

ORDINANCE NO. 041 - 2021

AN ORDINANCE CHANGING THE ZONE FROM A HIGHWAY SERVICE BUSINESS (B-3) ZONE TO A WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE, FOR 3.97 NET (4.11 GROSS) ACRES, FOR PROPERTY LOCATED AT 750 EAST NEW CIRCLE ROAD. (CAR REAL ESTATE HOLDINGS, LLC; COUNCIL DISTRICT 5).

WHEREAS, at a Public Hearing held on April 22, 2021, a petition for a zoning ordinance map amendment for property located at 750 East New Circle Road from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 3.97 net (4.11 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional 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 750 East New Circle Road from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 3.97 net (4.11 gross) acres, more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions shall apply via conditional zoning:

- a. The following uses shall be prohibited:
 1. Ice plants
 2. Parking lots and structures as a principal use
 3. Truck terminals and freight yards
 4. Pawnshops
 5. Mining of non-metallic minerals

- b. Any self-storage facility on the premises shall have no outdoor storage of vehicles, supplies or materials, and shall not have direct access to the outdoors from individual storage units.

These restrictions are appropriate and necessary to reduce the visual impact of wholesale and warehouse uses on the East New Circle Road corridor.

Section 3 - 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 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: June 10, 2021



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: June 17, 2021-1t

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

IN RE: **PLN-MAR-21-00002: CAR REAL ESTATE HOLDINGS, LLC** – 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 3.97 net (4.11 gross) acres, for property located at 750 E New Circle Road. (Council District 5)

Having considered the above matter on **April 22, 2021**, 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 **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. A restricted 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 will grow successful neighborhoods (Theme A, Goal #2.a) by reusing a vacant bowling alley for a new purpose as a climate-controlled self-storage facility without expanding the building's envelope or proposing modifications to the parking area.
 - b. The proposed development will reduce Lexington's carbon footprint and provide sustainability for Lexington (Theme B, Goal #2) by reusing the established structure for the shift in use.
 - c. The proposed rezoning will also assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater intensity and flexibility of commercial use on the subject property.
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 commercial development that is within an area with multi-modal connections and allows for cross access between businesses.
 - b. The proposed rezoning includes safe facilities for the potential users, by having safe pedestrian facilities to Eastland Drive. This access addresses 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 maintains the current landscaping, reuses an established structure, and limits the impacts on the surrounding environment.
3. **Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restriction is recommended via conditional zoning:**
 - a. The following uses shall be prohibited:
 1. Ice plants
 2. Parking lots and structures as a principal use
 3. Truck terminals and freight yards
 4. Pawnshops
 5. Mining of non-metallic minerals
 - b. Any self-storage facility on the premises shall have no outdoor storage of vehicles, supplies or materials, and shall not have direct access to the outdoors from individual storage units.

These restrictions are appropriate and necessary for the following reasons:

1. To reduce the visual impact of wholesale and warehouse uses on the E New Circle Road corridor.

4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00010: Eastland Subdivision, 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 14th day of May, 2021.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, PLN-MJDP-21-00010: EASTLAND SUBDIVISION was approved by the Planning Commission on April 22, 2021 and certified on May 6, 2021.

K.R.S. 100.211(7) requires that the Council take action on this request by July 21, 2021.

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

OBJECTORS

▪ None

OBJECTIONS

▪ None

VOTES WERE AS FOLLOWS:

AYES: (10) Barksdale, Bell, Davis, de Movellan, Forester, Nicol, Penn, Plumlee, Pohl, and Wilson

NAYS: (0)

ABSENT: (1) Meyer

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-21-00002** carried.

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

MAP AMENDMENT REQUEST (MAR) APPLICATION

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

Applicant: CAR REAL ESTATE HOLDINGS, LLC, PO BOX 8905, CHARLESTON, WV 25303
Owner(s): CAR REAL ESTATE HOLDINGS, LLC, PO BOX 8905, CHARLESTON, WV 25303
Attorney: BRANDEN GROSS, 300 WEST VINE STREET, STE 1200, LEXINGTON, KY 40507

2. ADDRESS OF APPLICANT'S PROPERTY

750 NEW CIRCLE ROAD, LEXINGTON, KY 40505
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3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing		Zoning	Requested		Acreage	
		Use			Use	Net	Gross
B-3		VACANT BOWLING ALLEY	B-4		SELF STORAGE WAREHOUSING	3.966	4.105

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 type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



March 1, 2021

Urban County Planning Commission
Division of Planning – Planning Services Section
101 E Vine Street, Floor 7
Lexington, KY 40507

Re: Justification Letter – CAR Real Estate Holdings LLC
750 East New Circle Road / PIDN 11827850
From: Highway Service Business (B-3) Zone
To: Wholesale and Warehouse Business (B-4) Zone

Dear Members of the Planning Commission:

We submit this justification letter for CAR Real Estate Holdings LLC's ("Applicant") application for a zone map amendment request for 750 East New Circle Road from Highway Service Business (B-3) Zone to Wholesale and Warehouse Business (B-4) Zone. The property is approximately 3.966 acres net (4.105 acres gross). The Applicant is proposing to reuse an existing building for a climate-controlled self-storage facility, with a small administrative office and limited storage retail. The Applicant is not proposing the redevelopment of the property at this time, but it may request additional buildings in the future. As discussed below, the project meets numerous goals and objectives of the Comprehensive Plan, and further complies with relevant standards articulated in "Placebuilder" included as part of the Comprehensive Plan.

Theme A, Growing Successful Neighborhoods

Goal 2: Support Infill & Redevelopment Throughout The Urban Service Area as a Strategic Component Of Growth.

Objective a. Identify areas of opportunity for infill, redevelopment, adaptive reuse, and mixed-use development.

Objective b. Respect the context & design features of areas surrounding development projects & develop design standards & guidelines to ensure compatibility with existing urban form.

Currently, the property consists of a vacant bowling alley (approximately 45,497 SF building), formerly known as Eastland Lanes, and the accompanying parking lot. Eastland Lanes opened around 1959. In 2014, the Applicant purchased the property from Collins Bowling Lanes, Inc., and Eastland Lanes continued to operate as a tenant of the building. In 2017, Eastland Lanes ceased operations, and the Applicant has unsuccessfully marketed the property for another tenant since that time.

The Applicant is proposing to reuse the underutilized bowling alley for a new purpose as a climate-controlled self-storage facility. The Applicant is not proposing an expansion of the building's envelope or modifications to the parking area on the property. Also, at this time, the Applicant is not proposing any new buildings. Both B-3 and B-4 Zones currently dominate the immediate vicinity (except for one lot with a vacant bank building in the Neighborhood Business (B-1) Zone) within the area surrounded by Industry Road, Eastland Drive and East New Circle Road. Industry Road, Eastland Drive and East New Circle Road provide an adequate street system for the proposed use and a buffer from other land uses. The area is characterized by commercial non-retail uses, including, without limitation, warehouses, trade shops, auto dealerships, an animal clinic (with overnight boarding), a gas station, a lumber yard, and auto repair shops. The closest residential area is on the other side of East New Circle Road behind existing retail shops, an automobile dealership, and an automobile repair shop. Many of the surrounding land uses, including the sale of automobiles and veterinary clinics, are either allowable in the B-4 Zone or are overlapping with the types of land uses permitted in the B-3 Zone. The project will allow the reuse of a long-standing building with a different business use, while being sensitive to the context and design features in the immediate vicinity (Theme A, Design Policy 4).

Theme B, Protecting the Environment

Pillar II, Sustainability: The reuse of the existing building can reduce Lexington Carbon footprint and provide sustainability for Lexington.

Theme C, Creating Jobs & Prosperity

Goal 1: Support & Showcase Local Assets to Further The Creation of a Variety Of Jobs.

Objective a. Strengthen efforts to develop a variety of job opportunities that lead to prosperity for all.

The Applicant's project will create jobs. The Applicant acknowledges that a self-storage facility is not a high job generator. However, no jobs have been generated from this site since prior to 2017. It is also common that only a high school diploma or equivalent is necessary for jobs at self-storage facilities. So, this project will develop job opportunities for those with less education, "allowing upward mobility for lower income residents" (Theme C, Diversity Policy 2).

In conclusion, the project meets numerous goals and objectives of the Comprehensive Plan, and the map amendment request is in agreement with the Comprehensive Plan.

