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Lexington-Fayette Urban County Planning Commission
Lexington-Fayette Urban County Government
101 East Vine Street
Lexington, KY 40507

Zone Change Request for 950 Midnight Pass

Dear Members of the Planning Commission:

We represent Palolo, LLC (“Palolo” or “Applicant”) and on its behalf have filed a zone change request for the property know as 950 Midnight Pass (the “Property”). The Property consists of 1.16 net (1.36 gross) acres currently zoned Highway Business (B-3) and is vacant. The Applicant’s request is to rezone the Property to Wholesale and Warehouse Business (B-4) zone to allow for an indoor self-storage facility owned and operated by Lexington’s Space Center Storage (“Space Center”).

The Property is located on the northwestern corner of Midnight Pass in the interior of Beaumont Centre Circle. The proposed development consists of a single structure proposed to be 4-stories in height, with each floor consisting of just over 15,000 SF. It is the Applicant’s understanding that this is the last vacant commercial B-3 parcel in Beaumont Centre. The surrounding area is made up of a complementary mix of residential and commercial uses and zones representing a true mixed-use neighborhood. The surrounding uses are a townhome complex in the R-3 zone to the Property’s west, two banks and a gas station in the B-3 zone to the Property’s south and east, and the Moondance Amphitheater in the B-3 zone to its north. In close proximity to the Property are also single-family and multi-family developments, 4-story hotels and office buildings, a large B-6P zoned shopping center, commercial out-parcels, and the YMCA facility. The proposed development is consistent with recent self-storage facilities that have been approved for rezoning to a conditional B-4 zone inside similarly mixed-use developments with a variety of zoning categories, such as the recent Centennial American facility approved in Townley Centre.

The B-4 zone map amendment application includes the following proposed conditional zoning restrictions: The following uses would be prohibited:

1. Laundry, clothes cleaning or dyeing shops.
2. Ice plant.
3. Machine shop.
4. Kennels, animal hospitals or clinics.
5. 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.
6. Truck terminals and freight yards.
 7. Establishments for the display and sale of precut, prefabricated or shell homes.
 8. Carnivals.
 9. Retail sale of building materials and lumber.
 10. Pawnshops.
 11. Shredding, sorting and baling of paper scrap and storage of waste paper.
 12. Any self-storage facility on the premises shall not have outdoor storage, and shall not have direct access to the outdoors from individual units.

The Applicant has also submitted detailed elevations, the Beaumont Development Guidelines, and the proposed development plan to ensure the Planning Commission, our neighbors, and the Planning Staff that the proposed development will be installed in a consistent and complementary manner with the current commercial uses in Beaumont Center that neighbors have come to expect. The Development Guidelines requires approval of any new structure by a Beaumont Centre New Construction Committee with specific standards governing site development, landscape development, architectural design, lighting design, and signage and graphic design.

This request is in agreement with the Comprehensive Plan for the multitude of reasons outlined below. Primarily, the Zone Map Amendment Request offers a chance to develop longtime vacant land inside the Urban Service Area in a manner that ensures a well-designed neighborhood and places a priority on safe connections while activating street frontage. This is an ideal property for the proposed self-storage facility as the use is in great demand by residential and commercial users alike allowing our Beaumont Centre neighbors to be the direct beneficiaries of the proposed use. This project aligns with the aspects of a desirable community and the place making concepts the Comprehensive Plan stresses such as openness, increased tree canopy, ground floor activation, and overall building aesthetics to fit in with the surrounding multi-story commercial users while respecting the residential neighbors. The development will not put undue strain on the surrounding infrastructure by minimizing the necessary access points to an access easement and an egress only point onto Midnight Pass. This well-designed project upholds the Urban Service Area preservation strategy, is appropriate infill in an area that is a true mix of uses encouraged by our Comprehensive Plan, and a neighborhood service that respects its neighbors with landscape buffering and greenspace.

