

R O S E
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C A M E N I S C H
M A I N S

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January 3, 2023

Mr. Larry Forester, Chairperson
Lexington Fayette Urban County Planning Commission
c/o Mr. Hal Baillie, Planning Services
101 East Vine Street, 7th Floor
Lexington, Kentucky 40507

Re: *Zone Map Amendment (B-1 Neighborhood Business to I-1 Light Industrial)
For A Portion Of The Property (1.8 acres) Fronting Industry Road With An
Address of 1301 Winchester Rd (Eastland Shopping Center)*

Dear Chairperson Forester,

I am pleased to submit this zone map amendment application on behalf of Eastland Legacy Center, LLC, for a portion of the property it owns, 1.8 acres, which fronts and is oriented towards Industry Road, as more specifically reflected on the accompanying preliminary development plan with an address of 1301 Winchester Road. The subject property has been a part of the Eastland Shopping Center for many years with a current zoning of B-1 (Neighborhood Business). However, the subject property proposed for rezoning is adjacent to 1.08 acres of property zoned I-1 (Light Industrial) owned by the Kentucky American Water Company and which has been used as a large water tower for a number of years. There is also a significant amount of property across Industry Road from the subject property zoned I-1. Additionally, there is a substantial amount of property located nearby and to the north zoned B-4 (Wholesale and Warehouse Business). This B-4 property is located directly across Eastland Drive from the Eastland Shopping Center. The dominant character of the proposed rezoning site is more oriented towards employers which operate in the I-1 and B-4 zones. As a result, it is has historically been difficult to market and lease space on the subject property for uses in the current B-1 zone. The more compatible uses for the subject and ones which will allow the subject property to successfully perform in terms of job creations are found in the Light Industrial zone. The preliminary Development Plan associated with the zone change proposes 32,500 square feet of flex warehouse space with 53 parking spaces and 5 bike parking spaces. The anticipated users of the flex warehouse space are "Specialty Trade Contractors". Submitted contemporaneously with this zone map amendment application is a Parking Demand Mitigation Study prepared by Barrett Partners, Inc. The proposed place type is Industry and Production Center. The proposed development type is Industrial and Production Non-Residential, and the proposed zoning is I-1 Light Industrial.

This zone map amendment application complies with the following relevant goals and objectives of the 2018 Comprehensive Plan:

I. GOALS AND OBJECTIVES

THEME A GROWING SUCCESSFUL NEIGHBORHOODS

GOAL 2: SUPPORT INFILL & 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 & design features of areas surrounding development projects & develop design standards & guidelines to ensure compatibility with existing urban form.

The proposed amendment will help to eliminate the vacant and underutilized employment space of the subject property by providing job opportunities to Lexington residents in general and particularly for residents who live near the subject property along the Winchester Road corridor. The proposed building design and character will be context sensitive to the surrounding business structures.

THEME C CREATING JOBS & PROSPERITY

GOAL 1: SUPPORT & SHOWCASE LOCAL ASSETS TO FURTHER THE CREATION OF A VARIETY OF JOBS.

Objectives:

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

GOAL 2: ATTRACT THE WORLD'S FINEST JOBS, ENCOURAGE AN ENTREPRENEURIAL SPIRIT, & ENHANCE OUR ABILITY TO RECRUIT & RETAIN A TALENTED, CREATIVE WORKFORCE BY ESTABLISHING OPPORTUNITIES THAT EMBRACE DIVERSITY WITH INCLUSION IN OUR COMMUNITY.

Objectives:

- b. Improve opportunities for small business development and workers who rely on personal technology.

THEME E URBAN & RURAL BALANCE

GOAL 1: UPHOLD THE URBAN SERVICE AREA CONCEPT.

Objectives:

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

THEME F IMPLEMENTING THE PLAN

GOAL 1: ENGAGE & EDUCATE THE RESIDENTS OF LEXINGTON-FAYETTE COUNTY IN THE PLANNING PROCESS.

Objectives:

- a. Pursue all venues of communication, including, but not limited to, electronic and social media to involve residents.
- b. Establish early and continuous communication with residents.

DISCUSSION

Approval of this zone map amendment will further the implementation of the above referenced goals and objectives by revitalizing underutilized land within the Urban Services Boundary to create more employment opportunities. The current B-1 zoning is out of character with the dominant employment uses along this section of Industry Road which are oriented and zoned for Light Industrial and Wholesale and Warehouse Business employment opportunities. Employment in the I-1 zone generally provides a higher wage than does retail jobs. The Catholic Action Center located at 1055 Industry Road is a service attracting a substantial homeless population which could benefit by the new employment opportunities created by approving this zone map amendment request. The proposed rezoning is compatible with the nearby business uses. This kind of infill and redevelopment helps to create employment opportunities within the existing Urban Services Boundary which helps preserve the existing boundary for urban uses and protects unnecessary expansion into the Rural Services Area of Fayette County. Due to the holidays, meetings with the surrounding property owners has been deferred to the month of January in order to facilitate maximum attendance and participation. A supplemental report on this outreach engagement will be tendered to the Planning Commission by the end of January.

II. COMPLIANCE WITH PLACEBUILDER

PLACE TYPE: INDUSTRY AND PRODUCTION CENTER

DEVELOPMENT TYPE: INDUSTRY AND PRODUCTION NON RESIDENTIAL

This application addresses the applicable development criteria for this place type and development type as set out below:

SITE DESIGN, BUILDING FORM, & LOCATION

B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.

Response: There are no environmentally sensitive areas on the subject property.

