

AN ORDINANCE CHANGING THE ZONE FROM A WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 2.24 NET (2.53 GROSS) ACRES, FOR PROPERTIES LOCATED AT 1016-1024 SOUTH BROADWAY. (GATEWAY LOFTS LEXINGTON; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on July 23, 2020, a petition for a zoning ordinance map amendment for property located at 1016-1024 South Broadway from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1), for 2.24 net (2.53 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 9-0; and

WHEREAS, this 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 1016-1024 South Broadway from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1), for 2.24 net (2.53 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: September 3, 2020



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL
PUBLISHED: September 10, 2020

Rec'd by _____

Date: _____

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

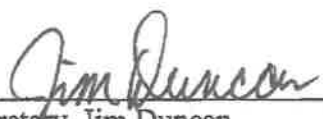
IN RE: **PLN-MAR-20-00011: GATEWAY LOFTS LEXINGTON** – a petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone, for 2.24 net (2.53 gross) acres, for property located at 1016-1024 S. Broadway. (Council District 3)

Having considered the above matter on July 23, 2020, at a Public Hearing, and having voted 9-0 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 zone change from the Wholesale and Warehouse Business (B-4) zone to the Neighborhood Business (B-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types, prioritizing higher density housing types (Theme A, Goal #1.b). The proposed development provides a variety of dwelling units including 29 efficiency apartments, 203 one-bedroom apartments, and 25 two-bedroom apartments for a total of 257 dwelling units.
 - b. The proposed development will support Infill and Redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2) with a development that will respect the context and design features of the area's surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b). The Area Character and Context study provides greater detail regarding how the project will be compatible with the existing urban form.
 - c. The proposed development will provide a well-designed neighborhood and community (Theme A, Goal #3) by focusing on pedestrian mobility to the nearby amenities, including the shopping area to the south, while also connecting to other nearby uses and to transit routes (Theme A, Goal #3.b).
 - d. The proposed rezoning and associated development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses.
 - e. The proposed development preferences bicycle, pedestrian, and transit routes through the incorporation of new infrastructure (bike parking and transit shelter), prioritizing multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d).
 - f. The proposed redevelopment will cause minimal disruption of natural features (Theme A, Goal #3.c), while also upholding the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (South Broadway) (Objective E, Goal #1.c), and allowing development of an underutilized parcel on a major corridor (Objective E, Goal #1.d). The proposed redevelopment of the site will not impact any natural features.
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that supports pedestrian mobility, while also providing cross access to surrounding amenities and job opportunities. The development will help to intensify the land use along South Broadway, a major urban arterial roadway.

- b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of enhanced pedestrian facilities along South Broadway and Virginia Avenue, that provides safe and easy access to transit stops. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment. The proposed development also allows for added street trees and internal tree canopy coverage, while also reducing impervious surfaces on the subject property.
3. This recommendation is made subject to approval and certification of PLN-MJDP-20-00028: Gateway Lofts (Grogan & Grogan), 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 14th day of August, 2020.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, PLN-MJDP-20-00028: GATEWAY LOFTS (GROGAN AND GROGAN) was approved by the Planning Commission on July 23, 2020 and certified on August 6, 2020.

K.R.S. 100.211(7) requires that the Council take action on this request by October 21, 2020.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (9) Bell, Davis, de Movellan, Forester, Meyer, Nicol, Plumlee, Pohl, and Wilson

NAYS: (0)

ABSENT: (1) Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-20-00011 carried.

Enclosures: Application
Supplemental Justification
Plat
Staff Report
Supplemental Staff Report
Applicable excerpts of minutes of above meeting

Record ID: PLN-MAR-20-00011

Filing Received: 05/04/2020

Pre-Application Date: 03/27/2020

Filing Fee: \$550.00

MAP AMENDMENT REQUEST (MAR) APPLICATION

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

Applicant: GATEWAY LOFTS LEXINGTON, 150 EAST BROAD STREET, COLUMBUS, OH 43215
Owner(s): ALAN T. GROGAN TTEE, 12 LANSDOWNE STREET, LEXINGTON, KY 40502
Attorney: RICHARD V. MURPHY, 250 WEST MAIN STREET, STE 2510, LEXINGTON, KY 40507 PH: 8592339811

2. ADDRESS OF APPLICANT'S PROPERTY

1016 SOUTH BROADWAY, LEXINGTON, KY 40504
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3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Existing Use		Requested Use		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
B-4	MEDICAL RETAIL	B-1	MIXED USE	2.24	2.53

4. COMPREHENSIVE PLAN

a. Utilizing Placebuilder, what Place-Type is proposed for the subject site?	CORRIDOR
b. Utilizing Placebuilder, what Development Type is proposed for the subject site? If residential, provide the proposed density	HIGH DENSITY 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:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
ilities:	<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



**GPG LLC
12 Lansdowne Est.
Lexington, KY 40502**

April 29, 2020

**Lexington-Fayette Urban County Planning Commission
200 East Main Street
Lexington, KY 40507**

Re: 1016-1024 South Broadway

Dear Members of the Planning Commission:

GPG LLC is the owner of the property at 1016-1024 South Broadway, Lexington.