Space Center Storage is a well-known local business in Lexington. It was founded in 1974 and remains a family run operation that is still based in Lexington 50 years later. Under the leadership of Debbie Sutherland-Comley, Space Center has grown to 12 locations across the Bluegrass region, with 10 located here in Lexington during that time. Unlike Space Center's other facilities, this is its first modern indoor facility. It represents a recognition that, while this particular use has only grown in community demand, there is a need to increase the density on small commercial lots as opposed to large outdoor facilities. This mirrors Lexington's desire to development infill lots with increased density that is a cornerstone of Lexington's current Comprehensive Plan. With Lexington's push for more dense multi-use neighborhoods, comes

with it the increase in demand for this very use. Modern self-storage facilities are coveted by residential, office, and commercial users. Large and small businesses alike require units to cut down on rental square footage for files, inventory, or unused equipment. Downsizing or rental residential users flock to self-storage to safely maintain furniture, art, treasured memories, or simply items that they are naturally not ready to let go of.

In summary, this well-designed project upholds the Urban Service Area preservation strategy, is appropriate development of a long vacant parcel, provides an in-demand neighborhood service, encourages community interaction through pedestrian scaled lighting and supportive infrastructure on Midnight Pass, encourages proper connections for a more comprehensive transportation system, all while respecting its neighbors and protecting the environment with landscaping buffers and greenspace. As such, it is quite clear that the proposed zone change is in compliance with the 2018 Comprehensive Plan. As outlined above, the proposed project meets the following Goals and Objectives of the Comprehensive Plan:

Theme A - Growing Successful Neighborhoods

Goal 2: Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.

Objectives:

- a. Identify areas of opportunity for infill, redevelopment, adaptive reuse, and mixed-use development.
- b. Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form.
- c. Incorporate adequate greenspace and open space into all development projects, which serve the needs of the intended population.

Goal 3: Provide well-designed neighborhoods and communities.

Objectives:

- a. Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing throughout Lexington-Fayette County
- 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.
- c. Minimize disruption of natural features when building new communities.
- d. Promote, maintain, and expand the urban forest throughout Lexington.

Theme E - Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land

Goal 1: Uphold the Urban Service Area concept.

Objectives:

- b. Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.

- c. Emphasize redevelopment of underutilized corridors.
- d. Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features.

Goal 3: Maintain the current boundaries of the Urban Service Area and Rural Activity Centers; and create no new Rural Activity Centers. To ensure Lexington is responsive to its future land use needs, this Goal shall be superseded and no longer in effect upon completion of Theme E, Goal 4, Objective D.

Placebuilder

The Property is located off Harrodsburg Road and inside Beaumont Centre. It is the last vacant commercial parcel in a substantial commercial development. As such, the natural Place Type is Regional Center and the Development Type is Medium Density Non-Residential/Mixed-Use. We submit that this classification is appropriate due to the location of the Property well outside the downtown core and the surrounding 2nd tier urban neighborhoods and the proposed use is adding a commercial user to an existing regional center with residential users in close proximity. While the B-4 zone is not a suggesting zoning category in the Comprehensive Plan, the existing B-3 zone is not a suggested zoning category either. The proposed development is utilizing many of the site design recommendations in Placebuilder to ensure that the heavily restricted B-4 zone and the specific use can be a natural fit into Beaumont Center. For example, A-EQ3-1 that encourages development to be context sensitive in the transition between the intensity of the heavily commercial areas of Beaumont Centre along with the adjacent gas station and the attached townhome complex to the west of the property. We also are happy to discuss any desired changes to the building elevations submitted with this application to ensure the Staff and the neighbors are comfortable with the proposed structure.

Also submitted with the Zone Map Amendment Request is the color-coded reflection of how the proposed project addresses the design criteria for the selected Development Types. Items highlighted in green are represented graphically on the submitted preliminary development plan; items in yellow are addressed in this letter, and items highlighted in red are not applicable to this development.

