

ORDINANCE NO. 33 - 2024

AN ORDINANCE CHANGING THE ZONE FROM A LIGHT INDUSTRIAL (I-1) ZONE TO A DOWNTOWN FRAME BUSINESS (B-2A) ZONE, FOR 1.15 NET (0.82 GROSS) ACRES, FOR PROPERTY LOCATED AT 610 WINCHESTER ROAD. (UCD MIDLAND, LLC; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on February 22, 2024, a petition for a zoning ordinance map amendment for property located at 610 Winchester Road, from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone, for 1.15 net (0.82 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 7-0; and

WHEREAS, the Urban County 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 610 Winchester Road, from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone, for 1.15 net (0.82 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

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

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

PASSED URBAN COUNTY COUNCIL: April 11, 2024



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: April 18, 2024-1t

0283-24:BGS:4895-7673-5405, v. 1

Rec'd by _____
Date: _____

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

IN RE: PLN- MAR-23-00022: UCD MIDLAND, LLC – a petition for a zone map amendment from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone, for 0.82 gross and 1.15 net acres for property located at 610 Winchester Road. (Council District 3)


Having considered the above matter on **February 22, 2024**, at a Public Hearing, and having voted **7-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The requested 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).
 - 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).
 - b. 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).
 - c. 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).

- d. 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).
 - e. 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.

ATTEST: This 8th day of March, 2024.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by May 22, 2024

Note: The corollary development plan, PLN-MJDP-24-00005: ARTHUR E. ABSHIRE PROPERTY (LEXINGTON CUT STONE & MARBLE TILE CO.) (AMD) was approved by the Planning Commission on February 22, 2024 and certified on March 7th, 2024.

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

OBJECTORS

- None.

OBJECTIONS

- None.

VOTES WERE AS FOLLOWS:

AYES:	(7)	Forester, Wilson, Barksdale, Meyer, Worth, J. Davis, and Z. Davis
NAYS:	(0)	
ABSENT:	(4)	Nicol, Owens, Pohl, and Michler
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-23-00022** carried.

Enclosures: Application
 Justification
 Legal Description
 Plat
 Development Snapshot
 Staff Reports
 Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION

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

Applicant: UCD MIDLAND, LLC 128 S HANOVER AVE, LEXINGTON, KY 40502
Owner(s): JAMES R WEILAND, LLC. 2043 MANOR DRIVE, LEXINGTON, KY 40502
Attorney: CHRIS CLENDENEN

2. ADDRESS OF APPLICANT'S PROPERTY

610 WINCHESTER ROAD, LEXINGTON, KY 40508
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3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
I-1	Industrial	B-2A	MIXED-USE DEVELOPMENT	0.82	1.15

4. COMPREHENSIVE PLAN

a. Utilizing Placebuilder, what Place-Type is proposed for the subject site?	DOWNTOWN
b. Utilizing Placebuilder, what Development Type is proposed for the subject site? If residential, provide the proposed density	HIGH 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:	PUBLIC
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

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Chris@MurphyCledenlen.com

RICHARD V. MURPHY

CHRISTOPHER M. CLENDENEN

Mr. Larry Forester, Chairman
Members of the LFUCG Planning Commission
200 E. Main Street
Lexington, KY 40507

December 29, 2023

Dear Mr. Chairman and Members:

Our firm represents the Applicant, UCD-Midland, LLC, in this matter before the Commission in which our client seeks a zone map amendment and approval of a preliminary development plan for a lot known and designated as 610 Winchester Road. As you may recall, the Applicant was previously before you in April of 2023 for PLN-MAR-23-0004 and PLN-MJDP-23-00015 in which you granted approval of a zone map amendment to B2-A and development plan for 262/266/270/276 Midland Avenue and 604 Winchester Road. The property is fronted by the intersection of Winchester Road and Midland Avenue before changing to Third Street. It currently contains a storage building and is under contract by the Applicant with the property owner.

UCD-Midland, LLC is requesting a zone change from the current zone of I-1 (Light Industrial) also to B-2A (Downtown Business Frame) for this lot which is contiguous with 604 Winchester Road and 276 Midland Avenue. The proposed development plan replaces the previously approved plan with additional land area (.8106 acres) and calls for an expansion of the previous multi family design from 182 to 266 units. The plan continues with the two-building design concept each with five floors and retail on the first floor of one of the buildings.

Description of Project:

The now six lot site is comprised of 3.67 acres along Winchester Road and Midland Avenue situated in the Midland Shoppes Area of Lexington. It is adjacent to the Lexington Design Center and is across from the DV8 Kitchen, near the Met Apartments, and the Issac Murphy Memorial Gardens. The zone change is requested to allow the construction of two apartment buildings designed to complement each other, share amenities, and create an estimated 266 residential dwelling units between the two buildings.