The company hereby gives permission to Gateway Lofts Lexington to apply for a zone change to the Neighborhood Business (B-1) zone and a form-based development plan for this property.

Thank you.

Sincerely,



**Alan Grogan
Manager**

MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

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Lexington, Kentucky 40507

TEL: (859) 233-9811
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Chris@MurphyClendenen.com

RICHARD V. MURPHY
CHRISTOPHER M. CLENDENEN

May 4, 2020

Mr. Michael Owens, Chairman
and Members of the Lexington-Fayette Urban County Planning Commission
200 East Main Street
Lexington, KY 40507

Re: Proposed zone change for 1016-1024 South Broadway

Dear Chairman Owens and Members of the Planning Commission:

We represent Gateway Lofts Lexington, which is requesting a zone change from the B-4 (Wholesale and Warehouse Business) zone to the B-1 (Neighborhood Business) zone for 2.24 acres of land at 1016-1024 South Broadway.

Description of Project

This is the former Grogan's Healthcare Supply property. The property is currently vacant and consists of an office building, large warehouse space and large parking lots. We are requesting a Form Based development plan which will allow construction of an apartment building and associated uses.

The development will consist of approximately 256 market-rate one- and two-bedroom units and associated uses. It will serve a diverse group of residents. It will attract healthcare professionals who work at the three major nearby healthcare facilities, workers who want to live close to downtown jobs, students who attend the University of Kentucky, and people who want to be near the entertainment and dining options of South Broadway Place, the Red Mile, and downtown. The property is within walking and biking distance of Lexington Clinic, St. Joseph Hospital, UK Healthcare Hospital, the University of Kentucky, thirteen restaurants in the adjacent shopping area, the Red Mile, hotels, and downtown. There is a dedicated bike lane on Virginia

Avenue, and existing transit routes on South Broadway and Virginia Avenue. Most of the parking will be underneath the building.

Goals and Objectives of the 2018 Comprehensive Plan

Intensification of corridor uses was greatly emphasized in the 2018 Comprehensive Plan. Density policy 1 states: “The highest density of our residential development should be directed to our major corridors and downtown.” (Page 41). Reliance on the automobile is reduced, as people can walk, bike or use transit to access the nearby employment, healthcare, dining and entertainment options which are nearby. Our proposed development is in agreement with the Goals and Objectives of the 2018 Comprehensive Plan. It will expand market-based housing choices (Goal A.1.) and it will prioritize higher density housing types (Objective A.1.b.). It will encourage sustainability in housing development (Objective A.1.a.). Similarly, it will strengthen the opportunity for higher density housing (Objective A.1.d.). In addition, this proposal agrees with Goal A.2, supporting infill and redevelopment throughout the Urban Service Area as a strategic component of growth. This property is an example of redevelopment of an existing parcel which contains a large amount of surface parking (Objective A.2.a.). It is compatible with surrounding development projects, and we are including a context study as part of this application (Objective A.2.b.). We will have pedestrian connections to the surrounding shopping area to the south, and to sidewalks along South Broadway and Virginia Avenue to connect to nearby uses and to transit routes (Objective A.3.b.). As this is a property which has already been developed, we will minimize disruption to natural features (Objective A.3.c).

In addition, this project will assist in reducing Lexington-Fayette County’s carbon footprint (Goal B.2.), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses. It is located on bike routes and transit routes. Thus, it serves to reduce emphasis on single-occupancy vehicles (Objective B.2.d).

Our proposed zone change will help to uphold the Urban Service Area concept (Goal E.1), by redeveloping existing underutilized corridors (South Broadway) (Objective E.1.c), and allowing development of an underutilized parcel on a major corridor (Objective E.1.d). It will assist in maintaining the current boundaries of the Urban Service Area (Goal E.3).

Engagement

Due to the situation with COVID-19, we have not yet been able to have dialogue with neighboring property owners. We will do this as the state reopens.