Standards That Are Applicable to Our Proposal

SITE DESIGN, BUILDING FORM, & LOCATION

- A-DS4-2** New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities. This development complies with this provision as it is mirroring the context of the other multi-story commercial structures in Beaumont Centre with appropriate setbacks from the adjacent multi-story residential structures with substantial landscaping buffer.
- A-DS5-3** Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere. This development focuses the building faces along the two adjacent roadways with appropriate connections and

pedestrian lighting and infrastructure to ensure a pedestrian-friendly atmosphere.

- A-DS5-4** Development should provide a pedestrian-oriented and activated ground level. The proposed ground level is activated through the proposed windows and pedestrian scale lighting.
- A-DS7-1** Parking should be oriented to the interior or rear of the property for nonresidential or multi-family developments. This is being proposed.
- 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. This is being proposed
- 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). This is being done with the proposed change in materials and complying with the Beaumont Circle design guidelines. It matches the context of similar commercial buildings in the area and adds buffering between the residential units and the adjacent gas station.
- A-EQ3-1** Development should create context sensitive transitions between intense corridor development and existing neighborhoods. The proposed development is appropriately scaled to transition from the more intense commercial activities in Beaumont Centre to the residential, especially considering the low traffic generation associated with self-storage.
- C-LI7-1** Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS10-3** Over-parking of new developments should be avoided. (B-SU5). This parking is not overparked as demonstrated in the parking study submitted with the application.
- D-PL7-1** Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application. Applicant is meeting with the neighbors over a scheduled zoom call.
- E-GR9-4** Development should intensify underutilized properties and develop vacant and underutilized gaps within neighborhoods. (E-GR6) The proposed FAR of the development is ideal intensification on a vacant parcel, while also providing appropriate setbacks and landscape buffering from adjacent residential.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

- A-DS5-2** Roadways should provide a vertical edge, such as trees and buildings. The development proposes a dual faces building to mirror the road frontage along the parcel to provide the vertical edge.
- D-CO1-1** Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type. This is being done where feasible.
- D-CO2-1** Safe facilities for all users and modes of transportation should be provided. The proposed access points and pedestrian infrastructure creates a safe site for all

users.

GREENSPACE & ENVIRONMENTAL HEALTH

- A-DS1-2** Direct pedestrian linkages to transit should be provided. Transit pickups are located in short walking distance from the site on Beaumont Circle, but the route is not along Midnight Pass. Direct sidewalks are provided from the site to the nearest bus stop.
- A-DS4-3** Development should work with the existing landscape to the greatest extent possible, preserving key natural features. This is being done with the retention of the existing street trees on the parcel adjacent to the residential neighbors.
- B-PR7-2** Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability. This is being done.
- B-PR7-3** Developments should improve the tree canopy. The development is increasing the tree canopy.
- B-RE1-1** Developments should incorporate street trees to create a walkable streetscape. This is being done with the retention of the existing street trees on the parcel adjacent to the residential neighbors.

Standards Not Applicable

SITE DESIGN, BUILDING FORM, & LOCATION

- A-DS3-1** Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1. This is not a residential development.
- A-DS7-3** Parking structures should activate the ground level. There is no parking structure, but the ground level is being activated.
- 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. This is not a residential development.
- A-DS10-1** Residential units should be within reasonable walking distance to a focal point. This is not a residential development.
- A-DS11-1** Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single loaded streets. There is no common public open space, but there is substantial open space on the site.
- A-DN2-1** Infill residential should aim to increase density. This is not a residential development.
- A-DN3-1** Pedestrian-oriented commercial opportunities should be incorporated within residential neighborhoods. Self-Storage is not a natural pedestrian-oriented commercial opportunity, but the development takes great care to ensure the exterior of the site is pedestrian-friendly.
- A-DN3-2** Development should incorporate residential units in commercial centers with context sensitive design. This is not a residential development.
- A-EQ7-1** School sites should be appropriately sized. This is not a school site.
- B-PR9-1** Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible. There is no environmentally sensitive area
- B-SU11-1** Green infrastructure should be implemented in new development. (E-GR3) All stormwater infrastructure is handled in the regional system for Beaumont

Circle. The development is handling all gutter systems through underground containment into the overall system. The site plan also calls for an abundance of open space and with increased trees and landscaping to achieve the intent of this provision.

