business (B-3) zone  
To a Wholesale and Warehousing Business  
(B-4) zone

Acreage: 1.744 net (2.745 gross) acres

Location: 1540 Eastland Parkway (a portion of)



## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	B-3	Vacant
To North	B-3 / R-4	Grocery / Apartments
To East	B-3	Professional School / Retail
To South	I-1	Auto Sales
To West	B-3	Auto Sales

## URBAN SERVICE REPORT

**Roads** - The subject property is bordered by Winchester Road (US 60) to the south, by the East New Circle Road (KY 4) ramp to the west, and by Eastland Parkway to the north. Winchester Road and New Circle Road are categorized as major arterial roadways and are both six-lane facilities. Eastland Parkway is a collector roadway at this location. The proposed development will be accessed primarily from Eastland Court, a small cul-de-sac that extends from Eastland Parkway. A small access road will connect Eastland Court with the established access road that provides circulation for the properties to the southeast of the subject property.

**Curb/Gutter/Sidewalks** - Eastland Court is currently under construction and will be built with curb, gutter and sidewalk facilities in accord with the LFUCG Land Subdivision Regulations. Eastland Parkway has been constructed with curb, gutter and sidewalk facilities.

**Utilities** - All utilities, including natural gas, electric, water, phone, cable television, and internet are available in the area, and are available to serve the proposed development.

**Storm Sewers** - The subject property is located within the North Elkhorn Creek watershed. Storm sewers do not exist to serve the subject property, although they are under construction currently associated with a recent preliminary subdivision plan. Additional facilities may be required for the redevelopment in this general area to address water quality. Any such improvements shall be designed and constructed in accordance with the LFUCG Engineering Manuals. There are no FEMA Special Flood Hazard Areas or known flooding issues along these properties.

**Sanitary Sewers** - The subject property is located within the North Elkhorn sewershed. The property is served by the West Hickman sewage treatment plant, which is located in northern Jessamine County. No further improvements are necessary to accommodate the proposed use of the subject property. Sanitary sewer capacity will need to be verified by the Capacity Assurance Program (CAP) prior to certification of the final development plan.

**Refuse** - The Urban County Government serves this area with refuse collection on Tuesdays.

**Police** - The subject property is located within the Central Sector. The Roll Call Center for the Central Sector is which is located approximately ½ mile west of the subject property on Industry Road.

**Fire/Ambulance** - The subject property is served by Fire Station #2, located approximately a half mile to the west of the subject property on Eastland Drive, at its intersection with Murray Drive.

**Transit** - LexTran service is available nearby the subject properties along Eastland Parkway Road. Inbound and outbound service is available on Route #7 along Eastland Parkway. The nearby stops do not include benches or shelters.

**Parks** - There are no easily accessible public parks in the vicinity of the proposed development.

## SUMMARY OF REQUEST

The applicant is seeking a zone change from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone for a portion of the property located at 1540 Eastland Parkway. The zone change application is seeking to allow for the development of a three (3) story, climate controlled self-storage warehouse.

## PLACE-TYPE

CORRIDOR

The Corridor Place-Types Lexington's major roadways focused on commerce and transportation. The overriding emphasis of Imagine Lexington is significantly overhauling the intensity of the major corridors. The future of Lexington's corridors lies in accommodating the shifting retail economic model by incorporating high density residential and offering substantial flexibility to available land uses.

## DEVELOPMENT TYPE

MEDIUM DENSITY NON-RESIDENTIAL / MIXED-USE

### Primary Land Use, Building Form, & Design

Primarily community-serving commercial uses, services, places of employment, and/or a mix of uses within mid-rise structures with a higher Floor Area Ratio. Mixed-use structures typically include more multi-family residential units and places of employment, and retail and commercial options generally draw from a larger geographic area. An activated and pedestrian-scale ground level should be provided. These developments may include more employment space for professional office and can include some larger entertainment spaces.

### Transit Infrastructure & Connectivity

Though they draw more external users, they should still include multi-modal connections allowing for easy neighborhood access. Mass transit infrastructure is to be provided on par with that of other modes, and the higher-density housing types should be located in close proximity.