DEVELOPMENT CRITERIA / THE PLACEBUILDER

While the Placebuilder does not mention the B-4 Zone, warehousing or storage, in consultation with planning staff, we submit that the project could be evaluated as the Corridor Place Type classified as Medium Density Non-Residential / Mixed Use Density. Further, the Placebuilder is focused on new developments, and many of the criteria are not applicable for the renovation and reuse buildings for storage facilities. In this instance, the project is not a new development, and the Applicant is not proposing any new buildings or significant modification to the existing development plan at this time. At the conclusion of the Applicant's renovations, the site will be substantially similar to present day.

Attached hereto is a color-coded reflection of how we have addressed the design criteria listed in that Placebuilder category. Items highlighted in green are represented graphically on our preliminary development plan, items in yellow are addressed in this letter, and items highlighted in orange we do not believe are applicable to our proposal.

Standards That Are Applicable

SITE DESIGN, BUILDING FORM, & LOCATION

A-DS7-2 The property is substantially landlocked. Only a small portion of the property abuts a roadway. Substantially all of the parking is screened from East New Circle Road and adjacent properties with existing fences and vegetation. This criteria is also represented graphically on our preliminary development plan.

C-DI1-1 The B-4 Zone will allow the self-storage use. Many of the B-4 Zone uses are overlapping with the types of land uses permitted in the B-3 Zone.

D-PL7-1 The Applicant has not consulted with stakeholders at this time. The Applicant intends to identify the stakeholders and to consult with the same this month. The closest residential area is on the other side of East New Circle Road, and there do not appear to be any neighborhoods associations in the immediate vicinity.

E-GR4-1 The Applicant proposes to re-use the existing building and renovate the same. This criteria is also represented graphically on our preliminary development plan.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

A-DS5-1 The Applicant intends to consult planning staff to ensure that adequate multi-modal infrastructure is provided to ensure vehicular separation from other modes of transport on the site. This criteria is also represented graphically on our preliminary development plan.

D-CO2-1 The Applicant intends to consult planning staff to ensure that safe facilities are provided for all users on the site. This criteria is also represented graphically on our preliminary development plan.

D-CO2-2 The Applicant intends to consult planning staff to ensure that there is multi-modal infrastructure to satisfy all users' needs; provided, however, the Applicant intends to discourage the general public from accessing the site. This criteria is also represented graphically on our preliminary development plan.

GREENSPACE & ENVIRONMENTAL HEALTH

B-PR7-2 The Applicant is incorporating trees on the site; provided, however, this is not a new development, and there are no proposed new buildings or significant modification to the existing site at this time. This criteria is also represented graphically on our preliminary development plan.

B-PR7-3 The Applicant is improving tree canopy on the site. This criteria is also represented graphically on our preliminary development plan.

B-RE1-1 The project is incorporating street trees. This criteria is also represented graphically on our preliminary development plan.

Standards Not Applicable

SITE DESIGN, BUILDING FORM, & LOCATION

- A-DS3-1 There is no proposed multi-family residential development for the site.
- A-DS4-2 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time.
- A-DS5-3 This is not a new development. There are no new buildings proposed on the site at this time.
- A-DS5-4 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time. The Applicant intends to discourage the general public from accessing the site. A self-storage facility is not a pedestrian-oriented use.
- A-DS7-1 This is not a new development. There is no new parking proposed for the project.
- A-DS7-3 There are no proposed parking structures for the site.
- A-DS8-1 There is no proposed housing for the site.
- A-DS10-1 There are no proposed residential units for the site.
- A-DS11-1 There are no proposed common public uses for the site.
- A-DN2-1 There are no proposed infill residential units for the site.
- A-DN2-2 There are no proposed residential units for the site.
- A-DN3-1 There are no residential neighborhoods within the vicinity of the site.
- A-DN3-2 This is not a commercial center project.
- A-EQ3-1 This is not a new development. The project does not propose any new buildings or significant modification to the existing site at this time. The surrounding area is already B-3 and B-4 Zone uses.
- A-EQ7-1 There are no proposed schools for the site.
- B-PR9-1 This is not a new development. The project does not propose any new buildings or significant modification to the existing site at this time. There are no environmentally sensitive areas on the site.
- B-SU11-1 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time.
- C-DI5-1 The site is not in an Opportunity Zone.
- C-LI2-2 There are no known potential or existing gateways on the site. There are existing sidewalks along Eastland Drive.
- C-LI2-3 There are no known potential or existing gateways on the site. There are existing sidewalks along Eastland Drive.
- C-LI2-4 There are no historic turnpikes, scenic byways, turnpikes, and other scenic roads adjacent to the site.
- C-L16-1 This is not a new development. No walkable retail or commercial uses are being proposed. No housing is being proposed. There are existing sidewalks along the roadways, along with sidewalks to Eastland Drive from the building. The Applicant intends to discourage the general public from accessing the site.

- C-L17-1 This is not a new development. The Applicant intends to discourage the general public from accessing the site.
- C-PS9-2 There is no current office space on the site; provided, however, a small administrative office and limited storage retail will be in the building.
- C-PS10-2 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time. The Applicant intends to discourage the general public from accessing the site.
- C-PS10-3 This is not a new development.
- D-PL9-1 No structures are being removed from the site.
- D-PL10-1 The property is substantially landlocked. Only a small portion of the property abuts a roadway, and that area is not a prominent location.
- D-SP3-1 Eastland Drive is already fully developed. The site does not abut any other road. Adequate easements for infrastructure exist.
- D-SP3-2 There are no proposed cellular tower antennae on the site.
- D-SP9-1 There are no proposed housing units on the site.
- E-GR5-1 No structures are being removed from the site.
- E-GR9-1 This is not a residential development.
- E-GR9-4 This is not a new development. The Applicant intends to re-use the building and to make insignificant modifications to the site.
- E-GR10-2 This is not a new development. The Applicant's intended use will not provide walkable services and amenity-oriented commercial spaces. The Applicant intends to re-use the building and to make insignificant modifications to the site. The Applicant intends to discourage the general public from accessing the site.
- E-GR10-3 The Applicant is not proposing any common space for the building.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

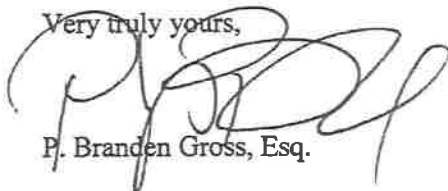
- A-DS1-1 The property does not abut a transit route.
- A-DS1-2 The property does not abut a transit route. There are existing sidewalks to Eastland Drive from the building.
- A-DS4-1 The property is substantially landlocked. There are no residential neighborhoods within the immediate vicinity of the site. There are existing sidewalks along the roadways, along with sidewalks to Eastland Drive from the building. The surrounding area are B-3 and B-4 Zone uses. The Applicant intends to discourage the general public from accessing the site.
- A-DS5-2 There are no new roadways with the project.
- A-DS10-2 This is not a new development. There are no proposed focal points.
- A-DS13-1 There are no stub streets at the property.
- A-EQ3-2 This is not a new development. The property does not abut a transit route. There are existing sidewalks along the roadways, along with sidewalks to Eastland Drive from the building. There are no residential neighborhoods within the vicinity of the site. The property is landlocked from the corridor on East New Circle Road. The Applicant is proposing additional trees along Eastland Drive and perimeter of the property.
- A-EQ7-2 No healthcare or social services facilities are proposed for the site at this time.
- B-SU4-1 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time.

- C-PS10-1 The Applicant intends to discourage the general public from accessing the site.
- D-C01-1 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time. There are existing sidewalks along the roadways, along with sidewalks to Eastland Drive from the building. The Applicant intends to discourage the general public from accessing the site.
- D-CO4-2 No new roadways are proposed for this site. There will be plenty of capacity on existing roadways.
- D-CO5-1 No new streets are proposed for this site.
- D-SP1-3 There are no proposed schools for the site. There are existing sidewalks along the roadways.
- E-ST3-1 This is not a new development. The Applicant intends to discourage the general public from accessing the site.

GREENSPACE & ENVIRONMENTAL HEALTH

- A-DS4-3 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time.
- A-EQ7-3 There are no proposed community open spaces.
- B-PR2-1 The project does not propose any new buildings or significant modification to the existing site at this time. There are no environmentally sensitive areas on the site.
- B-PR2-2 No portion of the site is in a floodplain.
- B-PR2-3 No portion of the site is in a floodplain.
- B-PR7-1 This is not a new development. No portion of the site has a greenway, tree stand, or stream corridors. There are existing sidewalks along the roadways. The Applicant is not proposing any modifications along Eastland Drive.
- B-RE2-1 This is not a new development. There are no proposed new buildings or significant modification to the existing site at this time.
- D-SP2-1 There are no school sites.
- D-SP2-2 There are no school sites.
- E-GR3-1 This is not a new development. There are existing sidewalks along the roadways. The Applicant is not proposing any modifications along Eastland Drive.
- E-GR3-2 There are no unique geographic features on the site.

