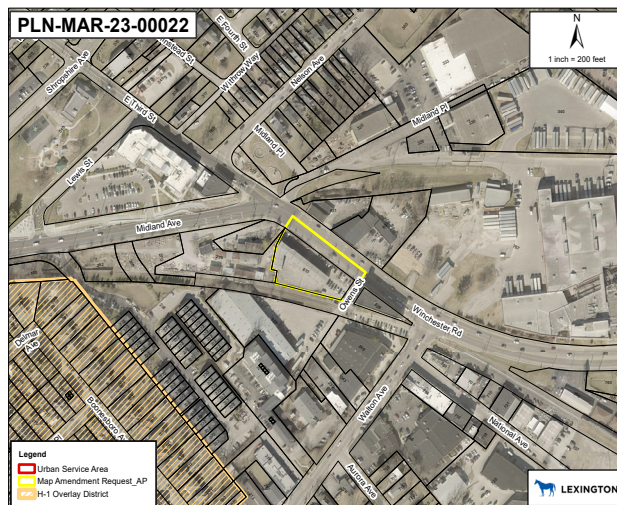


# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-23-00022: UCD MIDLAND, LLC

## DESCRIPTION OF ZONE CHANGE

Zone	From a Light Industrial (I-1) zone
Change:	To a Downtown Frame Business (B-2A) zone
Acreage:	0.82 net (1.15 gross) acres
Location:	610 Winchester Road



## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	I-1	Storage/Warehouse
To North	B-1 / I-1	Mixed Use / Park
To East	I-1	Storage / Parking
To South	I-1	Storage / Residential
To West	B-2A	Residential

## URBAN SERVICE REPORT

**Roads** - The subject property has frontage Winchester Road (US 60) and Owens Street. Midland Avenue/Winchester Road (US 60) is a four-lane, major arterial roadway into downtown from the east. It handles more than 18,500 vehicle trips per day near its intersection with E. Third Street. Owens Street is a short local street that stubs into the neighboring properties southeast of the site.

**Curb/Gutter/Sidewalks** - Curb, gutter and sidewalks exist along Midland Avenue and Winchester Road (US 60). However, with the proposed redevelopment, typical street cross-section improvements will be required to be constructed by the developer. There is a public project, under review at the intersection of Midland Avenue and E. Third Street to provide a connection into downtown at the Isaac Murphy Garden via new shared use trail (Liberty Trail). Sidewalk facilities, curb, and gutter are not present on Owens Street.

**Storm Sewers** - The subject property is located within the Town Branch watershed. Stormwater improvements, such as detention basins, do not exist on the subject property; however, storm sewer lines do exist within the right-of-way of Midland Avenue and Winchester Road. Although historically no detention basins existed to serve the area, on-site stormwater quantity and quality may need to be addressed by the developer in order to comply with the Division of Engineering Stormwater Manuals. For mixed-use developments, underground storage basins are often constructed.

**Sanitary Sewers** - The subject property is located within the Town Branch sewershed. The property is served by the Town Branch Waste Water Treatment Facility, located on Lisle Industrial Avenue, inside New Circle Road, and west of Leestown Road. Since the use of the site is proposed for a major redevelopment, the petitioner will need to secure Capacity Assurance Program approval prior to the final development plan being certified.

**Refuse** - The Urban County Government serves this area with refuse collection on Tuesdays. Supplemental service may be required to serve the needs of the proposed mixed-use development. This can be accomplished by contracting with private refuse collectors, if desired.

**Police** - The Police Headquarters, located on E. Main Street, is located approximately ¾ mile to the northwest of the site. The property is located within the Central Sector and is served by the Central Sector Roll Call Center located approximately 1½ miles to the northeast of the property.

**Fire/Ambulance** - The closest station is Fire Station #1 and Headquarters, located on E. Third Street, between Elm Tree Lane and N. Martin Luther King Boulevard, located approximately one-half mile northwest of the subject properties.