Goals and Objectives of the 2045 Comprehensive Plan:

The proposed zone change to B-2A agrees with the Goals and Objectives of the 2045 Comprehensive Plan. This application overwhelmingly meets the criteria of the Themes and Goals as follows:

Theme A Goal 1(b) Accommodate the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types.

This proposal prioritizes higher density by adding 266 additional residential units dwelling units.

Theme A Goal 2(a) Identify areas of opportunity for infill, redevelopment, adaptive reuse, and mixed-use development.

This proposal redevelops existing land inside the urban service boundary not currently used for housing and provides 266 additional residential dwelling units.

Theme A Goal 3(b) Strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation.

Situated along Midland Avenue and Winchester Road, this project provides a connection between with the Town Branch Commons Greenway for bikers and pedestrians from Midland Avenue to Vine Street, the Rupp and beyond.

Theme A Goal 3(d) Encourage the use of neighborhood enhancing elements, such as green infrastructure, street trees, neighborhood serving businesses, gathering spaces and other types of community focal points.

The project incorporates a common area for gathering and social interaction along the streetscape in front of the residential buildings providing a focal point for the neighborhood. Lower level of Building B will be used for commercial space providing neighborhood business.

Theme B Goal 2(d) Prioritize multi-modal options that de-emphasize single occupancy vehicle dependence.

This proposal includes 22 bicycle rack spaces, interconnections with the walking trail and the Lex Tran system to de-emphasize dependence on single occupancy automobile.

Theme B Goal 3(f) Promote, maintain, and expand the urban forest throughout Lexington.

The existing tree canopy consists of 13 trees on site. The proposed tree canopy would consist of 38 medium sized trees and 34 additional small trees. Going from 5193 square feet of coverage to 20,500 feet of tree coverage.

Theme D Goal 1(a) Implement the Complete Streets policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit, and other vehicles.

Situated along Midland Avenue and Winchester Road, the design incorporates an active streetscape with widened pedestrian walkways, common area gathering places, with connections via the Trail system to adjoining neighborhoods and area focal points.

Theme E Goal 1(e) Maximize development of vacant land and unimproved lots within the Urban Service Boundary and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features.

This project takes and repurposes, through adaptive reuse, land used for light industrial and commercial retail, for much needed housing instead. The design makes the most use of the land for housing at a high-density level, saving space, and decreasing the need to expand the urban service boundary.

Policies 2045 Comprehensive Plan:

Design Policy #1 Utilize a people first design, ensuring that roadways are moving people efficiently & providing equitable pedestrian infrastructure.

This project provides for a balanced approach to transportation with an emphasis on multi-modal forms of transportation. It does this by insuring placement of bicycle racks, sidewalk connectivity to trail system, enhancement of an existing public transit stop and adequate parking for single occupancy vehicles.

Design Policy #3 Multi Family Residential developments should comply with the Multi-Family Design Standards in Appendix A.

Coming in at over a total of 3 acres, this project conforms to the design standards for “medium sized sites” as it respects the surrounding scale and character of nearby developments such as The Met and The Midlands and provides for connectivity to streets, trailways, and streetscapes.

Design Policy #6 Adhere to the recommendations of the Lexington Area MPO Bike/Pedestrian Master Plan, adopted in 2018.

The project provides for connectivity with the trailway/greenspace system by establishing trail head connection on widened sidewalk in common area community space.

Density Policy #1 Locate high density area of development along higher capacity roadway (minor arterial, collector), major corridor & downtown to facilitate future transit enhancements.

The project is situated along Winchester Road and Midland Avenue and serves as a welcoming focal point of entry into the Downtown area.

Engagement:

For the original application, representatives of the applicant meet with members of the Beel Court Neighborhood Association, Mentelle Neighborhood Association, the William Wells Brown Neighborhood Association, and the Midlands Townhomes. The applicant either has requested or will request additional meetings with these groups to provide updates on the revised project.

Place Type/Development Type/Requested Zone Change:

The proposed development fits within the Downtown category and HNRMU (High Density Non-Residential Mixed Use) under the Placebuilder criteria of the Comprehensive Plan. Downtown is the most appropriate place type and HNRMU the most appropriate development type, because at its core, the project involves mid rise buildings offering dense residential uses and provides for a variety of transportation options. Further, the project prioritizes density, ground level pedestrian engagement, connection with trail heads, multi modal transportation options, and a welcoming transition to urban and historic neighborhoods. The Applicant seeks a zone change to B2-A, which is a recommended zone for this place type.

Development Criteria: Downtown/High Density Non-Residential Mixed Use.

The following are some of the criteria which are either not included in the development plan or warrant further discussion.

A-DN3-1 Pedestrian oriented commercial opportunities and other services should be incorporated within residential neighborhoods.