- C-DI1-1** Consider flexible zoning options that will allow for a wide range of jobs. While self-storage does not generate a great number of jobs itself, they are an essential service use to both families and businesses in the community. The proposed restricted zoning helps balance the in demand use with the surrounding residential and commercial zoning.
- C-DI5-1** In Opportunity Zones with a clearly defined local context, consider adaptive reuse to enhance the existing context. This site is not in an Opportunity Zone
- C-LI2-2** Non-agricultural uses at or near potential and existing gateways, as mapped in the Rural Land Management Plan, should be buffered. This site is in infill site that is not on an existing gateway.
- C-LI2-3** Design should create a positive gateway character at existing and proposed gateways as identified in the Rural Land Management Plan. This site is in infill site that is not on an existing gateway.
- 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. This site is in infill site that is not on a Historic Turnpikes, Scenic Byways, Turnpikes, and other scenic roads
- C-LI6-1** Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors. This site is in infill site that is not on an arterial or corridor.
- C-PS9-2** Modify current office space to include complementary uses. This is a vacant parcel
- C-PS10-2** Developments should explore options for shared and flexible parking arrangements for currently underutilized parking lots. This is a vacant parcel.
- D-PL9-1** Historically significant structures should be preserved. There are no historic structures on the property.
- D-PL10-1** Activate the streetscape by designating public art easements in prominent locations. There are no public art easements proposed, however there is opportunity to work with the adjacent amphitheater to highlight upcoming events.
- 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. This infill development does not propose to alter the existing street sections, but provides adequate right-of-way.
- 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. There are no proposed cellular tower antennae that are proposed as part of this development.
- 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. This is not a residential development.
- E-GR4-1** Developments should incorporate reuse of viable existing structures. There are no existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted. There are no existing structures.
- E-GR9-1** Live/work units should be incorporated into residential developments. This is not a residential development.

- E-GR10-2** Developments should provide walkable service and amenity-oriented commercial spaces. Self-Storage is not a natural pedestrian-oriented commercial opportunity, but the development takes great care to ensure the exterior of the site is pedestrian-friendly.
- E-GR10-3** Shared common space in commercial developments should be provided to encourage experiential retail programming. This is a single-user commercial site.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

- A-DS1-1** Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7). Transit pickups are located in short walking distance from the site on Beaumont Circle, but the route is not along Midnight Pass.
- A-DS4-1** A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided. (A-DS2, A-DN1, B-SU1, B-SU2, C-LI7, E-AC5). This infill development does not propose to alter the existing street sections. However, it is being designed to be a pedestrian-friendly site that ties into any and all existing multimodal networks.
- A-DS5-1** Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport. This infill development does not propose to alter the existing street sections. However, it is being designed to be a pedestrian-friendly site that ties into any and all existing multimodal networks.
- A-DS10-2** New focal points should be designed with multi-modal connections to the neighborhood. This infill development does not propose a new focal point.
- A-DS13-1** Stub streets should be connected. (D-CO4). There are no stub streets.
- A-EQ3-2** Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3) Transit pickups are located in short walking distance from the site on Beaumont Circle, but the route is not along Midnight Pass.
- A-EQ7-2** Multi-modal transportation options for healthcare and social services facilities should be provided. (E-ST3). This development is not for a healthcare or social service facility.
- B-SU4-1** Where greenspace/community centers are not located within walking distance of a new development, applicants should attempt to incorporate those amenities. (A-DS9). There is ample greenspace and community center areas within walking distance of this infill site.
- C-PS10-1** Flexible parking and shared parking arrangements should be utilized. There is minimal parking proposed on this site and does not require any off-site parking.
- D-CO2-2** Development should create and/or expand a safe, connected multimodal transportation network that satisfies all users' needs, including those with disabilities. This infill development does not propose to alter the existing street sections. However, it is being designed to be a pedestrian-friendly site that ties into any and all existing multimodal networks.
- D-CO4-2** Roadway capacity should be increased by providing multiple parallel streets, which alleviate traffic and provide multiple route options, in lieu of additional lanes. There are no proposed streets with this development.
- D-CO4-3** Street pattern and design should consider site topography and minimize grading where possible. There are no proposed streets with this development.
- D-CO5-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. There are no proposed streets with this development.