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

**Transit** - This area is served by the Leestown Road Route (#10), with outbound service present on Midland Avenue approximately 300 feet west of the subject property.

**Parks** - The subject property is a walkable distance to multiple downtown parks. Both Isaac Murphy Art Garden and the Charles Young Park are located across Midland Ave. / Winchester Road from the subject property, and Thoroughbred Park and Northeastern Park are located approximately ½ mile west of the site.

## SUMMARY OF REQUEST

The applicant is seeking a zone change from the Light Industrial (I-1) zone to the Downtown Frame Business (B-2A) zone in order to expand a planned mixed-use residential and commercial development.

## PLACE-TYPE

**DOWNTOWN** Downtown is the urban epicenter of commerce and entertainment. The core should be anchored by high-rise structures with ground-level pedestrian engagement opportunities surrounded by mid-rise buildings increasingly offering dense residential uses. Lexington’s Downtown should continue to be notable for its mix of uses and variety of transportation options. Parking should be addressed as a shared urban core asset, eliminating dedicated surface parking lots in favor of structures.

## DEVELOPMENT TYPE

**HIGH DENSITY NON-RESIDENTIAL / MIXED-USE**  
Primary Land Use, Building Form, & Design  
Primarily regional-serving commercial uses, services, places of employment, and/or a mix of uses within high-rise structures with a high Floor Area Ratio. Mixed-use structures typically include an abundance of multi-family residential units, places of employment, and entertainment options, and the retail and commercial options generally draw from a regional geographic area. Screening and buffers should be provided to adjoining lower-density residential developments, however those adjoining neighborhoods should retain convenient access to the development.  
Transit Infrastructure & Connectivity  
These developments are generally located along higher intensity roadways. Mass transit infrastructure, on par with that of other modes, should be provided, and bicycle and pedestrian connections to adjoining developments are required. Internal multi-modal connectivity throughout the development is critical.  
Parking  
Parking is generally provided in structures with activated ground levels.

## PROPOSED ZONING



The intent of this zone is to accommodate existing and proposed development in the transitional “frame,” which surrounds the downtown core area, by providing for comparable and compatible uses while anticipating the future expansion of the downtown core area. Development within this zone should coordinate with adopted plans and studies, including corridor studies and streetscape plans. This zone should be located and developed within the Downtown Place-Type and should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

## PROPOSED USE



The petitioner is proposing the Downtown Frame Business (B-2A) zone in order to expand a planned mixed-use residential and commercial development at 604 Winchester Road. The applicant’s overall proposal includes the construction of two five-story multi-family residential structures. This request will increase the total number of units in the development from 182 to 266 dwelling units, for a residential density of 70 units per acre. The applicant proposes approximately 2,000 square feet of commercial space, located on the first floor. The associated parking will be located on the first floor of the structures, with surface parking along the rear of the property. The applicant is proposing an activated corner that will incorporate a future shared use trail improvement called the Liberty Trail.

## APPLICANT & COMMUNITY ENGAGEMENT



The applicant met with stakeholders within the Mentelle, and William Wells Brown Neighborhood Associations. Staff was present at these meetings to address questions about the zone change process. Within those meetings, concerns were voiced regarding traffic and the safety of the surrounding roadways. The applicant also reached out to the Bell Court Neighborhood Association, as well as the The Midlands Home Owners Association, but have not met with them at this time.

## PROPERTY & ZONING HISTORY



The subject property has been zoned Light Industrial (I-1) since before the comprehensive rezoning of the City and County in 1969. The subject property contains a 7,350 square foot industrial warehouse, and has most recently been utilized as storage and parking area. The adjoining property to the west, 604 Winchester Road, was rezoned by the applicant to the Downtown Frame Business (B-2A) zone in 2023, with the intent of establishing a mixed use development. It is the applicant's intent to rezone the subject property, and combine both parcels into a single development.