First commercial space incorporated into the design for building "B" as depicted on plan. Service/business available for both tenants and neighborhood residents.

C-L17-1 Developments should create mixed use neighborhoods with safe access to community facilities, greenspace, employment, business, shopping and entertainment.

This project incorporates high density multi-family housing with pedestrian friendly access to greenway/walking trail system, and retail. Includes safe access to downtown area employment, entertainment, dining, and greenspace.

D-CO3-1 Development should increase density and intensity adjacent next to transit.

This project has an existing Lex Tran stop within close proximity to the residential buildings. It will add 266 residential housing units where there are currently none.

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

Outreach has been conducted with area neighborhood associations during the original application process. Additional meetings are planned prior to the hearing date.

E-ST8-1 Development should be high density and contain a mixture of uses.

The project consists of two five story buildings with multi-family residential on five floors in building "A" and multi-family residential on four floors in building "B" with commercial retail on first floor of building "B."

A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along the transit routes.

The project calls for enhancement of existing transit stop along Midland Avenue.

A-DS4-1 A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.

The project provides for connectivity that links LexTran and the Town Branch Commons greenway/trail system and the Legacy Trail through its expanded sidewalks fronting the project along the arterial.

A-DS5-2 Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable landscape.

The project provides for two five story buildings that model the multi-family design standards as well as a number of planned street trees along the expanded sidewalk.

D-CO2-1 Development should create and/or expand a connected multimodal transportation network that satisfies all users' needs.

Bicycle racks, pedestrian walkway system, and integration with the existing transit stop along Midland Avenue expands transportation access beyond dependence on single occupancy vehicles.

B-RE1-1 Developments should improve the tree canopy.

The plan provides for an increase in the square footage of the tree canopy from the existing 5193 square feet to 20,500 square feet.

A-DS5-4 Development should provide a pedestrian-oriented and activated streetscape.

This plan provides for an open community space fronting the buildings with an active retail area. Enhanced sidewalks are designed to increase walkability within the neighborhood and provide connectivity with the trail/greenway system.

A-DS9-1 Development should provide active and engaging amenities within the neighborhood focused open spaces.

An open space area for community engagement is placed in front of retail commercial space in front of Building "B" to activate pedestrian streetscape.

A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix A.

The project conforms to the Multi-family Design standards contained in Appendix A including, but not limited to, local amenities, ground level entries, and multi-modal opportunities.

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

Enhanced pedestrian walkway, trail connectivity, with ground level activity are provided for in this project. Buildings are oriented along street corridors facilitating pedestrian activity.

D-PL2-1 Development should provide active first floor uses wherever adjacent to a street, pedestrian facility, or community focused open space.

A common area open space and commercial retail space is provided at ground level for this project.

No variances are requested by the Applicant at this time.

This proposal provides for essential residential multi-family housing opportunities for the community at a high level of density. It makes good use of the available space and more importantly makes valuable use of underutilized land situated within the urban service boundary. It supports and is designed in conformity with the PlaceBuilder and is in agreement with the Goals and Objectives of the 2045 Comprehensive Plan.

Respectfully submitted,



Christopher M. Clendenen

CMC/prb

Cc: to file/ A. Ganahl/ S. Shapiro/ S. Garland/ C. Johnson.

ZONE CHANGE DESCRIPTION

610 WINCHESTER ROAD

ZONE CHANGE FROM I-1 TO B-2A

LEXINGTON, FAYETTE COUNTY, KENTUCKY

BEGINNING at a point in the centerline of Winchester Road being the common corner of 276 Midland Avenue (UCD Midland, LLC, DB 4033, Pg 169) and 610 Winchester Road (James R. Wieland LLC, DB 3693 PG 678, Tract 5):

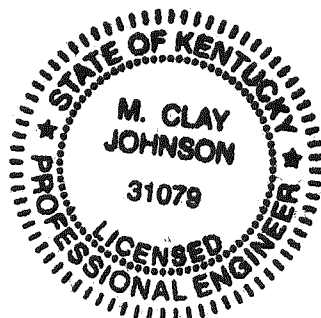
Thence with said Winchester Road, South 55°04'12" East, 313.57 feet to a point at a common corner with 628 Winchester Road (Flatirons, LLC, DB 3011, Pg 202, Parcels 1 & 2) in the Owens Street centerline;