Place-Type, development type and requested zone

This proposal fits within the Corridor category, as a place-type under the PlaceBuilder portion of the Comprehensive Plan. This property is located within a highly commercialized area along South Broadway. It is along a high traffic corridor, which serves two hospitals, one major healthcare provider, the largest university in the state, downtown and the Red Mile. The primary use of the project will be high density residential uses, which are allowed and encouraged in

Corridors. The Form Based development in the B-1 zone is the zone which allows flexibility needed. Because the B-1 zone is in general, a non-residential zone, after discussion with the staff, the development type is High Density Non-Residential/Mixed-Use (HDNR-MU) category.

Development criteria.

Here is a discussion of the criteria that were not specifically addressed on the development plan, or which need further discussion.

- A-DS4-2. This property is located in the midst of a number of varied uses, including tall medical facilities and hotels, a suburban shopping area, a gas station/convenience store, and an older boarded up building directly at the corner. As mentioned in this criteria, this building will set the future context in accord with other Imagine Lexington corridor policies and PlaceBuilder priorities.
- A-DS5-3. The primary orientation of this building will be to Virginia Avenue, for which we have a longer frontage. We will also have entrances along South Broadway, set back farther from South Broadway than the current Grogan's building. This will allow an area with improvements and landscaping which will be attractive to pedestrians.
- A-DS5-4. The Virginia Avenue main entrance will provide an entry plaza and two-story building projection at a pedestrian friendly scale.
- A-DS7-1 and A-DS7-2. Parking will be contained in the building.
- A-DS7-3. We will have entrances to the building and an office along the South Broadway frontage. Due to the elevation change, the Virginia Avenue frontage will be oriented to the second floor of the building, and the first level parking will likely not be visible from Virginia Avenue. In addition, the ramp entrance into the garage will be toward the back of the lot, so pedestrians along Virginia Avenue will not have to deal with automobiles coming up the ramp.
- A-DS10-1. Our residential units will be within reasonable walking distance of the adjacent shopping center, containing 13 restaurants, the University of Kentucky, the Red Mile, three major healthcare providers and downtown.
- A-DS12-1. As pointed out in this criteria, this high-density residential development will be located immediately adjacent to a neighborhood-serving commercial area, South Broadway Place.
- A-DN1-1. This high-density residential development is located on a corridor near downtown, as called for.
- A-DN2-1. In compliance with this criteria, this infill residential increases the density of the area.

- A-DN2-2. This property is not located adjacent to an historic district. It is in scale with other recent high-density residential development in the area, as well as nearby hotels and healthcare buildings.
- A-DN3-2. This development will incorporate residential units adjacent to an existing commercial center.
- A-EQ3-1. This development provides greater intensity directly along the corridor and transitions to the more suburban style shopping center adjacent. It is in context with hotels and healthcare buildings in the immediate area.
- B-PR9-1. This property is not located within an environmentally sensitive area. The current site is covered by approximately 95% impervious surfaces. This new project will reduce the impervious surface coverage.
- B-SU11-1. The re-development will allow us to bring stormwater to current standards.
- C-DI1-1, C-LI6-1 and C-LI7-1. Although this development does not generate a large number of jobs, it places residents within easy pedestrian, bicycle and transit access to jobs. As called for in this criteria, this development incorporates multi-family housing into a walkable commercial area along this major arterial. It will allow greater residential density to support the restaurant, retail, business and entertainment facilities which are close by.
- C-PS10-2. This development will make better use of a large surface parking lot on the current Grogan's property.
- C-PS10-3. This project will not be over-parked. We are near the required minimum parking, without requesting a variance.
- D-PL7-1. Due to the COVID-19 quarantine provisions, we have not been able to consult with nearby property owners prior to submitting the application. That will be done in the weeks prior to review.
- D-PL10-1. Due to the short frontage on South Broadway and the grade situation along Virginia Avenue, public art is not currently planned.
- E-GR4-1. The existing building and warehouse is not viable for incorporation into the development.
- E-GR9-4. As called for in this criteria, this building will intensity the use of this underutilized property.
- E-GR10-1 and E-GR10-2. Although this property is not located in the B-6P zone, it is immediately adjacent the South Broadway Place development, which is zoned B-6P. Our development will provide walkable service to the adjacent commercial area.