B-SU11-1 Green infrastructure should be implemented in new development. (E-GR3)

Response: This is not a new development but a redevelopment of an existing site. Nevertheless, considerations of green infrastructure will be evaluated and considered.

C-DI1-1 Consider flexible zoning options that will allow for a wide range of jobs.

Response: The I-1 zone allows for specified permitted uses as well as those uses set out in the B-4 zone. This flexibility will allow for a wider range of employment opportunities that are also compatible with the existing nearby land uses.

C-DI5-1 In Opportunity Zones with a clearly defined local context, consider adaptive reuse to enhance the existing context.

Response: The subject property is not within an opportunity zone.

C-PS3-1 Development potential in the Rural Activity Centers should be maximized. (E-ST5)

Response: This development criteria does not apply since this subject property is not within a Rural Activity Center

C-PS8-1 Opportunities for industry and special trade employment should be increased.

Response: This application seeks to advance the creation of such employment opportunities.

C-PS10-2 Developments should explore options for shared and flexible parking arrangements for currently underutilized parking lots.

Response: There will be shared parking with the existing Eastland Shopping Center parking lot.

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

Response: This is avoided as provided on the associated preliminary development plan.

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

Response: Due to the holidays, our stakeholders meeting has been deferred to January and will be held at least 6 weeks prior to the Planning Commission hearing.

D-PL9-1 Historically significant structures should be preserved.

Response: There are no historically significant structures on the subject property.

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.

Response: This is a redevelopment of an underperforming job site but it will be fitted with up to date wireless communications networked into existing facilities.

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.

Response: No cellular towers are proposed. There is an existing water tower located next to the subject property but owned by Kentucky American Water company which could be used for cellular type service.

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

Response: This will be done to the extent feasible. However, in order to attract new businesses, there will need to be substantial changes made to the existing structure.

E-GR5-1 Structures with demonstrated historic significance should be preserved or adapted.

Response: There are no existing structures with historical significance

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

C-PS10-1 Flexible parking and shared parking arrangements should be utilized.

Response: This is part of the application to use parking spaces within Eastland Shopping Center which is also owned by the applicant.

D-CO1-1 Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.

Response. The subject property is located on existing bus lines and there will be bicycle racks installed. The subject property is also within a 10-minute walk via sidewalks to existing residential neighborhoods and across the street from the Catholic Action Center.

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

Response: The subject property has been safely accessed for many years via bus transportation, walking and motor vehicles.

D-CO2-2 Development should create and/or expand a safe, connected multimodal Transportation

Response: Bicycle racks will be added to the existing multimodal transportation system.

D-CO4-1 Dead-end streets and Cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.

Response: No dead-end street or cul de sacs are being added

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.

Response: Since this is a redevelopment of an existing site which will likely generate less traffic than B-1 uses, there is no need to increase roadway capacity. The existing roadway capacity is more than adequate to serve the proposed uses and no traffic study is warranted.

D-CO4-3 Street pattern and design should consider site topography and minimize grading where possible.

Response: No new streets are proposed.

D-CO5-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.

Response: No new streets are proposed.

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)

Response: There will be ample available parking in Eastland Shopping Center to accommodate ride sharing for future employees employed on the subject property.

GREENSPACE & ENVIRONMENTAL HEALTH

A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.

Response: Existing landscape features will be preserved, and new landscaping added to provide an attractive work location and attract future employers.

A-EQ7-3 Community open spaces should be easily accessible and clearly delineated from private open spaces.

Response: There are no community open spaces on the subject property. It is a redeveloped site.

B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.

There are no environmentally sensitive features on the site or adjacent to it.

B-PR2-2 Dividing floodplains into privately owned parcels with flood insurance should be avoided.

Response: There are no floodplains on the subject property.

B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.

Response: There are no floodplains on the property or adjacent to it.

B-PR7-1 Connections to greenways, tree stands, and stream corridors should be provided.

Response: There are no greenways, tree stands or stream corridors for which a connection could be provided.

B-PR7-2 Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.

Response: Any required trees will be added per the zoning ordinance.

B-PR7-3 Developments should improve the tree canopy.

Response: This is an infill and redevelopment project for the primary purpose of creating jobs. Any tree canopy addition will be added per zoning requirements.

B-RE1-1 Developments should incorporate street trees to create a walkable streetscape.

Response: To the extent street trees are required they will be added. The site is already quite walkable to and from nearby properties.

B-RE2-1 Green infrastructure should be used to connect the greenspace network.

Response: Green infrastructure will be considered but there is no nearby greenspace network upon which to connect.

E-ST5-1 Increased intensity in the Rural Activity Centers should not negatively impact surrounding rural areas.

Response: This development criteria does not apply since the subject property is not located within a Rural Activity Center.

E-GR3-1 Physical and visual connections should be provided to existing greenway networks.

Response: There are no nearby greenway networks. However existing sidewalks are available.

E-GR3-2 New focal points should emphasize geographic features unique to the site.

Response: No new focal points are being added to the subject property.

Based on the above, we believe this application is in compliance with the 2018 Comprehensive Plan and justifies approval. However, to the extent your staff wishes further amplification or justification for this application please have them contact us so that the Planning Commission will have the benefit of all the relevant evidence at the time of the hearing of this application. I look forward to presenting this application to the full Commission during its February meeting.

Mr. Larry Forester
January 3, 2023
Page 9

Thank you,

A handwritten signature in cursive script that reads "T. Bruce Simpson". The signature is written in black ink and is positioned above the printed name.

T. Bruce Simpson, Jr.

TBS/skh