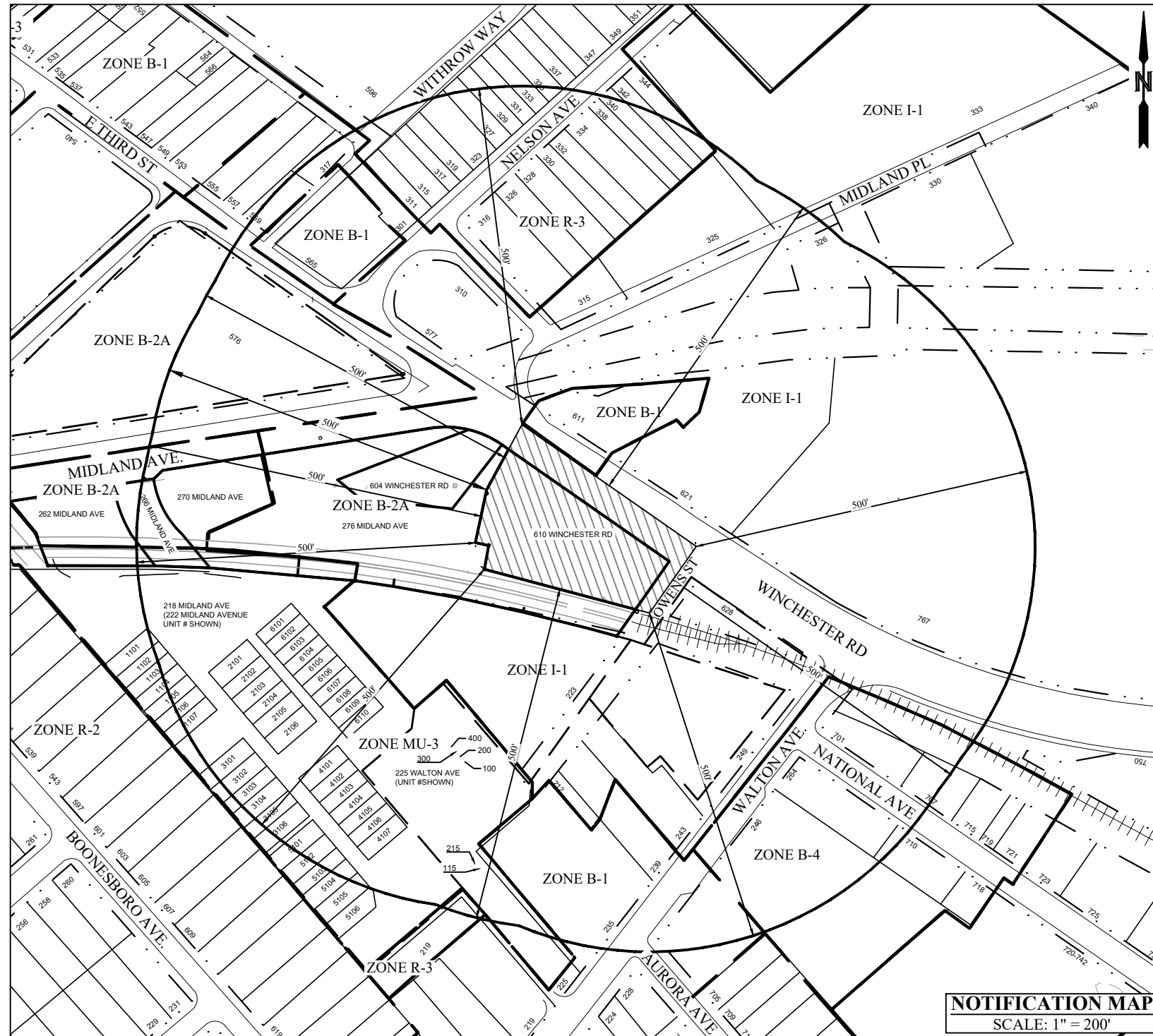
Leaving said Winchester Road and with said Owens Street, South 35°01'36" West, 120.15 feet to a point at a common corner with 270 Midland Avenue (UCD Midland, LLC, DB 4033, Pg 169);

Leaving said Owens Street and with said 270 Midland Avenue, North 75°08'05" West, 252.12 feet to a point in the line with said 276 Midland Avenue;