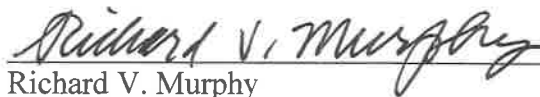
- A-DS1-1. Existing transit stops are located nearby, but off-site.
- A-DS1-2. There are direct pedestrian linkages via sidewalk to the nearby transit stops.
- A-DS4-1 and A-DS5-1. Re-development of this property will provide an improved sidewalk system. In addition, there is an existing dedicated bike lane along Virginia Avenue.
- A-DS5-2. As this property is located on both South Broadway and Virginia Avenue, the building will provide the vertical edge.
- A-EQ3-2 and A-EQ7-2. These two criteria underscore the importance of this development. These criteria call for development on corridors to be transit-oriented, internally walkable, connected to adjacent neighborhoods and to provide access to transit infrastructure. Also, they call for multi-model transportation options for healthcare and social service facilities. As discussed above, the location of this property is close to three major healthcare providers in this community, which can be reached on foot, bicycle, transit or automobile. We will have pedestrian connections into the shopping area adjacent to allow residents the possibility of greatly reducing their allowance on automobiles.
- D-CO2-1 and D-CO2-2. This development will provide safe facilities for users of various transportation modes. Bike racks will be provided. Lighting will be provided for safety purposes. The ramp into the lower parking level will be in the rear of the property, not at the street, and bicycle and automobile parking will be interior, covered and secure.
- D-SP1-3 and D-SP6-1. Sidewalks and roadways can accommodate transportation to school sites and social service and community facilities, as discussed above.
- E-ST3-1. Due to the closeness to the intersection of South Broadway and Virginia Avenue, there is not a good location for ridesharing pickup unless state or city officials would allow one to be constructed in the right-of-way.
- A-EQ7-3. Small community open spaces will be provided along the street areas.
- B-PR7-2, B-PR7-3 and B-RE1-1. Trees are incorporated into the plan to ground the building to the site. This proposal will increase the tree canopy on the site and will extend the existing street tree line which now exists to the east on Virginia Avenue.

Conclusion

The proposed Form-Based B-1 development, consisting primarily of one- and two-bedroom dwelling units, supports the goals of increasing density along corridors, so that residents can make more use of walking, bicycling and transit, in addition to private automobiles. This proposed use is supportive of the shopping center next door, providing a greater customer base for the restaurant, retail and office spaces provided. It supports the healthcare employment centers, consisting of three major healthcare facilities in the immediate vicinity. It is at the entrance to a

major entertainment destination, the Red Mile, in addition to the entertainment, employment and dining options downtown. It is an outstanding use of this underutilized parcel.

Thank you for your consideration of this zone change request.



Richard V. Murphy
Murphy & Clendenen, PLLC, Attorneys for
Gateway Lofts Lexington

HIGH DENSITY NON-RESIDENTIAL / MIXED-USE

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.
- A-DS5-3** Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
- A-DS5-4** Development should provide a pedestrian-oriented and activated ground level.
- A-DS7-1** Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
- 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.
- A-DS7-3** Parking structures should activate the ground level.
- A-DS10-1** Residential units should be within reasonable walking distance to a focal point.
- A-DS12-1** Medium-high density development should be located nearest to neighborhood-serving commercial areas.
- A-DN1-1** High density residential development (HR) should be located on corridors and downtown.
- A-DN2-1** Infill residential should aim to increase density.
- 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)
- A-DN3-2** Development should incorporate residential units in commercial centers with context sensitive design.
- A-EQ3-1** Development should create context sensitive transitions between intense corridor development and existing neighborhoods.
- A-EQ7-1** School sites should be appropriately sized.
- B-PR9-1** Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
- B-SU11-1** Green infrastructure should be implemented in new development. (E-GR3)
- C-DI1-1** Consider flexible zoning options that will allow for a wide range of jobs.
- C-DI5-1** In Opportunity Zones with a clearly defined local context, consider adaptive reuse to enhance the existing context.
- C-LI2-1** The design should not obstruct the view of the gateway features of the three existing gateways mapped in the Rural Land Management Plan (RLMP).
- C-LI2-2** Non-agricultural uses at or near potential and existing gateways, as mapped in the Rural Land Management Plan, should be buffered.

- C-LI2-3** Design should create a positive gateway character at existing and proposed gateways as identified in the Rural Land Management Plan.
- 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.
- C-LI6-1** Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors.
- C-LI7-1** Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS9-2** Modify current office space to include complementary uses.
- C-PS10-2** Developments should explore options for shared and flexible parking arrangements for currently underutilized parking lots.
- C-PS10-3** Over-parking of new developments should be avoided. (B-SU5)
- D-PL7-1** Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-PL9-1** Historically significant structures should be preserved.
- D-PL10-1** Activate the streetscape by designating public art easements in prominent locations.
- 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.
- 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.
- E-GR4-1** Developments should incorporate reuse of viable existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.
- E-GR9-4** Development should intensify underutilized properties and develop vacant and underutilized gaps within neighborhoods. (E-GR6)
- E-GR10-1** Developments should include multi-family residential components in B-6P and other Mixed Use Zones.
- E-GR10-2** Developments should provide walkable service and amenity-oriented commercial spaces.
- E-GR10-3** Shared common space in commercial developments should be provided to encourage experiential retail programming.