Very truly yours,



P. Branden Gross, Esq.

cc: CAR Real Estate Holdings LLC
J. Darby Turner, III, Esq.

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

CORRIDOR

D-COR-4 Roadway capacity should be increased by providing multiple parallel streets, which alleviate traffic and provide multiple route options, in lieu of additional lanes.

D-COR-5 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.

D-SPR-3 Developments should provide multi-modal transportation infrastructure to accommodate the bus and vehicle traffic associated with the site.

E-ST-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-DS-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.

A-EQ-2 Community open spaces should be easily accessible and clearly delineated from private open spaces.

B-PR-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.

B-PR-2 Dividing floodplains into privately owned parcels with flood insurance should be avoided.

B-PR-3 Floodplains should be incorporated into accessible greenspace, and connections to greenways, tree stands, and stream corridors should be provided.

B-PR-2 Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.

B-PR-3 Developments should improve the tree canopy.

B-RE-1-1 Developments should incorporate street trees to create a walkable streetscape.

B-RE-2 Green infrastructure should be used to connect the greenspace network. Visible, usable greenspace and other natural components should be incorporated into school sites.

D-SP-2 Active and passive recreation opportunities should be provided on school sites.

D-SP-2 Physical and visual connections should be provided to existing greenway networks.

E-GR-3 New focal points should emphasize geographic features unique to the site.

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

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

E-GR-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-DS-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).

A-DS-2 Direct pedestrian linkages to transit should be provided.

A-DS-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-DSS-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.

A-DS-2 Roadways should provide a vertical edge, such as trees and buildings. New focal points should be designed with multi-modal connections to the neighborhood.

A-DS13-1 Stub streets should be connected. (D-CO4)

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

A-EQ-2 Multi-modal transportation options for healthcare and social services facilities should be provided. (E-ST3)

B-SU-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. Rights-of-way and multi-modal 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.

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 ###



CAR Real Estate Holdings, LLC (PLN-MAR-21-00002)

750 E NEW CIRCLE ROAD

Adaptively reusing a vacant bowling alley for self-storage warehousing.

Applicant/Owner

CAR Real Estate Holdings, LLC
PO BOX 8905
CHARLESTON, WV 25303
branden.gross@dentons.com



Application Details

Acresage:

3.966 net (4.105 gross) acres

Current Zoning:

Highway Service Business (B-3) zone

Proposed Zoning:

Wholesale and Warehouse Business (B-4) zone

Place-type / Development Type:

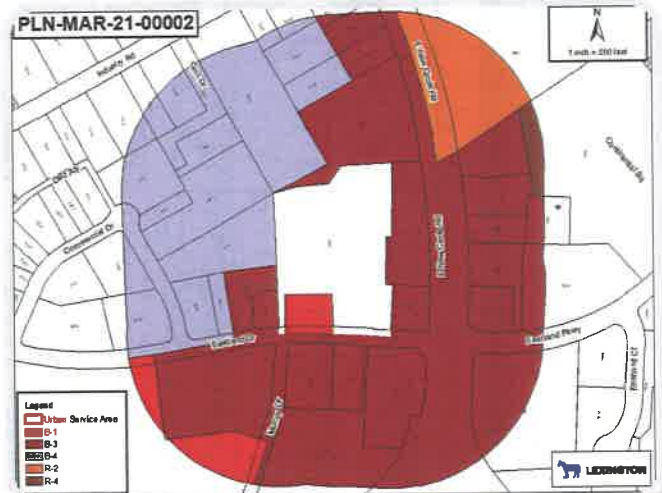
Corridor*

Medium Density Non-Residential/ Mixed Use

* For more information about the Corridor Place-Type see *Imagine Lexington* pages 303-304.

Description:

The applicant is proposing to adaptively reuse the existing vacant bowling alley as a climate-controlled self-storage warehousing facility, with an associated administrative office and storage retail.



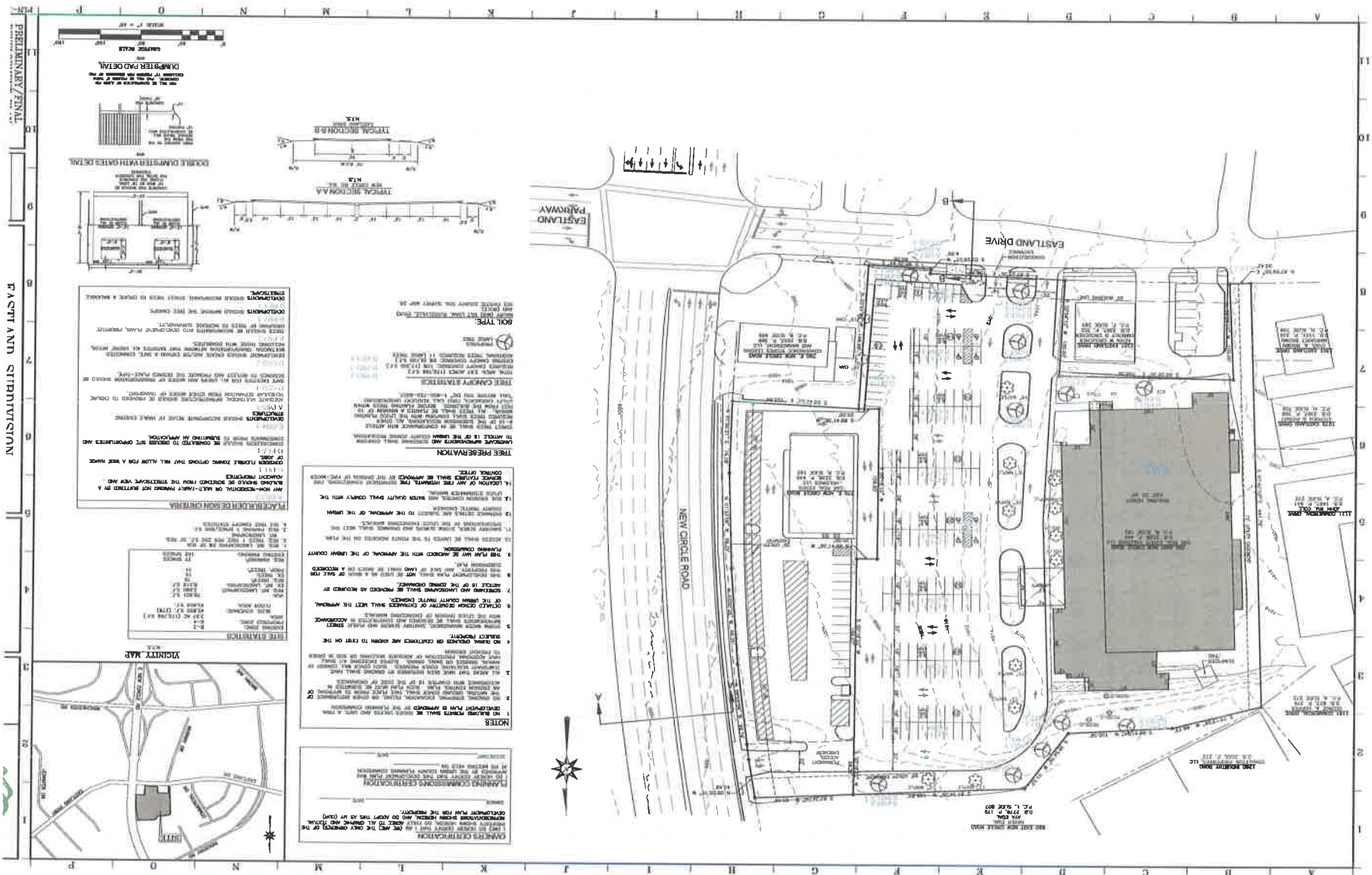
Status

- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

Public Engagement

- The applicant has not completed any public engagement for this project.

DISCLAIMER: Plans are subject to change. Visit the Accela Citizen Portal (lexingtonky.gov/plans) or contact Planning for the latest information.