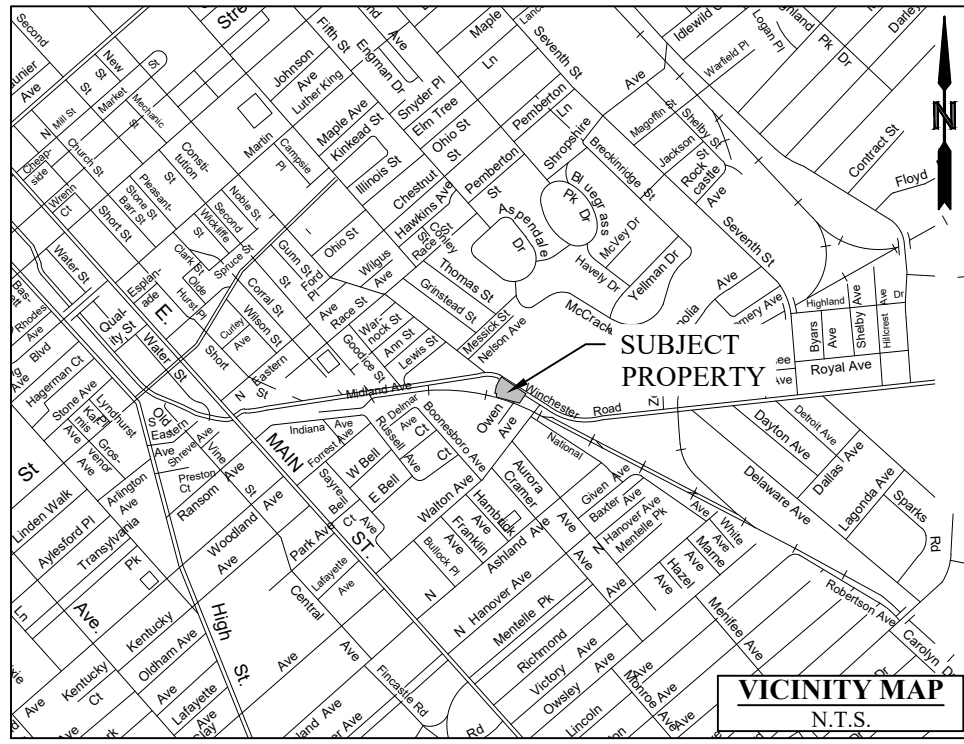
Thence leaving said 270 Midland Avenue and with said 276 Midland Avenue for four (4) lines:

1. North 10°07'57" East 35.75 feet to a point,
2. North 78°15'06" West, 19.84 feet to a point,
3. North 12°00'19" East, 79.87 feet to a point,
4. North 28°30'26" East, 109.13 feet to the **POINT OF BEGINNING**, containing 49,991 square feet or 1.15 acres gross, and 35,580 square feet or 0.82 acres net, more or less.

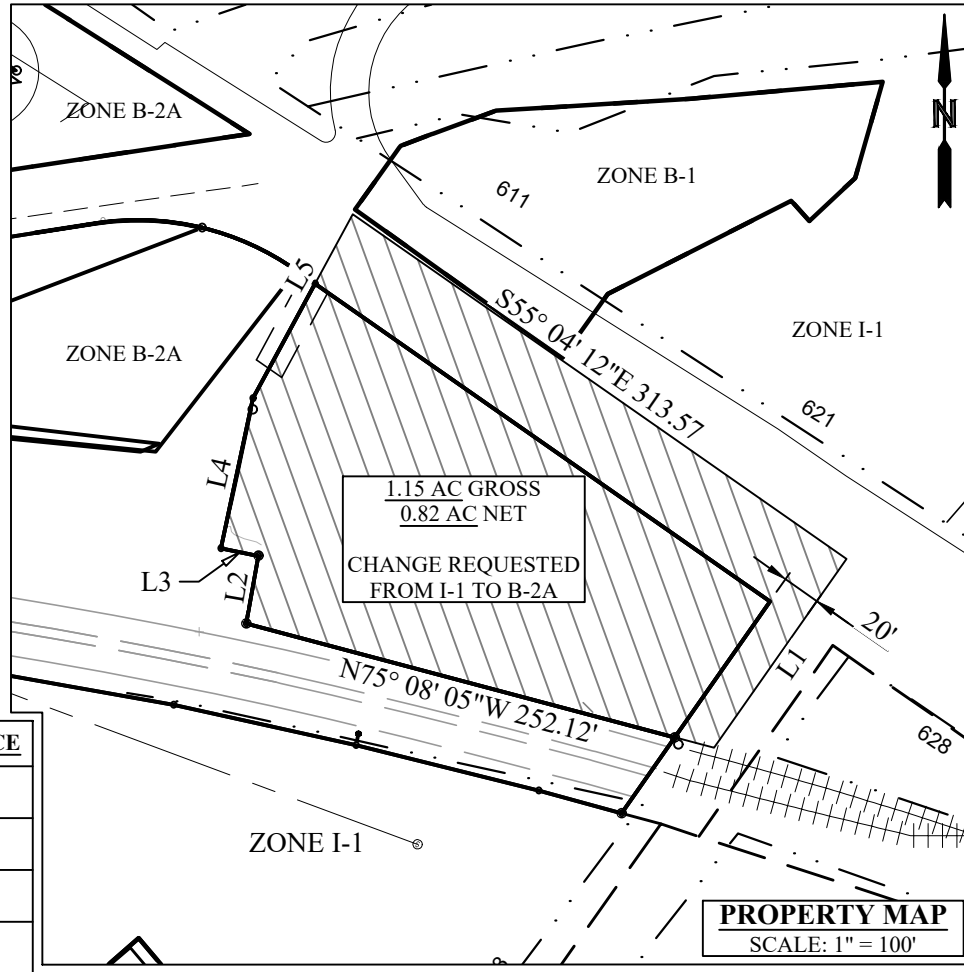




NOTIFICATION MAP
SCALE: 1" = 200'



VICINITY MAP
N.T.S.



