

September 27, 2022

Mr. Larry Forester, Chairman  
Lexington-Fayette Urban Co Planning Commission  
200 E. Main Street  
Lexington, KY 40507

Dear Chairman Forester:

Please be advised I am writing on behalf of my client, Winterwood, Inc., a corporation, (hereinafter referred to as “Applicant” and/or “Winterwood”), which has filed a Zone Change Application and an associated Amended Preliminary Development Plan for property located at 1510 Greendale Road / 2440 Innovation Drive (a portion of) in Lexington, Kentucky. The site is a single lot of 11.692 acres (gross area), 10.113 acres (net area), currently zoned Light Industrial (I-1). The property is bounded by rights-of-way on three sides: Spurr Road to the north, Greendale Road to the west and Norfolk Southern Railroad to the south. The Applicant is seeking a zone change from the current I-1 designation to B6-P as more particularly explained below.

**A. Goals and Objectives:**

We believe that the Applicant’s proposed development (the construction of a mixed-use affordable housing and office development) is in agreement with the 2018 Comprehensive Plan, specifically the Goals and Objectives that encourage the expansion of housing choices (Theme A, Goal #1); support infill and redevelopment (Theme A, Goal #2); provide for well-designed neighborhoods (Theme A, Goal #3); address community facilities at a neighborhood scale (Theme A, Goal #4); reduce Lexington-Fayette Urban County’s carbon footprint (Theme B, Goal #2); apply environmentally sustainable practices to protect, conserve and restore landscapes and natural resources (Theme B, Goal #3); support and showcase local assets to further the creation of a variety of jobs (Theme C, Goal #1); support the creation of jobs and prosperity (Theme C, Goal #2); work to achieve an effective and comprehensive transportation system (Theme D, Goal #1); work toward an urban and rural balance (Theme E, Goal #1); and more specifically, accommodate the demand for housing in Lexington responsibly, prioritizing higher-density residential and a mixture of housing types (Theme A, Goal #1, Objectives b, c & d, Theme A, Goal #2, Objectives a, b & c and Theme A, Goal #3, Objectives a, b & d).

**B. Engagement:**

Although pre-application engagement is not required by the Zoning Ordinance or Comprehensive Plan, Winterwood proactively engaged property owners within five

Law Offices: Lexington | Louisville

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hundred (500) feet of the Property. Accordingly, Winterwood and its team participated in a neighborhood meeting, via Zoom, on Tuesday, July 26, 2022, to provide information to the neighboring property owners as to the proposed Zone Change and development. At this meeting, neighbors participated and were presented with a presentation highlighting the proposed zone change and representations of what the development could ultimately look like. After the presentation by Winterwood, the neighbors were given the opportunity to speak in favor or against and to ask any questions they may have. Ultimately, no questions were raised, or any concerns voiced. Winterwood is committed to continued communication with the neighboring property owners.

### **C. Site Description:**

The subject site is located along two collector roads (Spurr Road and Greendale Road) near the Georgetown Road Corridor with primary road access onto Greendale Road and secondary emergency access onto Spurr Road. The immediate surrounding zones are a mix of I-1 (light industrial), R-3 (Planned Neighborhood Residential) and A-R (Agricultural Rural) remnant tract within the Urban Service Boundary (USB). The contextual surroundings include R-3 (Planned Neighborhood Residential), R-4 (High Density Apartment), B-3 (Highway Service Business), B6-P (Commercial Center) and 2 elementary schools within a ¾ mile radius of the subject property. The subject property has been vacant for the past 8 years despite the current owner's aggressive marketing efforts to develop it as light industrial including the preparation of a preliminary development plan in 2017.

The Applicant is mindful that Lexington has a shortage of land available for industrial development. However, Lexington is also in dire need of affordable housing to support work force development. This need is predominant in the current and foreseeable market, as far greater value is being placed on the type of mixed-use zoning now sought by Winterwood. The ultimate overall development proposed by the Applicant is a highly efficient use of the Property resulting in meeting the zoning intent and satisfying the need for work force housing. "Affordable housing is a concern in Fayette County. It's also an issue that Mayor Linda Gorton has distributed more than \$350 million to since 2014."<sup>1</sup> "A recent report on housing demand for Fayette County forecasts overall demand for 22,780 new housing units by 2025 including 15,160 new single family residential units, 6,275 units within multi-family structures, and 1,345 units classified as condominiums or "other" units."<sup>2</sup>

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<sup>1</sup> <https://spectrumnews1.com/ky/louisville/news/2022/04/20/affordable-housing--a-rising-issue-in-fayette-county->.