Theme Letter - Pillar Abbreviation & Policy Number - Criteria Number
Ex: from Theme A - Design Pillar & Policy #1 - Criteria #1 = A-DS1-1. Full decoder on page ###

Criteria that include additional policy items in parentheses refer to companion policies that will provide additional context to the related criteria.

HIGH DENSITY NON-RESIDENTIAL / MIXED-USE

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

- A-DS1-1** Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).
- A-DS1-2** Direct pedestrian linkages to transit should be provided.
- 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)
- A-DS5-1** Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
- A-DS5-2** Roadways should provide a vertical edge, such as trees and buildings.
- A-DS13-1** Stub streets should be connected. (D-CO4)
- A-EQ3-2** Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3)
- A-EQ7-2** Multi-modal transportation options for healthcare and social services facilities should be provided. (E-ST3)
- 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)
- C-PS10-1** Flexible parking and shared parking arrangements should be utilized.
- D-CO1-1** Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.
- D-CO2-1** Safe facilities for all users and modes of transportation should be provided.
- D-CO2-2** Development should create and/or expand a safe, connected multimodal transportation network that satisfies all users' needs, including those with disabilities.
- 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.
- D-CO5-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
- 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.
- D-SP6-1** Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes. (A-EQ7)

- 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)

GREENSPACE & ENVIRONMENTAL HEALTH

- A-DS4-3** Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
- A-EQ7-3** Community open spaces should be easily accessible and clearly delineated from private open spaces.
- B-PR2-1** Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
- B-PR2-2** Dividing floodplains into privately owned parcels with flood insurance should be avoided.
- B-PR2-3** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- B-PR7-1** Connections to greenways, tree stands, and stream corridors should be provided.
- B-PR7-2** Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.
- B-PR7-3** Developments should improve the tree canopy.
- B-RE1-1** Developments should incorporate street trees to create a walkable streetscape.
- B-RE2-1** Green infrastructure should be used to connect the greenspace network.
- D-SP2-1** Visible, usable greenspace and other natural components should be incorporated into school sites.
- D-SP2-2** Active and passive recreation opportunities should be provided on school sites.
- E-GR3-1** Physical and visual connections should be provided to existing greenway networks.
- E-GR3-2** New focal points should emphasize geographic features unique to the site.

CORRIDOR

Theme Letter - Pillar Abbreviation & Policy Number – Criteria Number
Ex: from Theme A, Design Pillar, Policy #1, Criteria #1: A-DS1-1. Full decoder on page ###

Criteria that include additional policy items in parentheses refer to companion policies that will provide additional context to the related criteria.

MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

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RICHARD V. MURPHY
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July 20, 2020

Mr. Larry Forester, Chairman
and Members of the Lexington-Fayette Urban County Planning Commission
200 East Main Street
Lexington, KY 40507

Re: Supplement to Letter of Justification
1016-1024 South Broadway

Dear Chairman Forester and Members of the Planning Commission:

This letter is written to supplement the information previously provided to you in our letter of justification. The Planning staff, in its postponement recommendation, has asked for further clarification on several matters.

PlaceBuilder Criteria

1. A-DS4-2: This criteria calls for new construction to be at an appropriate scale to respect the context of neighboring structures; at the same time, along major corridors, it should set the future context in accordance with Imagine Lexington corridor policies in PlaceBuilder priorities. As shown in our context study, there are numerous nearby buildings with similar height and scale at prominent intersections and along the South Broadway and the Virginia Avenue corridors. Starting from the south on South Broadway, there is the seven-story Saint Joseph Hospital, and its five-story office buildings across South Broadway. The hospital parking garage alone is four-five stories. The Campbell House is a very large, three-story suburban-style hotel. The Lexington Clinic is a six-story building with additional buildings under construction. There is a four-story office building on the east side of South Broadway. Continuing north on Broadway, past Virginia Avenue, the Springs Hills Suites is a four-story suburban-style hotel. The five-story Lex apartment development is also on Broadway. Along Virginia Avenue, we are near the four-story Holiday Inn Express, another suburban-style hotel, and at South Limestone Street, there is

the six-story Hub form-based project on the northwest side of the intersection, and six-seven story University of Kentucky research buildings on the southwestern corner. Immediately surrounding our property are also one and two-story structures consisting of shopping centers, out lots and individual non-descript commercial buildings. We have an attractive period house adjacent to our site. The Shell gas station and Starbucks are across Virginia Avenue. Thus, we are consistent with the existing context of the area. Our six-story elevation is consistent with the other buildings as mentioned above at prominent intersections and along the South Broadway and Virginia Avenue corridors. We have incorporated a two-story element in the façade along Virginia Avenue to help delineate our "front door" to the community areas and respect the scale of the nearby structures along Virginia Avenue. This façade will appear as a five-story elevation with grades stepping down to the streetscape. We respect this older structure next door by utilizing brick in our building and by not attempting to match the details and scale so as to not diminish the unique nature of that building.