Development Plan

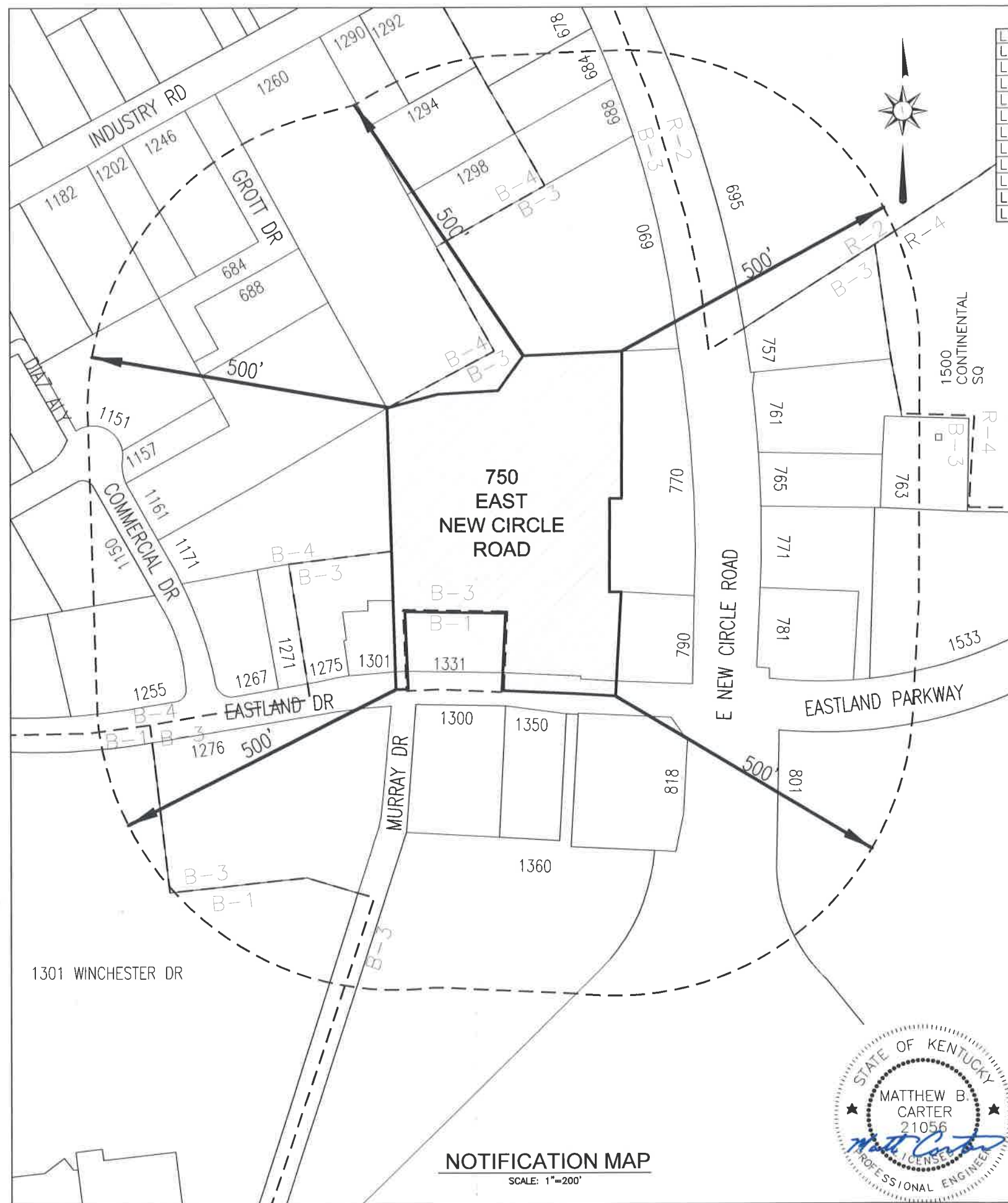
The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Fayette County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from B-3 to B-4
For
750 East New Circle Rd.
Lexington, Fayette County, KY**

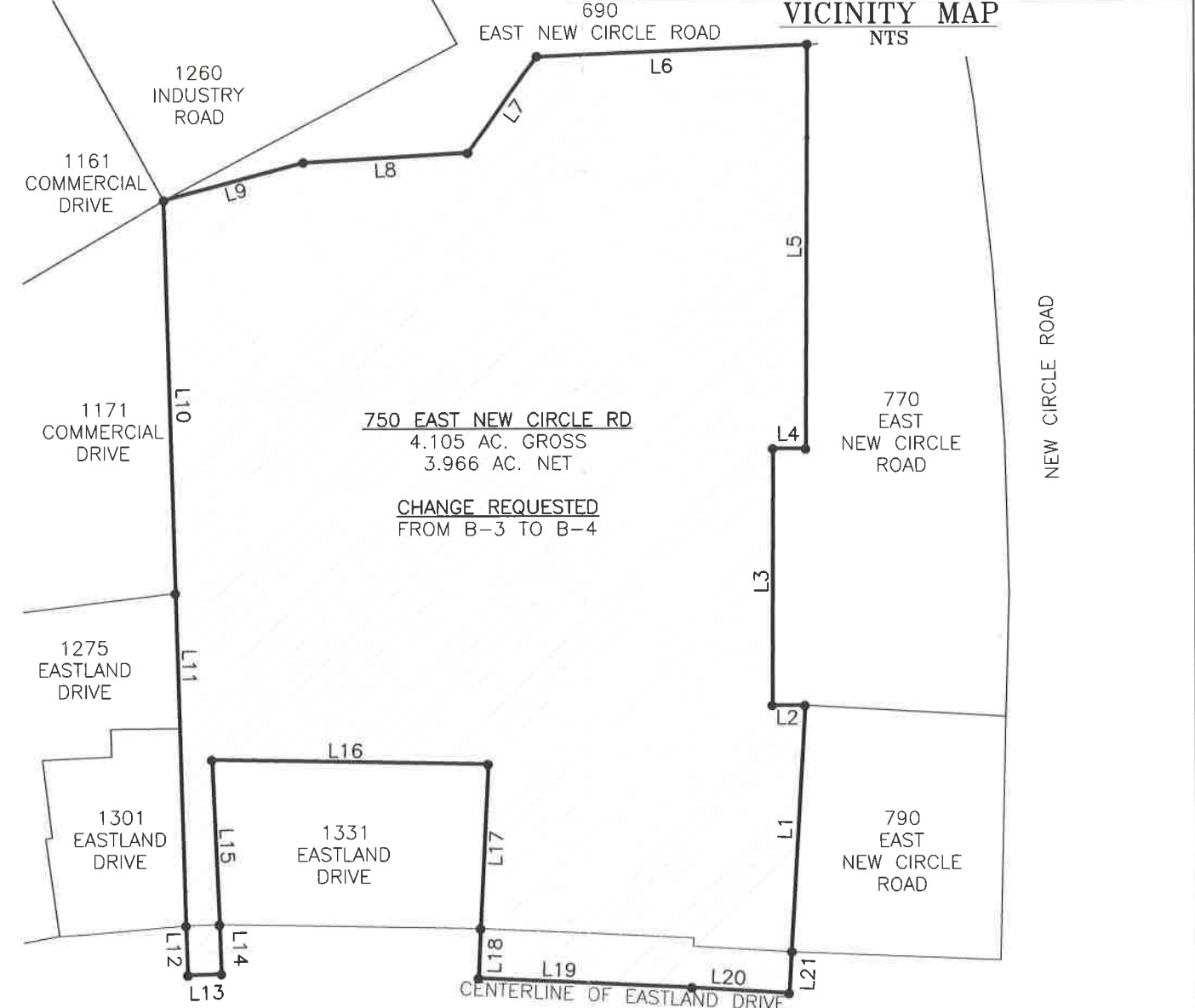
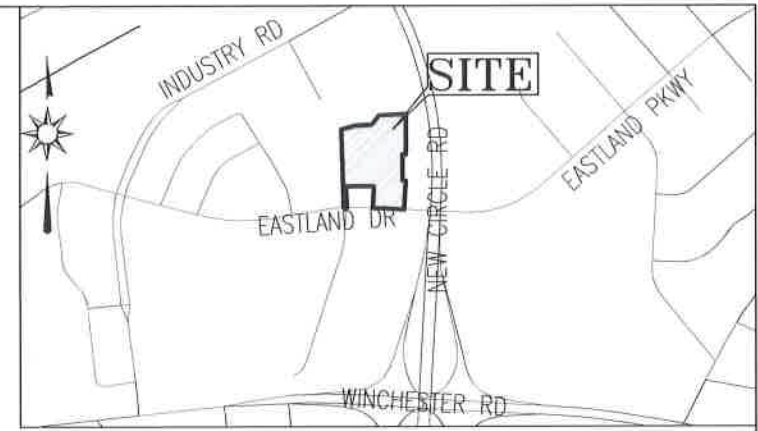
Beginning at a point in the northern right-of-way line of Eastland Drive approximately 125 feet measured along said right-of-way of Eastland Drive from the western right-of-way line of New Circle Road and being a corner of the parcel conveyed to Convenience Stores Leasing and Management, LLC in Deed Book 2953, Page 388 in the Fayette County Clerks records; thence with the line of Convenience Stores Leasing and Management, LLC and severing the existing B-3 Zone for one (1) call:

1. North 03°21'06" East 149.99 Feet; to a corner of Lot 3 as depicted on plat of Eastland Subdivision of record at Plat Cabinet R, Slide 162; thence with the line of Lot 3 and continuing the severance of the existing B-3 Zone for four (4) calls:
 2. North 89°41'38" West 20.00 Feet;
 3. North 00°18'22" East 156.60 Feet;
 4. South 89°41'38" East 20.00 Feet;
 5. North 00°18'22" East 245.39 Feet to the line of Naser & Aya Eqal (Deed Book 2276, Page 179); thence with the line of Eqal and continuing the severance of the existing B-3 Zone for four (4) calls:
 6. South 87°34'06" West 165.65 Feet;
 7. South 35°54'35" West 71.52 Feet;
 8. South 86°41'01" West 100.58 Feet;
 9. South 75°13'06" West 88.73 Feet to the corner of Eqal (Deed Book 2276, Page 179), Congleton Properties, LLC (Deed Book 3006, Page 272), George Hopper (Deed Book 823, Page 379) and John WM. Cole (Deed Book 1467, Page 641), said point also being a corner of the existing B-4 Zone Delineation Line; thence with said B-4 line and line of John WM. Cole for one (1) call:
10. South 01°40'10" East 239.70 Feet to a corner of said Cole and Stephen D. Pieratt (Deed Book 3367, Page 369); thence with the line of Pieratt and Chas A (Margaret) Brown (Deed Book 1101, Page 334) leaving the existing B-4 Zone line with a new severance of the existing B-3 Zone for one (1) call:
11. South 01°40'10" East 202.07 Feet to the northern right-of-way line of Eastland Drive, a corner to said Chas A Brown; thence leaving said right-of-way line and continuing the severance of said B-3 Zone for one (1) call:
12. South 02°00'05" East 30.00 Feet to the centerline of Eastland Drive; thence with said centerline continuing said severance for one (1) call:
13. North 87°59'55" East 20.42 Feet to a corner of the existing B-1 Zone Delineation; thence with said B-1 Zone for one (1) call:
14. North 02°00'05" West 30.00 Feet to the northern right-of-way line of Eastland Drive being a corner of the parcel conveyed to Kevin W & Kimberly D Croucher (Deed Book 3387, Page 352); thence with the line of Croucher and continuing with the existing B-1 Zone line for three (3) calls:
 15. North 02°26'10" West 100.00 Feet;
 16. South 88°59'30" East 168.56 Feet;
 17. South 02°54'10" West 100.00 Feet to the northern right-of-way of Eastland Drive; thence leaving said right-of-way and continuing with said B-1 Zone for one (1) call:

18. South $02^{\circ}36'21''$ West 30.00 Feet to the centerline of Eastland Drive; thence leaving the existing B-1 Zone line with a new severance of the existing B-3 Zone line and the centerline of Eastland Drive for two (2) calls:
19. South $87^{\circ}23'39''$ East 131.08 Feet;
20. South $86^{\circ}35'44''$ East 59.28 Feet; thence leaving the centerline of Eastland Drive and continuing the severance of said B-3 Zone for one (1) call:
21. North $03^{\circ}24'16''$ East 25.00 Feet to the Point of Beginning, containing 4.105 Acres Gross and 3.966 Acres Net



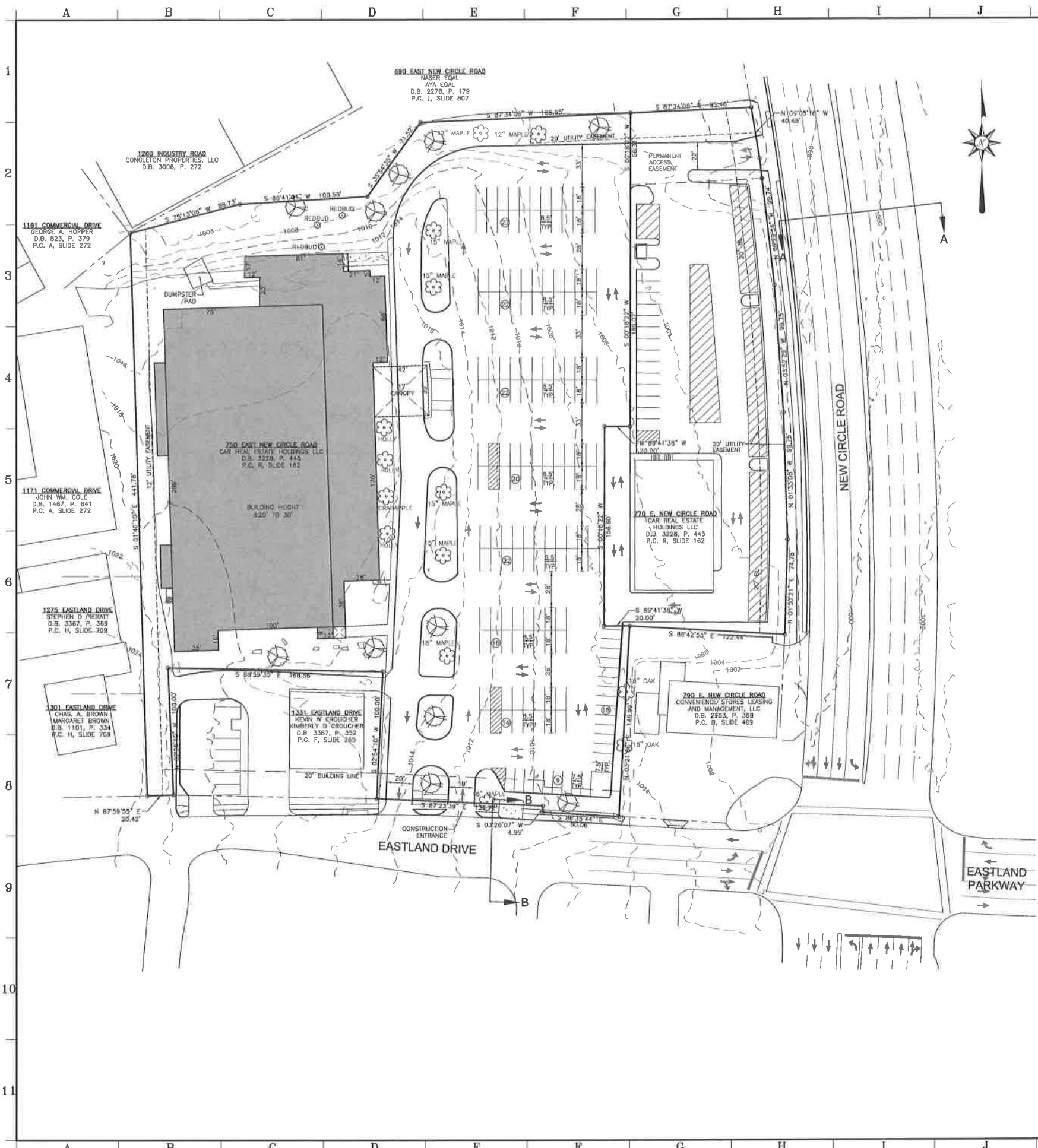
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 03°21'06" E	149.99'	L12	S 02°00'05" E	30.00'
L2	N 89°41'38" W	20.00'	L13	N 87°59'55" E	20.42'
L3	N 00°18'22" E	156.60'	L14	N 02°00'05" W	30.00'
L4	S 89°41'38" E	20.00'	L15	N 02°26'10" W	100.00'
L5	N 00°18'22" E	245.39'	L16	S 88°59'30" E	168.56'
L6	S 87°34'06" W	165.65'	L17	S 02°54'10" W	100.00'
L7	S 35°54'35" W	71.52'	L18	S 02°36'21" W	30.00'
L8	S 86°41'01" W	100.58'	L19	S 87°23'39" E	131.08'
L9	S 75°13'06" W	88.73'	L20	S 86°35'44" E	59.28'
L10	S 01°40'10" E	239.70'	L21	N 03°24'16" E	25.00'
L11	S 01°40'10" E	202.07'			



750 EAST NEW CIRCLE RD
4.105 AC. GROSS
3.966 AC. NET
CHANGE REQUESTED
FROM B-3 TO B-4



OWNER - APPLICANT NAME / ADDRESS:		ZOMAR TITLE: 750 EAST NEW CIRCLE ROAD				
CAR REAL ESTATE HOLDINGS LLC		PROPERTY ADDRESS:	FROM	TO	GROSS	NET
ATTN: CHARLES RASHID		750 EAST NEW CIRCLE ROAD	B-3	B-4	4.105	3.966
P.O. BOX 8905						
CHARLESTON, WV 25303						
PREPARED BY: VISION ENGINEERING, LLC	DATE FILED OR AMENDED: MARCH 10, 2021	TOTAL	4.105	3.966		