### Parking

The buildings should be oriented to the street, and developments should avoid over-parking, with provided parking located internally.

## PROPOSED ZONING



This zone is intended primarily for wholesaling, warehousing, storage operations and establishments whose activity is of the same general character as the above. To a lesser extent, this zone is also intended to provide for the mixture of professional offices and warehouses that promote reuse and redevelopment of older warehouses, allowing businesses to combine their entire operation in one building, as recommended for the Office/Warehouse land use category in the Comprehensive Plan. This zone is also intended to encourage the adaptive reuse of older structures in or adjoining the Infill and Redevelopment Area to promote revitalization of these buildings, and the flexible use of sites outside of the Infill and Redevelopment Area. The Comprehensive Plan should be used to determine the appropriate locations for this zone. Consideration should be given to the relationship of this zone to the surrounding land uses and the adequacy of the street system to serve the anticipated traffic needs.

## PROPOSED USE



The applicant is seeking to develop a three (3) story, climate controlled self-storage warehouse and associated office and retail space. The applicant proposes no exterior storage and no exterior access to the individual storage units. All access will be from the interior. Users will access the building through a drive-in entrance door and access individual units via elevators and hallways. The applicant has indicated that they are not proposing security fencing and that they are seeking to match the architecture of the surrounding uses.

## APPLICANT & COMMUNITY ENGAGEMENT



A representative of the developer team contacted a board member of the Eastland Parkway Neighborhood Association. The applicant has not indicated whether a meeting has been set up.



## PROPERTY & ZONING HISTORY



The subject property has been zoned Highway Service Business (B-3) since the comprehensive rezoning of Lexington in 1969. This zone both currently and historically has been focused on auto-centric mobility patterns and is meant to serve both Lexingtonians and the traveling public.

The subject property was previously occupied by the Continental Inn. Originally constructed in 1965, the Continental Inn included a cocktail lounge, dining room, convention facilities, a private club and an indoor swimming pool. The 319-room hotel stopped receiving guests in 2005 and was demolished in 2007. Since that time, the site has redeveloped slowly and includes the Infinity car dealership, medical education facilities, and other retail shops.

## COMPREHENSIVE PLAN COMPLIANCE



### GOALS & OBJECTIVES

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 applicant indicates that the proposed rezoning and the associated development are in agreement with the Goals and Objectives of the 2018 Comprehensive Plan. They state that the proposed development supports Theme A, Growing Successful Neighborhoods, specifically focusing on expanding housing choices (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types (Theme A, Goal #1.b). The applicant suggests that the availability of quality, secure, nearby, climate-controlled storage space encourages higher density, attached and multi-family housing, by allowing flexibility to families who encounter changes in their lifestyles or needs. However, the applicant is not supplying dwelling units for the community, therefore this particular objective does not apply.

Furthermore, while staff agrees that the inclusion of supportive services is helpful to some individuals in our community, the staff cannot agree with the applicant's suggestion that the inclusion of self-storage will allow for increased housing opportunities. A reactionary or "if you build it, they will come" approach that suggests that with a greater amount of self-storage, we will achieve a greater amount of housing options is incorrect. Self-storage is a byproduct of individuals accumulating or having a greater amount of things, no matter the type of housing they live in, not a causal element that leads to the outgrowth of new higher-density housing types. The lack of connection between the type of household and the rental of self-storage has been studied and supports staff's position. A 2005 survey of self-storage users indicated that the majority of users live in single family homes (71%), with lesser amounts in apartments and condos (18%), and the remaining residing in other types of units (11%) (McKinley 2006). Furthermore the majority of self-storage users were home owners (62%). These data suggest that self-storage does not prioritize higher-density housing types, but low-density single family residential.

The applicant further indicates, that they are supporting infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2), by redevelopment of underutilized parcels and infilling vacant parcels (Theme A, Goal #2.a). Additionally, the applicant states that they are respecting the design features and context of the surrounding development projects (Theme A, Goal #2.b), by building a structure that is compatible in size and design to the structures in this area.