PROPERTY MAP
SCALE: 1" = 100'

TITLE: MIDLAND STATION	FROM	TO	NET	GROSS
PROPERTY ADDRESS: 610 WINCHESTER ROAD	I-1	B-2A	0.82 AC (TOTAL)	1.15 AC (TOTAL)
APPLICANT NAME/ADDRESS: UCD MIDLAND, LLC				
128 S. HANOVER AVE., LEXINGTON, KY 40502				
OWNER NAME/ADDRESS: JAMES R WIELAND, LLC				
2043 MANOR DR., LEXINGTON, KY 40502				
PREPARED BY: PRIME AE				
DATE FILED OR AMENDED: JANUARY 2, 2024			TOTAL:	
			0.82 ACRES	1.15 ACRES

LINE	BEARING	DISTANCE
L1	S35° 01' 36"W	120.15'
L2	N10° 07' 57"E	35.75'
L3	N78° 15' 06"W	19.84'
L4	N12° 00' 19"E	79.87'
L5	N28° 30' 26"E	109.13'

1/2/2024 2:30:54 PM - Midland Station (100'-00") (100'-00") - Zoning Notification Map.dwg
 User: jrwieland
 Plot Name: midlandstation



OWNER
 UCD MIDLAND, LLC
 128 S HANOVER AVENUE
 LEXINGTON, KY 40502
 P (###) ###-####

PROJECT
 MIDLAND STATION
 610 WINCHESTER ROAD
 LEXINGTON, KY 40505
 FAYETTE COUNTY KENTUCKY

NOTIFICATION MAP
 PROJECT NO: 230354
 DATE: NOVEMBER 10, 2023



UCD MIDLAND, LLC. (PLN-MAR-23-00022)

610 WINCHESTER ROAD

Rezone the property to establish a mixed-use development

Applicant

UCD MIDLAND, LLC
128 S Hanover Avenue
Lexington, KY, 40502
chris@murphyclendenen.com

Owner

James R. Weiland, LLC
2043 Manor Drive
Lexington, KY 40502

Application Details

Acreage:

0.82 net (1.15 gross) acres

Current Zoning:

Light Industrial (I-1) zone.

Proposed Zoning:

Downtown Frame Business (B-2A) zone.

Place-type/Development Type

Downtown

High Density Non-residential/ Mixed Use

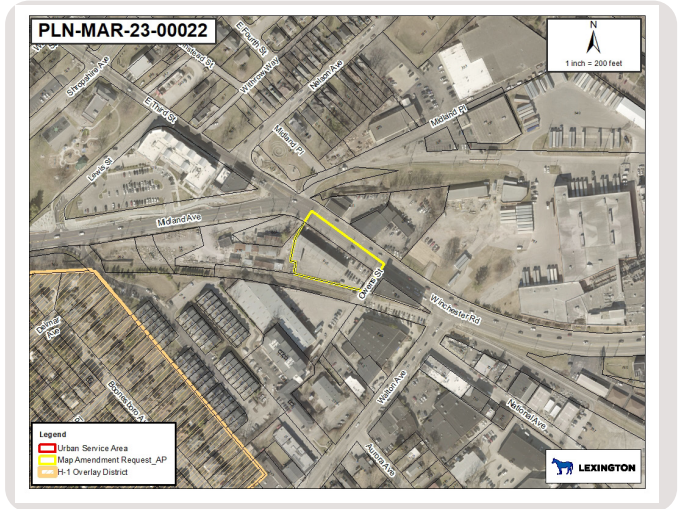
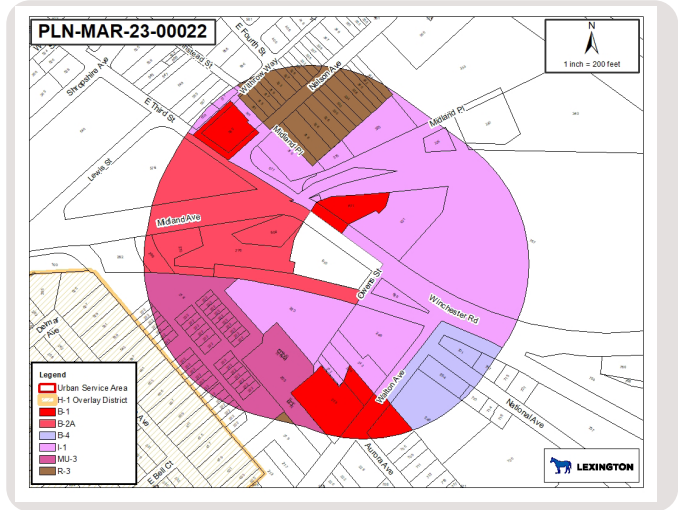
For more information about the Downtown place type see *Imagine Lexington* pages 279-283. For more information on the High Density Non-residential/ Mixed Use Development Type see page 271.