OWNER'S CERTIFICATION
 I (WE) DO HEREBY CERTIFY THAT I AM (WE ARE) THE ONLY OWNER(S) OF THE PROPERTY SHOWN HEREIN, DO FULLY AGREE TO ALL GRAPHIC AND TEXTUAL REPRESENTATIONS SHOWN HEREON, AND DO ADOPT THIS AS MY (OUR) DEVELOPMENT PLAN FOR THE PROPERTY.
 OWNER _____ DATE _____

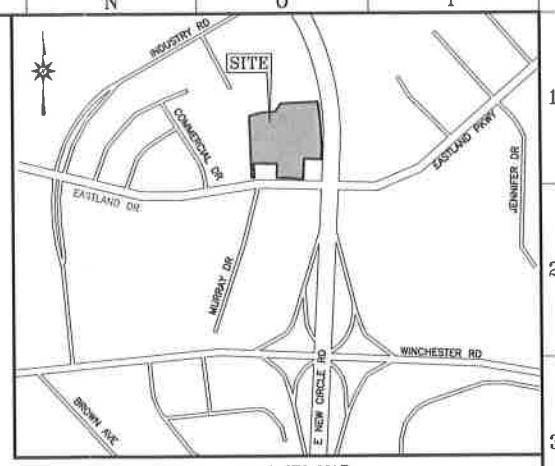
PLANNING COMMISSION'S CERTIFICATION
 I DO HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS APPROVED BY THE URBAN COUNTY PLANNING COMMISSION AT ITS MEETING HELD ON _____ DATE _____
 SECRETARY _____

- NOTES**
- NO BUILDING PERMITS SHALL BE ISSUED UNLESS AND UNTIL A FINAL DEVELOPMENT PLAN IS APPROVED BY THE PLANNING COMMISSION.
 - NO GRADING, STRIPPING, EXCAVATION, FILLING, OR OTHER DISTURBANCE OF THE NATURAL GROUND COVER SHALL TAKE PLACE PRIOR TO APPROVAL OF AN EROSION CONTROL PLAN. SUCH PLAN MUST BE SUBMITTED IN ACCORDANCE WITH CHAPTER 16 OF THE CODE OF ORDINANCES.
 - ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED. SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS. SLOPES EXCEEDING 4:1 SHALL HAVE ADDITIONAL PROTECTION OF ADEQUATE MULCHING OR SOD IN ORDER TO PREVENT EROSION.
 - NO BURIAL GROUNDS OR CEMETERIES ARE KNOWN TO EXIST ON THE SUBJECT PROPERTY.
 - STORM WATER MANAGEMENT, SANITARY SEWERS AND PUBLIC STREET IMPROVEMENTS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE LFUCG DIVISION OF ENGINEERING MANUALS.
 - DETAILED DESIGN GEOMETRY OF ENTRANCES SHALL MEET THE APPROVAL OF THE URBAN COUNTY TRAFFIC ENGINEER.
 - SCREENING AND LANDSCAPING SHALL BE PROVIDED AS REQUIRED BY ARTICLE 18 OF THE ZONING ORDINANCE.
 - THIS DEVELOPMENT PLAN SHALL NOT BE USED AS A BASIS OF SALE FOR THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED ON A RECORDED SUBDIVISION PLAT.
 - THIS PLAN MAY BE AMENDED WITH THE APPROVAL OF THE URBAN COUNTY PLANNING COMMISSION.
 - ACCESS SHALL BE LIMITED TO THE POINTS INDICATED ON THE PLAN.
 - SANITARY SEWER, STORM SEWERS AND DRAINAGE SHALL MEET THE SPECIFICATIONS OF THE LFUCG ENGINEERING MANUALS.
 - ENTRANCE DETAILS ARE SUBJECT TO THE APPROVAL OF THE URBAN COUNTY TRAFFIC ENGINEER.
 - SOIL EROSION CONTROL AND WATER QUALITY SHALL COMPLY WITH THE LFUCG STORMWATER MANUAL.
 - LOCATION OF ANY FIRE HYDRANTS, FIRE DEPARTMENT CONNECTIONS, FIRE SERVICE FEATURES SHALL BE APPROVED BY THE DIVISION OF FIRE-WATER CONTROL OFFICE.

TREE PRESERVATION
 LANDSCAPE IMPROVEMENTS AND SCREENING SHALL CONFORM TO ARTICLE 18 OF THE URBAN COUNTY ZONING REGULATIONS.
 STREET TREES SHALL BE IN CONFORMANCE WITH ARTICLE 5-10 OF THE SUBDIVISION REGULATIONS. ALL OTHER REQUIRED TREES SHALL CONFORM WITH THE LFUCG PLANTING MANUAL. ALL TREES SHALL BE PLANTED A MINIMUM OF 10 FEET FROM THE BUILDINGS. BEFORE PLANTING TREES WITHIN UTILITY EASEMENTS, FIRST CALL KENTUCKY UNDERGROUND "CALL BEFORE YOU DIG" 1-800-752-6007.

TREE CANOPY STATISTICS
 TOTAL AREA: 3.97 ACRES (172,768 S.F.)
 REQUIRED CANOPY COVERAGE: 10% (17,277 S.F.)
 EXISTING CANOPY COVERAGE: 5% (9,100 S.F.)
 ADDITIONAL TREES REQUIRED: 11 LARGE TREES

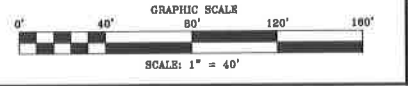
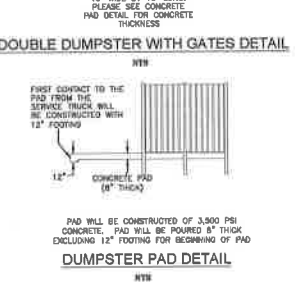
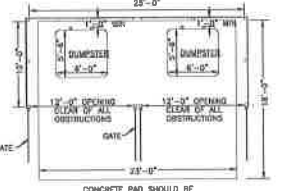
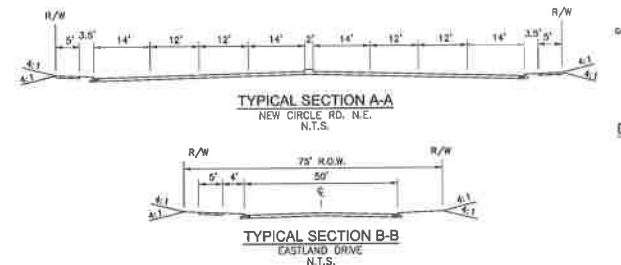
SOIL TYPE:
 MAURY (MB) SILT LOAM, RUSSELLVILLE, (RUB) AND (RUCS).
 SEE PAYETTE COUNTY SOIL SURVEY MAP 26.



SITE STATISTICS

EXISTING ZONE:	B-3
PROPOSED ZONE:	B-4
AREA:	3.97 AC (172,768 S.F.)
BLDG. COVERAGE:	45,850 S.F. (27%)
FLOOR AREA:	45,850 S.F.
VJA:	79,801 S.F.
REQ. INT. LANDSCAPING:	3,980 S.F.
EX. INT. LANDSCAPING:	6,019 S.F.
REQ. TREES:	16
EX. TREES:	15
PROP. TREES:	11
REQ. PARKING:	77 SPACES
EXISTING PARKING:	182 SPACES

1. REQ. INT. LANDSCAPING 5% OF VJA
 2. REQ. TREES 1 TREE PER 250 S.F. OF REQ. INT. LANDSCAPING
 3. REQ. PARKING 1 SPACE/600 S.F.
 4. SEE TREE CANOPY STATISTICS



VISION ENGINEERING
 Water Resources, Civil Engineering, Construction, Land Use/Planning, Surveying, and Environmental Services
 1218 N. Kentucky Road, Suite 105, Lexington, KY 40517
 Phone: (606) 255-8817 Fax: (606) 255-8905
 www.visionengr.com

OWNER/DEVELOPER:
 CAR REAL ESTATE HOLDINGS LLC
 CHARLESTON, WV 25303

EASTLAND SUBDIVISION
EASTLAND BOWLING LANES PROPERTY
 750 EAST NEW CIRCLE ROAD
 LEXINGTON, KY 40505
PRELIMINARY/FINAL DEVELOPMENT PLAN

DATE: MARCH 1, 2021

PRELIMINARY/FINAL DEVELOPMENT PLAN
PDP/FDP

(B-4) zone
 Acreage: 1.56 net (1.86 gross) acres
 Location: 750 E New Circle Road

EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	B-3	Vacant Bowling Alley
To North	B-4 / B-3	Lumber Yard / Auto Sales
To East	B-3	Auto Sales / Fueling Station
To South	B-1 / B-3	Retail
To West	B-4 / B-3	Vet Clinic / Retail / Shops of Specialty Trade



URBAN SERVICE REPORT

Roads - The subject property is located near the intersection of Eastland Drive and E New Circle Road (KY 4). Eastland Drive is a collector roadway that connects E New Circle Road with E Loudon Avenue. E New Circle Road is a major arterial with five travel lanes and three turn lanes at its intersection with Eastland Drive in the vicinity of the subject property. Access to the subject property is located from both Eastland Drive and E New Circle Road.