## COMPREHENSIVE PLAN COMPLIANCE



The 2045 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

### GOALS, OBJECTIVES, & POLICIES

The applicant opines that they are in agreement with the adopted Goals and Objectives of the 2045 Comprehensive Plan. The applicant indicates that the proposed project will encourage expanded housing choices (Theme A, Goal #1), prioritizing higher density housing by adding 80 additional residential dwelling units over the 166 units approved under the previous development (Theme A, Goal #1.b). Additionally, the applicant opines that their proposal supports infill and redevelopment by redeveloping an area that has been industrial historically, but is now more appropriate for residential or mixed-use projects (Theme A, Goal #2.a; Theme E, Goals #1.c, 1.d). The applicant states that through the inclusion of bike infrastructure, integrating into the current and proposed trail network, and enhancing the transit stop along the frontage of the property, they will prioritize multi-modal options to de-emphasize single occupancy vehicle dependence (Theme B, Goal #2.d). They will also support the Complete Streets concept, prioritizing a pedestrian first design that also accommodates the needs of bicycle, mass transit, and other vehicles (Theme D, Goal 1.a). The staff agrees with these aspects of the applicant's proposal and that these Goals and Objectives of the 2045 Comprehensive can be met with the proposed development.

Additionally, the applicant has identified several policies listed within the 2045 Comprehensive Plan that are being met with this request. The applicant states that the proposal creates a people first design by providing expanded multi-modal connections and infrastructure (Theme A, Design Policy #1). The applicant has provided renderings and other information that show the architectural, site design, and environmental elements of the site are in conformance with the Multi-Family Design Standards (Theme A, Design Policy #3). The proposal maintains an engaging streetscape by activating the on-site structured parking using landscaping and wall openings, and locates the remaining parking spaces to the rear of the property, where it is screened from view (Theme A, Design Policy #7). Finally, the applicant states that by locating this project on Midland Avenue and Winchester Road, the project is in agreement with Comprehensive Plan policies that call for concentrating higher density development along higher capacity roadways (Theme A, Density Policy #1).

### PLACE TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject properties. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2045 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The Downtown Place-Type is the urban epicenter of commerce and entertainment. The core should be anchored by high-rise structures with activated ground-levels. They are surrounded by mid-rise buildings



that increasingly offer dense residential uses. A mix of uses and variety of transportation options should be prioritized, and parking should be addressed as a shared urban core asset. The High Density Non-Residential / Mixed-Use Development Type regional-serving commercial uses, services, places of employment, and/or a mix of uses within high-rise structures with a high Floor Area Ratio. These developments are intended to utilize mixed-use structures, typically to include an abundance of multi-family residential units, places of employment, and entertainment options, and the retail and commercial options generally draw from a regional geographic area. The staff agrees that the subject properties are located within the Downtown area and that the proposed development would provide a higher density residential development with a small commercial component, which is in line with the High Density Non-Residential/Mixed Use Development Type. The Downtown Frame Business (B-2A) zone is recommended within the Downtown Place-Type and the High Density Non-Residential / Mixed-Use Development Type.

### **DEVELOPMENT 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 2045 Comprehensive Plan. The development 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.

#### 1. Land Use

Staff finds that this request meets the Development Criteria for Land Use. The applicant's proposal creates new walkable neighborhood serving commercial opportunities (A-DN3-1), increases density (A-DN2-1; D-CO3-1), and provides for a mixing of uses (C-LI4-1).

#### 2. Transportation and Pedestrian

Staff finds that this request meets the majority of the Development Criteria for Transportation and Pedestrian Connectivity. The proposed development provides increased access to planned multi-modal trail systems, incorporates direct pedestrian linkages to the nearby transit stop (A-DS1-2), provides safe multi-modal connections to the surrounding development (A-DS4-1), and creates a walkable street with the use of trees and structures to incorporate vertical elements(A-DS5-2).