This development will also help to set the future context of both the South Broadway and Virginia Avenue corridors. As mentioned above, there are many existing buildings of the size and scale of our proposal along both corridors. However, very few of those buildings are of a more urban, corridor-type nature. The nearby hotels are suburban-style, with substantial front parking lots and large setbacks. The Lex has zero setback lines, but has exterior parking lots. The Lexington Clinic is close to the street, but also has exterior parking. Sant Joseph Hospital has zero setbacks and parking structures, but by its nature, has little street activation. The University of Kentucky buildings similarly have urban-style setbacks, but also have offsite parking and limited street activation. Only the Hub is a similar example. Our proposal meets the guidelines set forth in the Comprehensive Plan and PlaceBuilder. It is a mixed-use development and is constructed with small setbacks from the street. We have interior parking, and pedestrian-level street activation. We have excellent access to the nearby community facilities including the thirteen adjacent restaurants, healthcare facilities, employment centers and other nearby options.

There will be other opportunities for redevelopment in the immediate area, the most notable being the Avis car sales lot directly across South Broadway, and the large parking lot for South Broadway Place Shopping Center immediately adjacent. Our proposal sets the tone for more urban, dense development, rather than suburban-style, along these corridors close to downtown and the University.

2. A-DS7-3. This criteria calls for parking structures that activate the ground level. The staff has inquired about the appearance of our parking structure on the side adjacent to South Broadway Place Shopping Center's parking lot. We are proposing a masonry wall with window-like openings that will screen our parking that is positioned to the rear of our development. We utilize windows and openings along the back. We would rather not utilize a mural, as we feel it would not be consistent with the architectural style of the building.

3. C-LI7-1. This criteria calls for developments to create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping and entertainment. We have discussed that our proposal has excellent pedestrian connections to Virginia Avenue and South Broadway. Walking, bicycling, and bus transit is readily available in addition to private automobiles. We will have good pedestrian connectivity to the shopping center

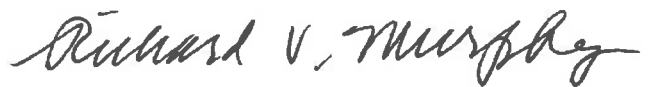
with its restaurants and other services. I am attaching a diagram which shows the pedestrian connections from the residential portion of the building. As you can see, we have entrances at two points adjacent to the shopping center. In addition, three entrances have been located near the elevators and bike rack areas which will be capable of handling bicycles so that it is not necessary to enter from the Virginia Avenue automobile entrance with a bicycle.

4. A-DS1-1. This criteria addresses mass transit infrastructure such as seating and shelters. This site is blessed with three transit lines, two on South Broadway and one on Virginia Avenue. The bus stop on Virginia Avenue is in front of the adjacent Dairy Queen. It consists of a sign mounted on a utility pole. We have initiated discussions with the Transportation Section's liaison with LexTran about enhancing this stop with a possible bench and shelter.

5. D-CO2-1. Safe facilities for all users and modes of transportation should be provided. As mentioned above, we have pedestrian and bicycle entrances at multiple locations throughout the building. Vehicular access is at the point on the property which is farthest away from the intersection with South Broadway. There is a dedicated bicycle lane along Virginia Avenue at this point. We anticipate reserving land for potential widening of South Broadway at final plan stage. Sidewalks will, of course, be provided.