Curb/Gutter/Sidewalks - In this area, both E New Circle Road and Eastland Drive have curb, gutter, and sidewalks.

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, and there are no known flooding issues in the immediate area. Storm sewers have been constructed along Eastland Drive.

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) occupancy of the structure.

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 1/2 mile west of the subject property on Industry Road.

Fire/Ambulance - The subject property is served by Fire Station #2, located across Eastland Drive from the subject property, at its intersection with Murray Drive.

Transit - LexTran transit route service is available along E New Circle Road and Eastland Drive via the Northside Connector Route (#17) and the Night Eastland Route (#59). The current transit stop does not include a seating or shelter.

Parks - There is one public park within close proximity of the development. Eastland Park is located just over 1/2 mile east of the subject property, located along Cantrill Drive.

retail will provide a built-in customer base, create a more desirable retail experience, and allow a greater return on investment for landholders. Additional focus is on increasing the viability of enhanced mass transit, thereby reducing the reliance on single-occupancy vehicles and improving Lexington's overall transportation efficiency.

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

B-4

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 (1) 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 proposing to adaptively reuse the existing vacant bowling alley as a climate-controlled self-storage warehousing facility, with an associated administrative office and storage retail.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant has not completed any public engagement for this project.

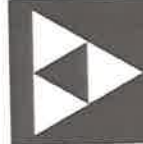
PROPERTY & ZONING HISTORY



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 and the associated structure were operated as the Eastland Lanes bowling alley, from 1959 to 2017. Following closing and due to high cost to renovate the structure for continued use as a bowling alley, the structure has remained vacant. A portion of the front of the property along E New Circle Road has been utilized as a vehicle sales establishment.

COMPREHENSIVE PLAN COMPLIANCE



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 opines that their proposed rezoning is in agreement with several goals, objectives, and policies of the 2018 Comprehensive Plan. In the following section, the staff describes some of the elements that are in agreement with the Comprehensive Plan and some areas that necessitate greater discussion.

GOALS, OBJECTIVES, & POLICIES

The applicant opines that they are in agreement with the adopted Goals and Objectives of the 2018 Comprehensive Plan. They indicate that the proposed rezoning will grow successful neighborhoods (Theme A, Goal #2.a) by reusing a vacant bowling alley for a new purpose as a climate-controlled self-storage facility without expanding the building's envelope or proposing modifications to the parking area.

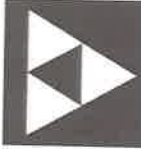
The applicant further stresses the continuity between the current zoning and the proposed Wholesale and Warehouse Business (B-4) zone with those properties in the immediate vicinity. The applicant indicates that the area is characterized by commercial non-retail uses, including: warehouses, trade shops, auto mobile dealerships, an animal clinic (with overnight boarding), a gas station, a lumber yard, and vehicle repair shops. While the applicant makes a compelling case as to the appropriateness of the both the B-3 and B-4 zones here, their justification for agreement with Theme A, Goal #2.b (Respect the context & design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form) fails to mention reference to design or the urban form beyond the fact that the building is already present.

Next the applicant indicates that the through the reuse of the existing building, they are able to reduce Lexington's carbon footprint and provide sustainability for Lexington (Theme B, Goal #2). Staff agrees with the applicant's justification as the greenest building is often the building that is already in place. Should the applicant seek to build new structures on the property in the future, they should seek to include green principles that would allow for the continued sustainability of the site.

While not mentioned by the applicant, the proposed rezoning assists in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater intensity and flexibility of commercial use on the subject property.

The staff agrees that these aspects of the applicant's proposal and that these Goals and Objectives of the 2018 Comprehensive can be met with the proposed development.

The applicant also suggests that they will be supporting and showcasing local assets to further the creation of a variety of jobs (Theme C, Goal #1) by strengthening efforts to develop a variety of job opportunities that lead to prosperity for all (Theme C, Goal #1.a). The applicant states that while self-storage facilities are not high job generators, no jobs have been generated from this site since prior to 2017. Furthermore, the applicant suggests that a high school diploma or equivalent is necessary for jobs at self-storage facilities, which will allow for the job opportunities for those with less education, "allowing upward mobility for lower



income residents" (Theme C, Diversity Policy #2). Theme C, Diversity Policy #2 specifically calls for the movement from existing lower-paying positions to those that would allow an individual in Lexington to grow and prosper. The applicant's suggestion that the jobs produced by this development will allow for upward mobility for lower income residents requires the staff to inquire how such mobility would be achieved with the proposed use and the operator. Is the applicant seeking to provide a living wage with this development? Are they providing opportunities for employees that would allow them to gain greater experience or education?

Due to the remaining questions regarding employment, staff cannot find evidence to support a finding of agreement with Theme C of the Comprehensive Plan for the proposed use of the subject property.

CRITERIA

The development 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 development criteria 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 create a Medium Density Non-Residential / Mixed Use Development Type. Within this Place-Type and Development Type, the Comprehensive Plan states that special care should be taken to include community-serving commercial uses, services, places of employment, and/or a mix of uses within mid-rise structures with a higher Floor Area Ratio. Within this Place-Type and Development Type the Wholesale and Warehouse Business (B-4) zone is not a recommended zone. This necessitates that the applicant demonstrate how the proposed zone is appropriate for this location and meets the goals of the Place-Type and Development Type.

Within their letter of justification, the applicant stresses the continuity between the proposed B-4 zone with those properties in the immediate vicinity. This continuity and the reuse of the subject property allows for a service to be provided in the area. It is of note, that there is a 100,000 square feet climate-controlled self-storage business that is in the process of being constructed less than ¼ mile east of the subject property. Despite access to a similar service in the area, the applicant indicates that there is continued need for more self-storage in the area and that they will provide such a service. However, the applicant's justification is focused on the reuse of the current structure and the potential future use of the parking lot located in front of the structure. The associated development plan shows little modification of the site. If the front portion of the site is to be developed, that portion should be restricted to allow for compliance with the applicant's justification, which stresses the creation of a well-designed neighborhood, the reduction of Lexington's carbon footprint, and the creation of jobs, which allow upward mobility for lower income residents. Staff concurs with the applicant's assessment of the Place-Type and agrees that medium density non-residential / mixed use development can be appropriate for the subject property within a restricted Wholesale and Warehouse Business (B-4) zone.

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.

1. Site Design, Building Form and Location

Despite compliance with some of the criteria for Site Design, Building Form and Location, there were several criteria that necessitated added discussion and warranted a staff response.

A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.

While the proposed development is reusing the established structure, the need for connectivity to all frontages is necessary. Currently, safe pedestrian connectivity is only available to existing sidewalks on Eastland Drive. Should this application retain access to E New Circle Road, pedestrian facilities should be provided, so that employees or users of the service are able to access the structure safely.

A-DS7-1 Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.

While the current development plan is not depicting new construction on site, any future development



should front along Eastland Drive. The orientation of future development can produce a more walkable commercial area, while also alleviating the visual impact of parking along Lexington's corridors.

B-SU11-1 Green infrastructure should be implemented in new development.

The applicant has indicated that the proposed development is not new, suggesting that new infrastructure would not be warranted. Should the site be further developed, the inclusion of green infrastructure should be utilized, if possible.

C-PS10-3 Over-parking of new developments should be avoided. (B-SU5).

As new infill development occurs on this site, the large quantity of parking should be reduced and replaced with compatible uses that increases the floor area ratio (FAR) on the site.

D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.

The applicant indicated that they intended to identify the stakeholders and to consult with those individuals or businesses who were interested, but no additional information has been provided since the application submittal. The applicant should provided details as to how this was completed.

E-GR4-1 Developments should incorporate reuse of viable existing structures.