Description:

The applicant is seeking to rezone the subject property in order to construct a five-story mixed-use development. The overall development is proposed to consist of two structures, for a total of 266 units, for a residential density of 72.48 units per acre. A first floor parking structure and commercial space is proposed.

Public Engagement

- The applicant has reached out to nearby Neighborhood Associations to schedule meetings to discuss the proposal.



Status

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

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

Development Plan

PRIME
Lexington Office
651 Prichard Drive, Suite 300, Lexington, KY 40503
P: 859.66.0145

LCD MIDLAND LLC
128 SHANOVER STREET
LEXINGTON, KY 40502

PROJECT NO.: 230004
DATE: NOVEMBER 2023
CHECKED BY: [Signature]
DESIGNED BY: [Signature]

DESCRIPTION OF INTENTION:
PRELIMINARY DEVELOPMENT PLAN

SHEET NO.: PDP
SCALE: AS SHOWN

GENERAL NOTES:

- ALL BUILDINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE 2015 INTERNATIONAL BUILDING CODE (IBC) AND ALL APPLICABLE LOCAL ORDINANCES.
- THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
- ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.
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- ALL UTILITIES SHALL BE DEPTH MARKED AND PROTECTED.

BOUNDARY PLAT SOURCE:

ADDRESS	OWNER	PLAT REF.
128 SHANOVER STREET	LCD MIDLAND LLC	230004
129 SHANOVER STREET	LCD MIDLAND LLC	230004
130 SHANOVER STREET	LCD MIDLAND LLC	230004
131 SHANOVER STREET	LCD MIDLAND LLC	230004
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199 SHANOVER STREET	LCD MIDLAND LLC	230004
200 SHANOVER STREET	LCD MIDLAND LLC	230004

COMMISSIONER CERTIFICATION:

I, _____, County Commissioner, do hereby certify that the above described property is zoned _____ and that the proposed development is in accordance with the zoning ordinance.

DATE: _____

OWNER CERTIFICATION:

I, _____, Owner, do hereby certify that the above described property is zoned _____ and that the proposed development is in accordance with the zoning ordinance.

DATE: _____

PLANNING COMMISSION CERTIFICATION:

I, _____, Planning Commission Member, do hereby certify that the above described property is zoned _____ and that the proposed development is in accordance with the zoning ordinance.

DATE: _____

CONSTRUCTION ACCESS:

CONSTRUCTION ACCESS SHALL BE PROVIDED THROUGH WINCHESTER AVENUE FOR THE ENTIRE DEVELOPMENT PERIOD.

VEHICLE CANOPY REQUIREMENTS:

VEHICLE CANOPY SHALL BE PROVIDED FOR ALL VEHICLES PARKED IN THE PARKING AREAS. THE CANOPY SHALL BE MADE OF A DURABLE MATERIAL AND SHALL BE MAINTAINED IN GOOD REPAIR AT ALL TIMES.

CONCRETE FINISHES:

CONCRETE FINISHES SHALL BE AS FOLLOWS: FLOORING SHALL BE POLISHED CONCRETE; CURBS SHALL BE BROOM FINISH; WALLS SHALL BE SMOOTH FINISH.

VEHICLE CANOPY DETAIL:

CONCRETE FINISHES DETAIL:

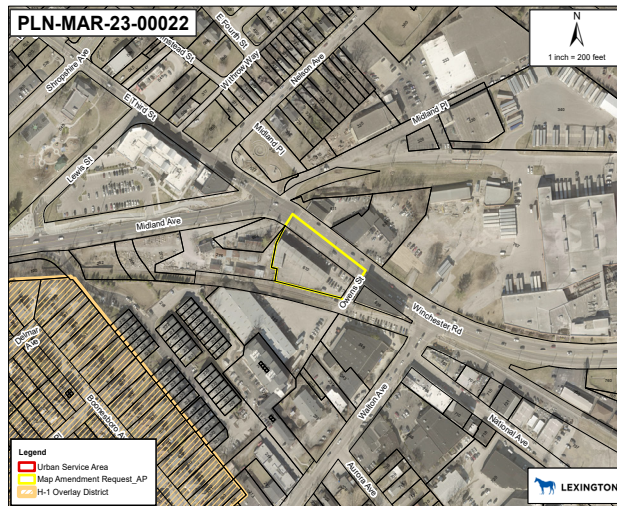
VEHICLE CANOPY DETAIL:

CONCRETE FINISHES DETAIL:

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).