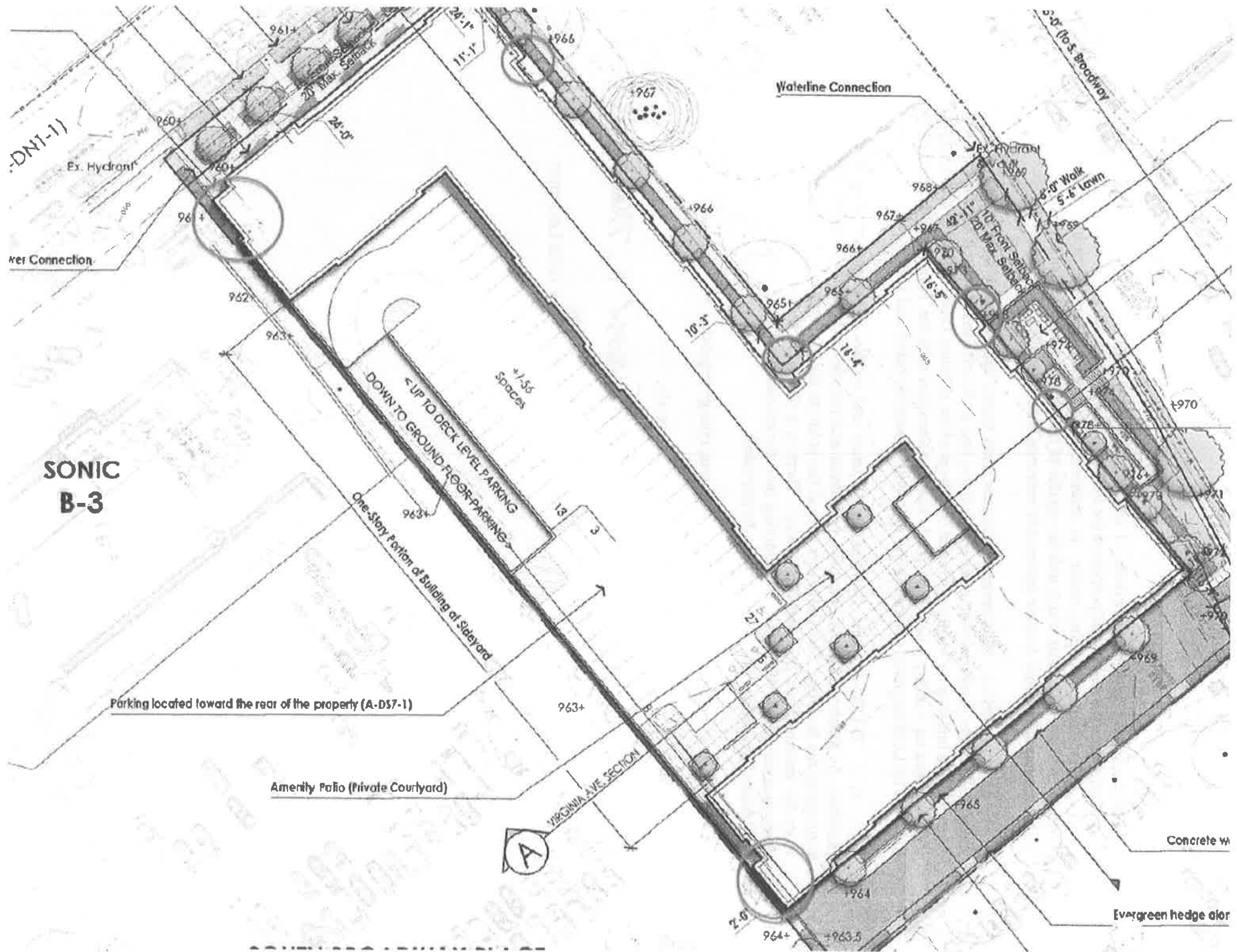
Thank you for your consideration of this zone change request.

Sincerely,



Richard V. Murphy,
Attorney for Gateway Lofts Lexington

RVM/prb



**SONIC
B-3**

Parking located toward the rear of the property (A-DS7-1)

Amenity Patio (Private Courtyard)