The applicant has both written about this criteria within their letter of justification and depicted this criteria on the associated development plan. The areas depicted on the development plan include the parking lot. Parking areas are not structures, therefore the use of this criterion in areas beyond the existing structure is applied incorrectly.

2. Transportation and Pedestrian

Despite compliance with some of the criteria for Transportation and Pedestrian, there is still an area of concern. The applicant should expand upon the following development criterion and staff comments.

A-DS1-2 Direct pedestrian linkages to transit should be provided.

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

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

The applicant should work with the Division of Traffic Engineering and the Division of Planning to review the proposed plan and provide safe pedestrian walkways that link to transit stops.

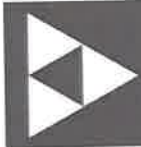
3. Greenspace and Environmental Health

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 adds both street trees and internal tree canopy coverage.

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.

The applicant has indicated that they are improving tree canopy on site. Staff would like the applicant to indicate where the new trees are being planted, which increase the tree canopy. To meet these criteria, the applicant should explore areas where new trees can be planted.



CONDITIONAL ZONING RESTRICTIONS

The staff finds that a restricted rezoning is in agreement with the Comprehensive Plan. It is important to recognize the situation of the site along one of Lexington's major corridors. The Comprehensive Plan specifically calls for the enhancement of our corridors, as well as limiting the negative visual impact of uses on Lexington's corridors. The staff is recommending use restrictions for the subject property, to prohibit outdoor storage of vehicles, supplies or materials, and no direct access to the outdoors from individual storage units.



Additionally, the following uses will be prohibited: ice plants, parking lots and structures as a principal use, truck terminals and freight yards, pawnshops, and the mining of non-metallic minerals.

As the subject property is within an area that includes multiple establishments and lots for the display, rental, sale and repair of farm equipment, contractor equipment, automobiles, trucks, mobile homes, recreational vehicles, motorcycles or boats or supplies for such items, the limiting of such a use would be inappropriate.

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



1. A restricted 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 will grow successful neighborhoods (Theme A, Goal #2.a) by reusing a vacant bowling alley for a new purpose as a climate-controlled self-storage facility without expanding the building's envelope or proposing modifications to the parking area.
 - b. The proposed development will reduce Lexington's carbon footprint and provide sustainability for Lexington (Theme B, Goal #2) by reusing the established structure for the shift in use.
 - c. The proposed rezoning will also assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater intensity and flexibility of commercial use on the subject property.
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 commercial development that is within an area with multi-modal connections and allows for cross access between businesses.
 - b. The proposed rezoning includes safe facilities for the potential users, by having safe pedestrian facilities to Eastland Drive. This access addresses 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 maintains the current landscaping, reuses an established structure, and limits the impacts on the surrounding environment.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use and buffering restrictions are recommended via conditional zoning:
 - a. The following uses shall be prohibited:
 1. Ice plants
 2. Parking lots and structures as a principal use
 3. Truck terminals and freight yards
 4. Pawnshops
 5. Mining of non-metallic minerals
 - b. Any self-storage facility on the premises shall have no outdoor storage of vehicles, supplies or materials, and shall not have direct access to the outdoors from individual storage units.

These restrictions are appropriate and necessary for the following reasons:

1. To reduce the visual impact of wholesale and warehouse uses on the E New Circle Road corridor.
4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00010: Eastland Subdivision, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

HBB/TLW
3/26/2021

Planning Services/Staff Reports/MAR/2021/PLN-MAR-21-00002 CAR REAL ESTATE HOLDINGS, LLC.pdf

1. CAR REAL ESTATE HOLDINGS, LLC ZONING MAP AMENDMENT & EASTLAND SUBDIVISION ZONING DEVELOPMENT PLAN

- a. PLN-MAR-21-00002: CAR REAL ESTATE HOLDINGS, LLC (5/30/21)*- 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 3.97 net (4.11 gross) acres, for property located at 750 E New Circle Road.

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 the property located at 750 E New Circle Road. The zone change application is seeking to allow for the reuse of a vacant bowling alley as a climate controlled self-storage warehouse facility.

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

The Staff Recommends: Approval, for the following reasons:

1. A restricted 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 will grow successful neighborhoods (Theme A, Goal #2.a) by reusing a vacant bowling alley for a new purpose as a climate-controlled self-storage facility without expanding the building's envelope or proposing modifications to the parking area.
 - b. The proposed development will reduce Lexington's carbon footprint and provide sustainability for Lexington (Theme B, Goal #2) by reusing the established structure for the shift in use.
 - c. The proposed rezoning will also assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater intensity and flexibility of commercial use on the subject property.
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 commercial development that is within an area with multi-modal connections and allows for cross access between businesses.
 - b. The proposed rezoning includes safe facilities for the potential users, by having safe pedestrian facilities to Eastland Drive. This access addresses 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 maintains the current landscaping, reuses an established structure, and limits the impacts on the surrounding environment.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use and buffering restrictions are recommended via conditional zoning:
 - a. The following uses shall be prohibited:
 1. Ice plants
 2. Parking lots and structures as a principal use
 3. Truck terminals and freight yards
 4. Pawnshops
 5. Mining of non-metallic minerals
 - b. Any self-storage facility on the premises shall have no outdoor storage of vehicles, supplies or materials, and shall not have direct access to the outdoors from individual storage units.

These restrictions are appropriate and necessary for the following reasons:

1. To reduce the visual impact of wholesale and warehouse uses on the E New Circle Road corridor.
4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00010: Eastland Subdivision, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

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

- b. PLN-MJDP-21-00010: EASTLAND SUBDIVISION (5/30/21)* - located at 750 E. NEW CIRCLE RD., LEXINGTON, KY.
Project Contact: Vision Engineering

Note: The purpose of this amendment is to rezone the property to B-4.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Provided the Urban County Council rezones the property to the B-4 zone; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
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. Dimension sidewalks.
6. Denote height of building.
7. Denote the proposed use of the structure.
8. Addition of access easement note per final record plat (R-162).
9. Discuss Placebuilder criteria.

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 that the application was submitted under the Corridor Place Type and a Medium-Density Non-Residential / Mixed-Use Development type of the 2018 Comprehensive Plan. The applicant proposes to adaptively reuse the existing vacant bowling alley as a climate-controlled self-storage warehousing facility, with an associated administrative office and storage retail. He said that the subject property is surrounded by various zones, including the Neighborhood Business (B-1), Highway Service Business (B-3), Wholesale and Warehouse Business (B-4), and Commercial Center (B-6P) zones. The property to the north and the west are primarily warehousing and shops of specialty trade; along New Circle Road is retail or commercial, and a small area of residential along Eastland Parkway. He added that the character of the neighborhood is focused on the transition from the retail and Highway Service Business to the warehousing and small production shops.

Mr. Baillie said that this proposed rezoning is in agreement with the 2018 Comprehensive Plan and that the staff is recommending approval, with conditional zoning restrictions.

Development Plan Presentation – Ms. Gallt presented the preliminary development plan associated with this zone change. She said that the applicant submitted a revised development plan and indicated that revised conditions were distributed to the Planning Commission, as follows:

1. Provided the Urban County Council rezones the property to B-4 zone; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
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. Dimension sidewalks.~~
- ~~6. Denote height of building.~~
- ~~7. Denote the proposed use of the structure.~~
- ~~8. Addition of access easement note per final record plat (R-162).~~
- ~~9. Discuss Placebuilder criteria.~~

Ms. Gallt said that in regards to the new condition #5, it could be removed since the applicant added a pedestrian connection into the building off of New Circle Road, which was one of the Placebuilder criteria that had not been addressed. She said that a new condition should be added, to state "Add conditional zoning restrictions as approved with the zone change."

Applicant Presentation – Mr. Branden Gross, attorney representing the applicant, said that he is agreement with the staff's recommendations and is available for any questions.

Citizen Comment – There were no citizens present to speak to this application.

Zoning Action – A motion was made by Ms. Plumlee, seconded by Mr. Wilson, and carried 10-0 (Meyer absent) to approve PLN-MAR-21-00002: CAR REAL ESTATE HOLDINGS, LLC, for the reasons provided by the staff, including the conditional zoning restrictions.

Development Plan Action – A motion was made by Ms. Plumlee, seconded by Mr. Wilson, and carried 10-0 (Meyer absent) to approve PLN-MJDP-21-00010: EASTLAND SUBDIVISION, as presented by the staff, as follows:

1. Provided the Urban County Council rezones the property to B-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.

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

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. Discuss Placebuilder criteria.~~
5. Add conditional zoning restrictions as approved with the zone change.