When judging whether the proposed project is fitting the current context of an area, staff must review how the development might impact both the built environment and the zoning and associated land uses. The review of the built environment includes the heights, building square footage, and floor area ratio (FAR) of the surrounding properties compared to the proposed development, as well as the environmental and topographic situation of each of the structures.

The neighboring properties are all located within the B-3 zone. There is not a minimum lot size for the





B-3 zone. The minimum lot frontage is 40 feet and the zone requires a front yard of 20 feet. There are no minimum side or rear yard requirements, other than what is provided in Section 8-20(o) of the Zoning Ordinance, nor are their minimum requirements for open space, or lot coverage. The maximum height of a building is 75', except where a side or rear yard abuts a Professional Office or a Residential zone, then a 3:1 height-to-yard ratio applies.

The restrictions for the proposed B-4 zoning for the subject property are only different from the B-3 zone in that it does not have a minimum required front yard or lot frontage. As such, the construction of the proposed structure would not differ in any substantial way from structures that would be permitted in the surrounding area. Furthermore, the applicant is proposing to build a structure that is 36 feet in height, which is approximately 10 feet taller than the closest structures.

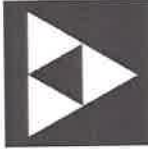
In addition to the review of the built environment, it is important to understand the land uses of the area and how any new zone would enhance or change that context. The Continental Inn and the subsequent construction on the site has been focused on the traveling public. Staff considers the inclusion of self-storage to be the continuation of an auto-centric form of development. Furthermore the surrounding land uses, including the sale of automobiles, automobile service stations, and the retail sale of welding and gas equipment, are either allowable in the B-4 zone or are overlapping with the types of land uses permitted in the B-4 zone. Finally, the staff agrees that the proposed site can be more appropriate for the development of B-4 land uses as it is located off of highway locations and is buffered by the surrounding topography.

The applicant also indicates that the proposed development will help establish and promote the road network connections in order to reduce police, EMS, and fire response times (Theme A, Goal #4.c) by making road connections. Staff is in agreement with the applicant; however, with any inclusion of road networks, applicants should also work to achieve an effective and comprehensive transportation system (Theme D, Goal 1), by supporting the Complete Streets concept, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles (Theme D, Goal 1.a). This can be completed through the inclusion of proper pedestrian facilities, which are currently not depicted on the corollary development plan.

The applicant also suggests that the proposed development supports business uses, by allowing additional storage space to provide flexibility for business expansion (Theme C). Through the inclusion of the self-storage the applicant indicates that they promote entrepreneurial spirit by allowing flexibility and adaptability for today's rapidly changing small businesses. Staff disagrees with the applicant's perspective that such developments promote entrepreneurial spirit; however, agrees that this use is often an accessory element to small businesses. To build upon some of the discussion of jobs by the applicant, Theme C of the Comprehensive Plan focuses on attracting jobs, prioritizing employment sectors like healthcare, education, high-tech, advanced manufacturing, agribusiness, and agritourism (Theme C, Goal #2a). These positions are traditionally higher paying positions and support larger populations. The proposed development would utilize land that is currently zoned to allow for greater job creation for a use that generates very few jobs.

In addition to the connectivity to reduce the response times of emergency services, the applicant also suggests that the proposed development by reducing Lexington's carbon footprint, will reduce the distance which users have to travel to access their personal property (Theme B, Goal 2). Staff disagrees with the applicant's argument, as the use itself is auto-centric and the applicant is not focusing the proposed development on the neighboring community. Furthermore, the applicant has stated that they have chosen the proposed site due to it's location along major thoroughfares and it's vehicular accessibility.

Finally, the applicant suggests a that dense, multi-story storage facility will assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater density of housing and business use, and by maximizing development on a vacant parcel and redevelopment of the other parcel in a manner that enhances existing urban form (Theme E, Goal #1.d). Staff agrees that a greater density can maintain the Urban Service Area, that density and intensity must be done in a way that is compatible with the surrounding development. In this case and at this location the applicant is proposing a development that fits within the context of the current development and does not destabilize the surrounding land uses.