- D-SP1-3** Developments should provide multi-modal transportation infrastructure to school sites, including sidewalks, shared-use paths, and roadways that can accommodate the bus and vehicle traffic associated with the site. This is not a school site.
- E-ST3-1** Development along major corridors should provide for ride sharing pick up and drop off locations along with considerations for any needed or proposed park and ride functions of the area. (E-GR10, E-GR7). This development is not on a major corridor.

GREENSPACE & ENVIRONMENTAL HEALTH

- A-EQ7-3** Community open spaces should be easily accessible and clearly delineated from private open spaces. The development does not propose community open spaces, but there is substantial open space on the site.
- B-PR2-1** Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site. There is not an environmentally sensitive areas on the vacant parcel.
- B-PR2-2** Dividing floodplains into privately owned parcels with flood insurance should be avoided. There is not an existing floodplain on the vacant parcel.
- B-PR2-3** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. There is not an existing floodplain on the vacant parcel.
- B-PR7-1** Connections to greenways, tree stands, and stream corridors should be provided. There is not an existing greenway network that ties into the vacant parcel.
- B-RE2-1** Green infrastructure should be used to connect the greenspace network. There is not an existing greenway network that ties into the vacant parcel.
- D-SP2-1** Visible, usable greenspace and other natural components should be incorporated into school sites. This is not a school site.
- D-SP2-2** Active and passive recreation opportunities should be provided on school sites. This is not a school site.
- E-GR3-1** Physical and visual connections should be provided to existing greenway networks. There is not an existing greenway network that ties into the vacant parcel.
- E-GR3-2** New focal points should emphasize geographic features unique to the site. This development does not contain new focal points.

Self-Storage facilities, especially the new trend for modern indoor climate-controlled storage, provide an essential service for residential and business users. With the existing mix of professional office, retail commercial, and attached & detached single-family and multi-family residential users adjacent to the Property, Beaumont Centre is an ideal location for this type of facility as it a true supportive use for its neighborhood. Although there have been several storage facilities that have come online in the past few years, this part of South Lexington is underserved. Space Center's locations by Fayette Mall are the closest storage facilities to the Property despite this being a heavily populated part of town. As self-storage typically pulls its clientele from residential and commercial users near the location, Space Center wants to do everything it can to ensure it is being a supportive neighbor. There will be no exterior storage of any kind of the Property, nor is there exterior access to any unit. This is a secure, indoor facility that only proposes to be open from 6:30 a.m. to 10:30 p.m. The Beaumont Centre Development Guidelines and the proposed conditional zoning restrictions help ensure this heavily restricted B-4 zone can seamlessly be introduced into the surrounding residential and commercial uses. A neighborhood meeting has been scheduled for February 9th at 5:30 to discuss this proposal.

Lexington-Fayette Urban County Planning Commission
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We will be at the March public hearing in order to make a complete presentation of this application and request your favorable consideration.

Sincerely,

Stoll Keenon Ogden PLLC

A handwritten signature in blue ink, appearing to read "N. Nicholson", is positioned above the printed name.

Nick Nicholson

NN:NN

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