<sup>2</sup> <https://kyrealtors.com/about-us/news/lexington-needs-22-000-additional-housing-units-to-meet-demand>.

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**D. Place-Type, Development Type & Requested Zone:**

Placebuilder defines seven place-types within the Urban Service Area boundary. Based upon the surrounding land-use type and zoning, this transitional location is best suited for the Enhanced Neighborhood place-type, which is defined as:

*An existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. Development should be context sensitive to surrounding areas and should add to the sense of place. Incorporating multimodal connections is crucial to neighborhood success and viability. (Page 266)*

Further, the Enhanced Neighborhood place-type identifies low, medium, and medium/high density residential as well as low density non-residential / mixed-use land use within the place-type. The most appropriate place-type for the site is Enhanced Neighborhood because of the context of the site: the majority of the site fronts a road (Greendale Road) which is changing rapidly from a rural service road to a neighborhood collector with proposed multimodal infrastructure; the proposed development provides mixed housing unit types for work force development; provides connections to multimodal network beyond the property boundaries; and the proposed housing density offers a transition between the single family units to north, south and west of the property and light industrial use to the east. In addition, the Applicant selected medium density residential as the most suitable development type due to the fact that the surrounding residential zones offer few options for diversity in housing types, and despite the higher density zoning designation. The Applicant believes that the immediate area is well-served with single family housing, employment opportunities and educational facilities. However, the Applicant contends it can increase the availability of the housing type options that are needed within this neighborhood.

The proposed development will enhance the surrounding environs by creating a transition from the single family detached housing to the west & north and the more intense industrial development to east & south of the subject property. The proposed development will also strengthen the multimodal transportation network towards the Kearney Ridge Neighborhood with the addition of public sidewalks along Greendale and Spurr Roads to the future Sullivan Trace intersection. This proposed project will meet the community's needs, and the proposed facilities provide positive economic impact for area businesses.

While Placebuilder recommends the following potential zoning categories associated with the proposed Enhanced Neighborhood place-type: R-3, R-4, MU-1, MU-2, and B-1 zones. The zone that most closely aligns with the applicant's vision for the site is the Commercial Center (B-6P) zone, due to the housing type, the strong pedestrian and transit orientation and the potential for future mixed development. B-6P and R-4 are

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similar classifications regarding medium density housing. However, as the property location and project intent is focused on multimodal connectivity and increase density, the B-6P offers a closer zoning alignment.

The Preliminary Development Plan places 5 three-story multiple-family housing units; 1 four-story multiple-family unit; community facilities centralized on the site; as well as multimodal connections to Kearney Ridge, all as part of this overall medium density housing development. The proposed multiple family housing component will consist of 216 one, two and three-bedroom affordable units. The common community facilities include a community building, playground, and outdoor gazebo. The main vehicular and pedestrian entrance will be at Greendale Road. Since the number of housing units will exceed 100, per the request of LFUCG, a secondary point of egress to the site has been proposed along Spurr Road. This location will be a controlled access for emergency use only.

The intent of the proposed B-6P zone is to *promote commerce and retail along major corridors with the community, while supporting existing residential neighborhood and incorporating new residential opportunities in accordance with the Comprehensive Plan*, per section 12.1 of the Zoning Ordinance. This development will introduce a new housing typology and increase density, while creating a linkage between the predominantly single-family detached housing of Garden Meadows & Kearney Ridge Neighborhoods and the light industrial zone.

As further evidence, the proposed development has answered the intent of the proposed B-6P zone, and the project provides a valid and realistic development to improve overall housing affordability in an area lacking diverse housing opportunities. This project will also use an under-utilized parcel. The planned design creates a sense of place through thoughtful consideration of building placement and arrival sequence which defines the Greendale Street edge. Per the multi-family design standards, parking lots have been located to the interior of the site and have been equally distributed throughout the site. The requested B-6P zone advances the multimodal and walkability goals of the comprehensive plan by reducing the impact of parking on land use consumption. Based upon the 216 residential units proposed for the 10.113 (net) acre site, this represents a density of 21.36 dwelling units per acre. The number of parking spaces provided for the project equals the number of units, thus significantly reducing the physical and visual influence of an auto-centric development per the B-6P intent. In addition, the applicant has proposed the extension and enhancement of pedestrian facilities within the rights-of-way of Greendale and Spurr Roads to connect the project's pedestrian facilities with the proposed improvements at Sullivans Trace Road.