## CRITERIA

The criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2018 Comprehensive Plan. The criteria for development represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed place-type and development type. The applicant has indicated that the site is located within the Corridor Place-Type and is seeking to redevelop a portion of a lot to allow for a Medium Density Non-Residential / Mixed-Use Development Type. Staff concurs with the applicant's assessment of the Place-Type and agrees that a Medium Density Non-Residential / Mixed-Use development can be appropriate for the subject property. Staff agrees with the applicant's assessment that the Warehouse and Wholesale Business (B-4) zone can be appropriate for this location.

While the applicant has addressed some of the Development Criteria, there are areas of concern as to how the applicant has applied or not applied the development criteria. The following criteria should be further described by the applicant to demonstrate how they are in agreement with the Comprehensive Plan.

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

*A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.*

The applicant has indicated that the proposed structure will be "finished and attractive on all four sides." As the site is located at the confluence of three major roadways (Eastland Parkway, Winchester Road, and New Circle Road) staff would like more information as to how the applicant will be addressing these frontages.

*A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.*

The proposed development is focused on the driving public and has emphasized the vehicular movement throughout the site, which is anticipated by the proposed use. Staff would like the applicant to further describe the activation of the structure and indicate the location of the associated office/retail.

*B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3)*

Development Criteria are focused on implementation with new development. As this development is proposed and will be an impact on stormwater management, the applicant should show how they are seeking to provide green infrastructure on-site, enhancing green infrastructure off-site, or cannot meet this criteria.

*E-GR10-2: Developments should provide walkable service and amenity-oriented commercial spaces.*

The applicant should discuss how they are maintaining the walkability of the area and how the office/retail space is an amenity to the neighborhood. Furthermore, with the access easement connection that is being proposed, the applicant should include adequate pedestrian facilities.

### 2. Transportation and Pedestrian

*A-EQ3-2: Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3)*

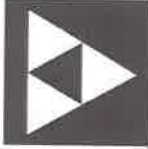
While the applicant is providing an auto-oriented development, they should still seek to promote various means of mobility for both the potential users and the potential workforce. The location of transit service along Eastland Parkway allows for users to access the site via transit. However the applicant has not shown adequate pedestrian connectivity along the site and to the connection with Winchester Road.

*D-CO2-1: Safe facilities for all users and modes of transportation should be provided.*

The applicant should provide safe facilities for all users and modes of transportation or describe how this cannot be met.

### 3. Greenspace and Environmental Health

*B-PR7-2: Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.*



The applicant has not shown how they are incorporating trees into their development.

*B-PR7-3: Developments should improve the tree canopy.*

The applicant has not shown the location of trees with their development.

*B-RE1-1: Developments should incorporate street trees to create a walkable streetscape.*

The applicant has not shown the location of street trees with their development.

The staff is seeking greater information regarding how the applicant is meeting or can not meet these development criteria for the Corridor Place-Type and Medium Density Non-Residential / Mixed-Use Development Type. These criteria represent specific needs that address the site design, building form and location layout, transportation and pedestrian facilities, and greenspace and environmental health described in the 2018 Comprehensive Plan. The staff is recommending postponement of this application until this information has been provided by the applicant.



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



1. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Corridor Place-Type, and the Medium Density Non-Residential / Mixed-Use Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
  - a. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
  - b. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.
  - c. B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3)
  - d. E-GR10-2: Developments should provide walkable service and amenity-oriented commercial spaces.
  - e. A-EQ3-2: Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3)
  - f. D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
  - g. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
  - h. B-PR7-2: Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
  - i. B-PR7-3: Developments should improve the tree canopy.
  - j. B-RE1-1: Developments should incorporate street trees to create a walkable streetscape.