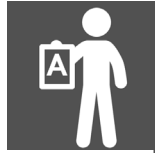
4. Site Design

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.

1. **UCD MIDLAND, LLC ZONING MAP AMENDMENT AND ARTHUR E ABSHIRE PROPERTY (LEXINGTON CUT STONE & MARBLE TILE CO) DEVELOPMENT PLAN**

- a. **PLN- MAR-23-00022: UCD MIDLAND, LLC** – a petition for a zone map amendment from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone, for 0.82 gross and 1.15 net acres for property located at 610 Winchester Road.

COMPREHENSIVE PLAN AND PROPOSED USE

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.

The petitioner is proposing the Downtown Frame Business (B-2A) zone in order to expand a planned mixed-use residential and commercial development onto 610 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.

The Zoning Committee Recommended: Approval.

The 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).
 - 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).
 - b. 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).
 - c. 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).

- d. 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).
 - e. 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.

b. PLN-MJDP-24-00005: ARTHUR E. ABSHIRE PROPERTY (LEXINGTON CUT STONE & MARBLE TILE CO.) (AMD) (4/1/24)* - located at 610 WINCHESTER ROAD, LEXINGTON, KY

Council District: 3

Project Contact: Prime AE

Note: The purpose of this plan is to depict the development of the site for multi-family units, in support of the requested zone change from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone.

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

1. Provided the Urban County Council approves the zone change to B-2A; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Dimension buildings A & B.
9. Dimension drive aisles in parking garages and surface lot.
10. Identify use of area between Building B and surface parking.
11. Dimension proposed dog run.
12. Delete required parking information.
13. Delete required additional front yard information.
14. Correct zone information in site statistics and denote existing zoning on plan face.
15. Provide documentation regarding proposed ground floor activation for parking per Article 16-11.
16. Denote location of bicycle parking.
17. Discuss compliance with Articles 16-6 and 16-11 the B-2A zone.
18. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendation for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a Light Industrial (I-1) zone to a Downtown Frame Business (B-2A) zone, for 0.82 gross and 1.15 net acres for property located at 610 Winchester Road. Mr. Crum stated that the applicant is seeking to expand a planned mixed-use development that was presented to the Planning Commission a year ago. Mr. Crum indicated that the applicant was using the Downtown Place-Type and the High Density Non Residential/Mixed Use Development Type and Staff was in agreement with the choices.

Mr. Crum highlighted the various mixed-use zones around the property, and mentioned the adaptive reuse properties in the area. Mr. Crum stated that the applicant had made significant outreach to the adjoining neighborhoods and the neighborhoods seemed generally supportive of the development, but had concerns

about traffic and safety on Midland Avenue. Mr. Crum noted the one-story building currently there, but indicated that it would be torn down to build the new development.

Mr. Crum stated that the new development would be two, five-story buildings, with the first floor being parking and the other four being residential with a total of 266 units. Additionally, Mr. Crum noted the access from Midland Avenue, the small amount of commercial space, improved open space, and future connections to the Liberty Trail.

Mr. Crum concluded his presentation stating that the applicant is meeting all applicable development criteria, as well as the multi-family design standards and that Staff was recommending approval of the application.

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location and characteristics of the subject property. Mr. Martin stated that the two buildings combined would be about 370,000 square feet, with four residential stories, and 266 dwelling units, and 274 parking spaces. Mr. Martin indicated that there was considerable discussion meeting requirements under Article 16 and that the access from Midland Avenue was slightly offset, but the applicant was in compliance with Article 16. Mr. Martin also highlighted the greenspace along Midland Avenue and stated that the applicant would present changes made after discussion during the Zoning Committee.

Mr. Martin concluded his presentation stating that Staff is recommending approval and could answer any questions from the Planning Commission.

Applicant Presentation – Chris Clendenen, attorney for the applicant, indicated that the applicant was able to acquire additional land and expand the property and made the appropriate changes in design. Mr. Clendenen stated that they were in agreement with Staff's recommendations and conditions and could answer any questions from the Planning Commission.

Commission Questions and Comments – Mr. Wilson expressed his appreciation for using the term "architectural nuance", which was a concern from the Zoning Committee meeting.

Action – A motion was made by Mr. Wilson, seconded by Mr. Johnathon Davis and carried 7-0 (Nicol, Michler, Owens, Barksdale, and Pohl absent) to approve PLN- MAR-23-00022: UCD MIDLAND, LLC for reasons provided by Staff.

Action – A motion was made by Mr. Wilson, seconded by Ms. Barksdale and carried 7-0 (Nicol, Michler, Owens, and Pohl absent) to approve PLN- MJDP-24-00005: ARTHUR E. ABSHIRE PROPERTY (LEXINGTON CUT STONE & MARBLE TILE CO.) (AMD with the revised conditions recommended by Staff.