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The Applicant understands the vision of the community, as outlined in Imagine Lexington: The 2018 Comprehensive Plan. The mission statement, goals and objectives, and the Placebuilder criteria are well-served by the proposed redevelopment of the property. The applicant believes that the request is in accord with the Comprehensive Plan, based upon the context of the site location, and that the site most closely aligns with the Enhanced Neighborhood place-type. We consider the proposed Commercial Center (B-6P) zone to be an acceptable zone for this property and development. It is a suitable development typology, which will also act as a conceptual bridge between the various surrounding zones and their land use functions.

**E. Traffic Impact Study:**

As a part of this zone change application, a traffic impact study was conducted. A copy of the full study has been submitted as part of the zone change application. A summary of the findings concludes:

*All intersections will operate under similar conditions with the new development as they currently operate within existing conditions. The proposed development is a low traffic generator and, although some intersections see an increase in delay and queue along the minor roads, this could be addressed with optimized timing that provides additional green time to the minor streets; however, this is at the expense of green time on the major approaches.*

*The turn lane analysis assumed that all vehicles were entering at the main entrance to the site along Greendale Rd and still did not show that a right or left turn lane into the site was warranted based on KYTC requirements.*

The traffic analysis study further supports the B-6P zone change by placing an emphasis on improvements to multi-modal mobility and reducing dependence on auto-centric travel.

**F. Development Criteria:**

To supplement the Placebuilder development criteria, the design team has prepared an annotated graphic of the proposed Development Plan. However, additional development criteria deserve further explanation, and the information on the following pages shows that the requested zone change agrees with the Comprehensive Plan. The following design standards are being met, and are annotated on the Development Plan and the attached architectural renderings:



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<i>Site Design, Building Form &amp; Location</i>	<i>Transportation &amp; Pedestrian Connectivity</i>	<i>Greenspace &amp; Environmental Health</i>
A-DS4-1	A-DS1-2	A-DS4-3
A-DS4-2	A-DS4-1	A-EQ7-3
A-DS5-3	A-DS5-2	B-PR7-1
A-DS7-1	A-DS10-2	B-PR7-2
A-DS7-2	B-SU4-1	B-PR7-3
A-DS10-1	D-CO1-1	B-RE1-1
A-DS11-1	D-CO2-1	B-RE2-1
A-DN2-1	D-CO2-2	
A-DN3-2	D-SP1-3	
B-PR9-1	D-SP6-1	
B-SU11-1		
C-LI6-1		
C-L17-1		

The following information supports our assertion that the proposed zone change is in agreement with Imagine Lexington: The 2018 Comprehensive Plan.

<i>Site Design, Building Form &amp; Location</i>	
A-DS3-1	<p><i>Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.</i></p> <p>The applicant intends to meet the multi-family design standards as the standards apply to the development of the proposed B-6P zone change. The preliminary development plan annotates the proposed site improvements related to the Multi-Family Standards. The following outlines the proposed site and building elements included in this mixed-use development project:</p> <p>Site Planning:</p> <ul style="list-style-type: none"> <li>• The proposed primary site entrance from Greendale Road strengthens the connection to street frontage in combination with residential units facing Greendale Road and the sidewalk connections for continuity. (SP.1)</li> <li>• The proposed plan envisions multiple secure ground level access points to each unit as a part of the proposed project. (SP.2)</li> <li>• The proposed Greendale Road entrance will</li> </ul>