HBB/TLW  
3/26/2020

Planning Services/Staff Reports/MAR/2020/PLN-MAR-20-00005 Centennial American Properties.pdf

# SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-20-00005: CENTENNIAL AMERICAN PROPERTIES



## STAFF REVIEW

In the period following the March Subdivision and Zoning Committee meetings, the applicant met with staff to discuss the proposed rezoning. Following those meetings, the applicant reviewed staff's comments, and modified their application regarding the proposed development and its agreement with the 2018 Comprehensive Plan. The new information provided by the applicant addresses the majority of staff's concerns. The materials submitted specifically focused on those Development Criteria that were deficient within the original application. These elements included how the proposed development would increase pedestrian circulation and activity (A-DS5-4, E-GR10-2, A-EQ3-2, and D-CO2-1), how the development would utilize green infrastructure to help with stormwater runoff (B-SU11-1), and how the incorporation of trees could be made with the proposed development both along the street frontage and the internal to the site (B-PR7-2, B-PR7-3, B-RE1-1).

Staff can now recommend approval of the proposed zone change from a from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone for the property located at 1540 Eastland Parkway (a portion of), as the proposal is in agreement with the 2018 Comprehensive Plan, including the applicable Goals and Objectives, Policies, and Development Criteria.

While staff considers the proposed rezoning to be in agreement with the Comprehensive Plan, it is important to stress the need for adequate treatment of the proposed structure. Development Criteria A-DS4-2, states that new construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities. The applicant previously indicated that the proposed structure will be "finished and attractive on all four sides," respecting the context of the area and setting a more active context along the identified corridors (Eastland Parkway, Winchester Road, and New Circle Road). Specifically, it is important for the applicant to provide an active treatment of the building along the Winchester Road frontage due to its classification as a gateway into Lexington. While the subject property is inside of the Urban Service Area, the classification of the roadway as a gateway is still appropriate and the development along the roadway should showcase Lexington's urbanized built environment, reflecting the values of the community. With the submission of the final development, the applicant shall provide staff with evidence as to how they are addressing the Winchester Road frontage that is meeting with Development Criteria A-DS4-2 and the roadways status as a gateway.

While staff agrees that the subject rezoning is in agreement with the 2018 Comprehensive Plan, the staff disagrees with the applicant's assertion that a climate controlled self-storage warehouse promotes entrepreneurial spirit, or promotes denser housing opportunities in Lexington. The applicant has not provided evidence to support these statements, nor has staff found such evidence in their research.

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



1. The requested Wholesale and Warehouse Business Zone (B-4) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning allows for the development of vacant parcels (Theme A, Goal #2.a) at an increased intensity of use.
  - b. The proposed development provides a well-designed neighborhood (Theme A, Goal #3) by providing safe connections to the surrounding businesses, and preferencing pedestrian safety along the access easement, which connects commercial development to transit opportunities.
  - c. The proposed development will promote, maintain, and expand the urban forest (Theme A, Goal #3.d) by increasing the canopy coverage, while also maintaining the established tree line along the rear of the subject property.



- d. The proposed rezoning will assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater density of business use, and by maximizing development on a vacant parcel in a manner that will enhance the existing urban form (Theme E, Goal #1.d). The multi-story, self-storage structure respects the existing commercial character of the immediate area.
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 site creates a business development that supports pedestrian mobility, while also providing cross access between businesses.
    - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of a pedestrian walkway along the access easement. The access easement also connects those commercial operations located along the Winchester Road frontage with transit facilities located on Eastland Parkway. 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 works with the current landscape, limits the impacts on the surrounding environment, and increases tree canopy coverage.
  3. This recommendation is made subject to approval and certification of PLN-MJDP-20-00014: Eastland Parkway Subdivision Tract 1 Block B Lot 3, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

2. **CENTENNIAL AMERICAN PROPERTIES ZONING MAP AMENDMENT & EASTLAND PARKWAY SUBDIVISION TRACT 1 BLK B LOT 3 ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-20-00005: CENTENNIAL AMERICAN PROPERTIES (6/25/20)\*- a petition for a zone map amendment from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 1.744 net (2.745 gross) acres, for property located at 1540 Eastland Parkway (a portion of).