#### 3. Environmental Sustainability and Resiliency

The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as it will significantly increase the amount of green open space, and reduce the overall amount of impervious surface on-site (B-SU4-1). Additionally, the proposed development will add canopy coverage along the Midland Avenue and Winchester Road frontages(B-RE1-1).

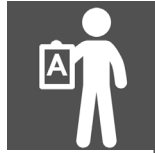
#### 4. Site Design

Staff finds that this request meets the requirements for Site Design, as the proposed development reinforces the streetscape along two arterial roadways(A-DS5-4), provides for additional interior programmable open space for the development (A-DS9-1; D-PL10-1) and provides for significant multi-modal improvements along Winchester Road (C-LI8-1).

#### 5. Building Form

The request meets the criteria for Building Form, as the proposal is in agreement with the Multi-Family Design Standards (A-DS3-1), is at an appropriate scale for development along a major corridor (A-DS4-2), and uses a trail, open space, landscaping and articulation in order to activate the road frontage (A-DS5-3).

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



1. The requested Downtown Frame Business (B-2A) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed project will encourage expanded housing choices (Theme A, Goal #1), prioritizing higher density housing by adding 80 additional residential dwelling units (Theme A, Goal #1.a).
  - b. The proposed rezoning supports infill and redevelopment by infilling an industrial area that is now more appropriate for residential or mixed-use projects (Theme A, Goal #2.a; Theme E, Goals #1.c, 1.d).
  - c. The proposed project will prioritize multi-modal options to de-emphasize single occupancy vehicle dependence (Theme B, Goal #2.d), and support the Complete Streets concept, prioritizing a pedestrian first design that also accommodates the needs of bicycle, mass transit, and other vehicles (Theme D, Goal 1.a).
2. The requested Downtown Frame Business (B-2A) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
  - a. The proposed rezoning creates a people first design by providing expanded multi-modal connections and infrastructure (Theme A, Design Policy #1). T
  - b. The proposal is in conformance with the Multi-Family Design Standards (Theme A, Design Policy #3).
  - c. The proposal activates the on-site structured parking using landscaping and wall openings, and locates the remaining lots to the rear of the property, where it is screened from view (Theme A, Design Policy #7).
  - d. The proposal concentrating higher density development along higher capacity roadways (Theme A, Density Policy #1).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
  - a. The proposed rezoning meets the recommendations for Land Use, as the applicant's proposal creates new walkable neighborhood serving commercial opportunities (A-DN3-1), increases density (A-DN2-1; D-CO3-1), and provides for a mixing of uses (C-LI4-1).
  - a. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as it provides increased access to planned multi-modal trail systems, incorporates direct pedestrian linkages to the nearby transit stop (A-DS1-2), provides safe multi-modal connections to the surrounding development (A-DS4-1), and creates a walkable street with the use of trees and structures to incorporate vertical elements (A-DS5-2).
  - b. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as it will significantly increase the amount of green open space, and reduce the overall amount of impervious surface on-site (B-SU4-1). Additionally, the proposed development will add canopy coverage along the Midland Avenue and Winchester Road frontages (B-RE1-1).
  - c. The request meets the requirements for Site Design, Staff finds that this request meets the requirements for Site Design, as the proposed development reinforces the streetscape along two arterial roadways(A-DS5-4), provides for additional interior programmable open space for the development (A-DS9-1; D-PL10-1) and provides for significant multi-modal improvements along Winchester Road (C-LI8-1).
  - d. The request meets the criteria for Building Form, as the proposal is in agreement with the Multi-Family Design Standards (A-DS3-1), is at an appropriate scale for development along a major corridor (A-DS4-2), and uses a trail, open space, landscaping and articulation in order to activate the road frontage (A-DS5-3).
4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00005 Arthur E Abshire Property (Lexington Cut Stone & Marble Tile Co)(UCD Midland) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.