	<p>enhance the sense of arrival to the property for pedestrian and vehicular traffic. The residential units facing Greendale Road have been pulled forward to strengthen and define the street edge. (SP.3)</p> <ul style="list-style-type: none"><li>• The proposed buildings along Greendale and Spurr Roads have been placed as close as physically possible. (SP.4)</li><li>• Sidewalks are proposed to connect all buildings with an internal network of sidewalks, and sidewalks will connect to public rights-of-way as well as to other multi-modal proposed improvements. (SP.5)</li><li>• As a part of the proposed project, a central focal point is planned for the residential units. This focal point area will include a community building, playground, and outdoor facilities for the community. (SP.6)</li><li>• Proposed site improvements include placement of the parking lots to the interior of the site with additional landscape islands to soften the impact of the parking lot. Landscape islands and open areas will reduce the physical and visual impacts of the parking lots. Per the proposed zone change, B-6P requires that the exact number of parking spaces be provided for end users. (SP.7, SP.8)</li><li>• Residents for the proposed development will have visual and physical access to the open spaces surrounding the site. (SP.9)</li><li>• The proposed Development Plan annotates multimodal connections to the surrounding rights-of-way. (SP.10)</li><li>• While this development does not propose additional public rights-of-way, the proposed development encourages use of sidewalk system to access common areas within the property. (SP.11)</li><li>• The proposed parking lot will include site lighting with energy efficient LED directional lighting.</li></ul>
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	<p>(SP.15)</p> <ul style="list-style-type: none"><li>• The proposed development will employ universal design principles to the maximum extent practical. (SP.16)</li></ul> <p>Open Space &amp; Landscaping:</p> <ul style="list-style-type: none"><li>• As noted in the site planning section, the proposed site plan will include physical and visual connections to open spaces on the property. (OS.1)</li><li>• The proposed project will include a common open space for the residents as well as open space surrounding the perimeter of the site. (OS.2, OS.3)</li><li>• A new landscape planting will be implemented as a part of this proposed project to differentiate and define public, private, and intimate outdoor spaces. (OS.4)</li><li>• Canopy and flowering trees will be installed in newly created landscape islands. (OS.5)</li><li>• Enhanced perimeter landscape screening will be a part of the proposed development. (OS.6, OS.7)</li><li>• The proposed stormwater management for the project will include green infrastructure practices as well as connections to open space areas. (OS.8)</li><li>• Universal design principles will be the goal for all accessible routes. (OS.9)</li><li>• Proposed landscape will help to create a sense of arrival to the property and define the entry points to each building. (OS.11)</li><li>• New site lighting will be a part of the development project. (OS.12, OS.13)</li></ul> <p>Architecture Design:</p> <ul style="list-style-type: none"><li>• Varying mass and building forms by creating 1 story, 3 story and 4 story buildings on the site. The smaller buildings are located on the front and center of the site and step up to the 4-story building (also longest building) on the rear of the site to transition between building scales/density as you move from</li></ul>
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	<p>the front of the site where the road is to the rear of the site. AD.1</p> <ul style="list-style-type: none"><li>• Our site is designed to be a transitional scale between smaller single-family homes on the other side of the railroad tracks to the larger adjacent industrial building. Our buildings stair step from 3 story to 4 stories from the front (residential transition) to the rear large (industrial) scales. With the smaller 1 story community building located in the center of the site this promotes both transitional scales and reinforces the pedestrian/neighborhood appeal. AD.2</li><li>• The building mass/facades are articulated by building wall setbacks (including inset porches on each building), material/color variations and roof shape changes across all of the buildings on the site. AD.3</li><li>• The window number and window size have been enhanced by rotating the building layouts on the site and locating the larger 3-bedroom units on the ends of the buildings to have windows on each façade of the buildings. AD.4</li><li>• Avoid large areas of blank walls facing the street with use of three-dimensional setbacks and different building materials across the building facades. AD.5</li><li>• The areas where vertical and horizontal surfaces meet are detailed with distinct breezeway entries that have sloping roof lines and recessed patios on the building facades to differentiate the horizontal and vertical surfaces. AD.6</li><li>• The use of different materials and colors on the facades of the buildings and the breezeway/entries create an aesthetic that both differentiates the buildings from each other and also unifies them with similar details to create a design language throughout the site. AD.7</li><li>• Both the front and rear facades are the same on each</li></ul>
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	<p>building to create uniformity across the different buildings regardless of building orientation on the site. AD.8</p> <ul style="list-style-type: none"> <li>The site layout of the buildings provides open spaces and pedestrian circulation throughout the site and between the buildings. A gazebo and playground have been incorporated into the central open plaza area between the community building and the adjacent 3 and 4 story residential buildings. The similar design elements of the different scale buildings around the site and plaza area creates architectural unity across the entire site. AD.9</li> </ul>
A-DS4-2	The buildings scales respond to the surrounding context of neighboring structures by their locations on the site. Our largest building (4 stories tall, 532 feet long) is adjacent to the larger scale industrial building that is on the adjoining site. The other 5 buildings are 3 stories tall to address the adjacent residential neighborhoods that border the site.
A-DN2-1	We are increasing site density by creating one-4 story, 96-unit structure and five-3 story structures to take greatest advantage of our site limitations.
A-DN2-2	Our proposed development minimizes contrasts in scale by creating a stair step affect from the 3 story buildings that line Greendale Road to the larger 4 story building that addresses the larger industrial buildings bordering the rear of the site.
A-DN3-2	We are creating context sensitive design by addressing the larger scale industrial buildings on the adjacent site by placing the largest, most densely populated building on the site closest to that adjacent industrial property.
C-L17-1	We are providing safe access to community facilities by locating a community building, a picnic shelter and playground at the center of our site for our residents to use. We are also providing greenspaces along the railroad tracks on the site as a greenspace buffer from the tracks.
D-PL7-1	The neighboring property owners and stakeholders, as explained above, were all contacted and had the opportunity to review and provide input as to the proposed development prior to submission.
D-SP3-1	The Preliminary Development Plan denotes expansion of the existing right-of-way along Greendale Road and noted