**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 applicant is seeking a zone change from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone for a portion of the property located at 1540 Eastland Parkway. The zone change application is seeking to allow for the development of a three (3) story, climate controlled self-storage warehouse.

The Zoning Committee Recommended: **Postponement** to the full Commission.

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

1. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Corridor Place-Type, and the Medium Density Non-Residential / Mixed-Use Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
  - a. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
  - b. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.
  - c. B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3).
  - d. E-GR10-2: Developments should provide walkable service and amenity-oriented commercial spaces.
  - e. A-EQ3-2: Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3).
  - f. D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
  - g. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
  - h. B-PR7-2: Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
  - i. B-PR7-3: Developments should improve the tree canopy.
  - j. B-RE1-1: Developments should incorporate street trees to create a walkable streetscape.
- b. PLN-MJDP-20-00014: EASTLAND PARKWAY SUBDIVISION TRACT 1 BLK B LOT 3 (6/25/20)\* - located at 1540 EASTLAND PKWY., LEXINGTON, KY.  
Project Contact: Barrett Partners

Note: The purpose of this plan is to rezone the property.

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

1. Provided the Urban County Council rezones the property **B-4**; 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. Resolve preliminary subdivision lot layout and approved final record plat.
8. Discuss Placebuilder criteria:
  - a. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
  - b. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.
  - c. B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3).
  - d. E-GR10-2: Developments should provide walkable service and amenity-oriented commercial spaces.
  - e. A-EQ3-2: Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3).

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



- f. D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
- g. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
- h. B-PR7-2: Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
- i. B-PR7-3: Developments should improve the tree canopy.
- j. B-RE1-1: Developments should incorporate street trees to create a walkable streetscape.

Staff Zoning Presentation – Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and aerial photographs of the general area. He said the applicant is proposing this zone change to development of a three-story, climate controlled self-storage warehouse, associated office and retail space. The applicant proposes that there will not be any exterior storage or access to the individual storage units. There will be a drive-in entrance door to allow users to drop off their goods and then access their individual units via elevators and hallways. He said the subject property is located along Eastland Court, which has been established between Eastland Parkway, East New Circle Road, and Winchester Road. The property is surrounded by Highway Service Business (B-3) and Light Industrial (I-1) zoning. He said that with the surrounding B-3 businesses, there is a lot of public traffic. Staff had concern with the mobility of this site, as well as producing alternatives to vehicular movement in this area. He said that there is a significant grade difference from the subject property to Winchester Road.

Mr. Baillie said that the applicant chose the Corridor Place-Type and Medium Density Non-Residential / Mixed-Use Development Type. The B-4 zone is not one of the recommended zones for that development type. He said that consideration should be given to the relationship of this zone to the surrounding land uses and the adequacy of the street system to serve the anticipated traffic needs, which include transit-oriented facilities, as well as pedestrian connectivity. At the Zoning Committee meeting, on June 4, 2020, the staff and committee members expressed concern with the pedestrian and transit connectivity, landscaping and tree canopy coverage, and activating the frontage of this property, because Winchester Road is a gateway into the City of Lexington.

Mr. Baillie said that after that committee meeting, the applicant revised their development plan, adding more connectivity and with those changes the staff is now recommending approval of this zone change for the following reasons:

1. The requested Wholesale and Warehouse Business Zone (B-4) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning allows for the development of vacant parcels (Theme A, Goal #2.a) at an increased intensity of use.
  - b. The proposed development provides a well-designed neighborhood (Theme A, Goal #3) by providing safe connections to the surrounding businesses, and preferencing pedestrian safety along the access easement, which connects commercial development to transit opportunities.
  - c. The proposed development will promote, maintain, and expand the urban forest (Theme A, Goal #3.d) by increasing the canopy coverage, while also maintaining the established tree line along the rear of the subject property
  - d. The proposed rezoning will assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater density of business use, and by maximizing development on a vacant parcel in a manner that will enhance the existing urban form (Theme E, Goal #1.d). The multi-story, self-storage structure respects the existing commercial character of the immediate area.
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 site creates a business development that supports pedestrian mobility, while also providing cross access between businesses.
  - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of a pedestrian walkway along the access easement. The access easement also connects those commercial operations located along the Winchester Road frontage with transit facilities located on Eastland Parkway. 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 works with the current landscape, limits the impacts on the surrounding environment, and increases tree canopy coverage.