	easements for utilities.
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Transportation & Pedestrian Connectivity	
A-DS1-1	With the rapidly changing character of this area, a new mass transit node is proposed as a part of the Sullivan Trace Road Extension. This development will include multimodal transit options to connect with other public transit routes.

Since this proposed project is a mixed-use development, a number of the Placebuilder development criteria are not applicable to the proposed zone change. Those are listed below, along with a brief explanation of why they are not pertinent to proposed redevelopment of the building and/or the site.

Site Design, Building Form & Location	
A-DS7-3	No parking structure is proposed for this project.
A-DS8-1	The proposed project will not include single-family detached housing.
A-EQ7-1	No school sites will be incorporated into this project.
C-LI6-S	The proposed project will provide affordable housing options within the development.
C-PS10-2	The proposed project will provide only the required parking under the B-6P zone regulations.
C-PS10-3	The proposed project will provide only the required parking under the B-6P zone regulations.
D-PL9-1	No identified historic structures are on this property.
D-PL10-1	No public streets will be created with this project.
D-SP3-2	No cellular tower antennae will be required with this project.
E-GR4-1	No existing structures are on this property.
E-GR5-1	No identified historic structures are on this property.
E-GR9-3	The proposed is for multiple family affordable housing with enhanced pedestrian facilities as a part of the zone change request.

Transportation & Pedestrian Connectivity	
A-DS13-1	The proposed development project has no stub street adjoining the property.
D-CO4-1	No dead-end streets or cul-de-sacs are proposed for this development project.

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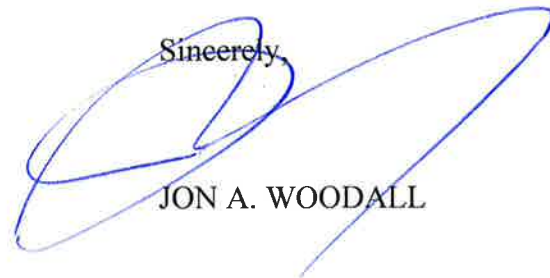
D-CO4-2	No additional road capacity is anticipated for this development project as noted in the traffic impact study prepared by Palmer Engineering June 2022.
D-CO4-3	No additional public streets are anticipated for this development project.
D-CO5-1	No additional public streets are anticipated for this development project.
D-SP6-1	No public social services or community facilities are proposed with this redevelopment project.

Greenspace and Environmental Health	
B-PR2-1	For this development project, no environmentally sensitive areas have been identified.
B-PR2-2	For this development project, no floodplain is located on the property.
B-PR2-3	For this development project, no floodplain is located on the property.
D-SP2-1	For this development project, no school site is provided.
D-SP2-2	For this development project, no school site is provided.

**Conclusion:**

We ask, on behalf of the Applicant, that the Planning Staff and Planning Commission favorably consider the proposed zone change and its relationship to fulfilling the mission, goals, objectives, and policies of Imagine Lexington: The 2018 Comprehensive Plan. Thank you in advance for your consideration of our proposed zone change and we look forward to presenting our case in full at a public hearing. We will be pleased to answer any questions about our proposal between now and the public hearing.

Sincerely,



JON A. WOODALL

JAW/ss