3. This recommendation is made subject to approval and certification of PLN-MJDP-20-00014: EASTLAND PARKWAY SUBDIVISION TRACT 1 BLK B LOT 3, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Development Plan Presentation – Ms. Gallt presented a rendering of the final development plan associated with this zone change. She identified the access point for the property, the access easement and the parking. She said that the site will connect into the existing shopping center to the east. She stated that there are a few conditions, which include the Division of Engineering, Division of Traffic Engineering, Division of Environmental Quality, Urban Forester, and the Greenspace Planner. She said that the applicant needs to submit an easement plat depicting the access on the adjacent property. There is a discussion item for the Placebuilder criteria, which can be moved to resolve.

Applicant Presentation – Mr. Dick Murphy, attorney representing the petitioner. He said he is in agreement with the staff's recommendations and is available for any questions.

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



Commission Question – Mr. Owens asked for clarification that condition #8 can be changed to resolve. Ms. Gallt confirmed.

Zoning Action – A motion was made by Mr. Wilson, seconded by Mr. Forester, and carried 10-0 (Pohl absent) to approve PLN-MAR-20-00005: CENTENNIAL AMERICAN PROPERTIES, for the revised reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Wilson, seconded by Mr. Forester, and carried 10-0 (Pohl absent) to approve PLN-MJDP-20-00014: EASTLAND PARKWAY SUBDIVISION TRACT 1 BLK B LOT 3, with the recommendations presented by the staff and changing condition #8 to the following:

8. Resolve ~~Discuss~~ Placebuilder criteria:
  - a. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
  - b. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.
  - c. B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3).
  - d. E-GR10-2: Developments should provide walkable service and amenity-oriented commercial spaces.
  - e. A-EQ3-2: Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3).
  - f. D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
  - g. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
  - h. B-PR7-2: Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
  - i. B-PR7-3: Developments should improve the tree canopy.
  - j. B-RE1-1: Developments should incorporate street trees to create a walkable streetscape

Legal Description  
1540 Eastern Parkway, LLC Property  
Zone Change From B-3 to B-4  
A portion of 1540 Eastland Parkway  
Lexington, Fayette County, Kentucky

ALL THAT TRACT OR PARCEL OF LAND SITUATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF E. NEW CIRCLE ROAD AND WINCHESTER ROAD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, BEING A PORTION OF 1540 EASTLAND PARKWAY AND A PORTION OF THE PROPOSED EASTLAND PARKWAY SUBDIVISION AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the radius point of the proposed Eastland Court cul-de-sac, said point being located approximately 560 feet east of the centerline of E. New Circle Road and approximately 420 feet south of the centerline of Eastland Parkway; thence with the centerline of proposed Eastland Court north 34 degrees 11 minutes 10 seconds east 78.24 feet to a point; thence leaving proposed Eastland Court south 68 degrees 40 minutes 52 seconds east 55.18 feet to a point; thence south 03 degrees 08 minutes 33 seconds west 55.48 feet to a point; thence south 03 degrees 08 minutes 33 seconds west 760.89 feet to a point in the Winchester Road right of way; thence north 80 degrees 27 minutes 05 seconds west 157.47 feet to a point; thence leaving Winchester Road and along the proposed division line of lots 3 and 4 north 03 degrees 05 minutes 29 seconds east 508.67 feet to a point; thence north 06 degrees 36 minutes 17 seconds east 164.00 feet to a point; thence north 38 degrees 27 minutes 04 seconds east 93.88 feet to the point of beginning and containing 2.745 gross acres and 1.744 net acres.