Waterline Connection

Ex. Hydrant

Water Connection

Concrete w

Evergreen hedge color

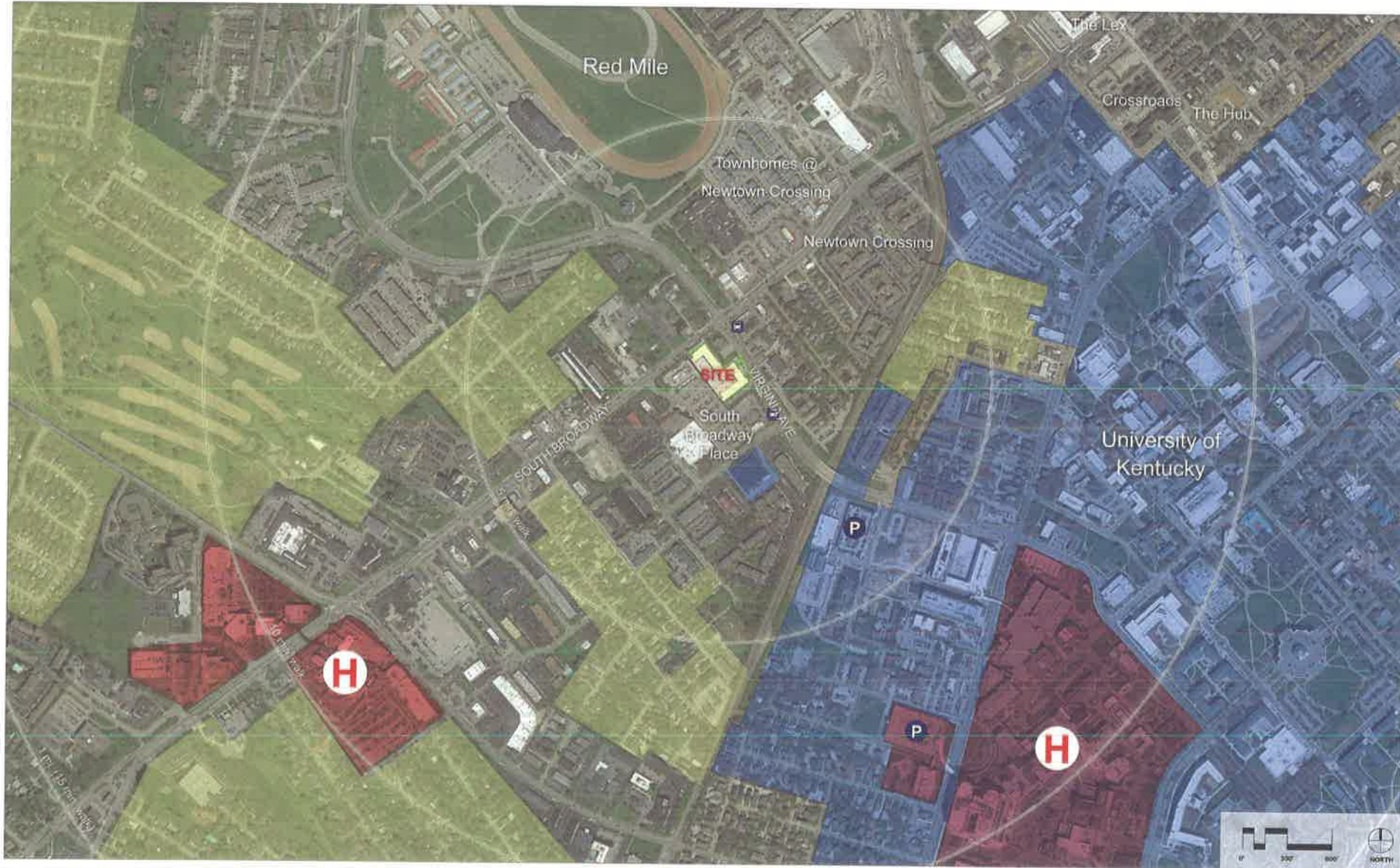


Preliminary Development Plan
Submittal: May 4, 2020



AREA CHARACTER AND CONTEXT STUDY

GATEWAY LOFTS - LEXINGTON, KENTUCKY



REGIONAL CONTEXT MAP

May 4, 2020

GATEWAY LOFTS - LEXINGTON, KENTUCKY ■ BROADWAY & VIRGINIA





View Looking South



View Looking North

AERIAL VIEWS OF SITE: EXISTING CONDITIONS



LOCATION MAP

AREA CHARACTER AND CONTEXT STUDY

May 4, 2020



KEY PLAN

① 1000 South Broadway



② 1026 South Broadway



③ 1076 South Broadway



④ 1080 South Broadway



⑤ 1081 South Broadway



⑥ 1079 South Broadway



⑦ 1057/1059 South Broadway



⑧ 1017 South Broadway



⑨ 1011 South Broadway



⑩ 875 South Broadway



⑪ 867 South Broadway



⑫ 870 South Broadway



⑬ 930 South Broadway



⑭ 381-391 Virginia Avenue



⑮ 373 Virginia Avenue



⑯ 349 Old Virginia Avenue



⑰ 345 Old Virginia Avenue



⑱ 335 Old Virginia Avenue



⑲ 350 Virginia Avenue



⑳ 1000 Export Street



AREA CHARACTER AND CONTEXT STUDY
Residential and Commercial Context

May 4, 2020



KEY PLAN

31 The Lex Apartments
521 South Broadway



32 Hub on Campus 2
685 South Limestone



33 University of Kentucky Academic Building
741 South Limestone



34 Saint Joseph Hospital
1 St. Joseph Drive

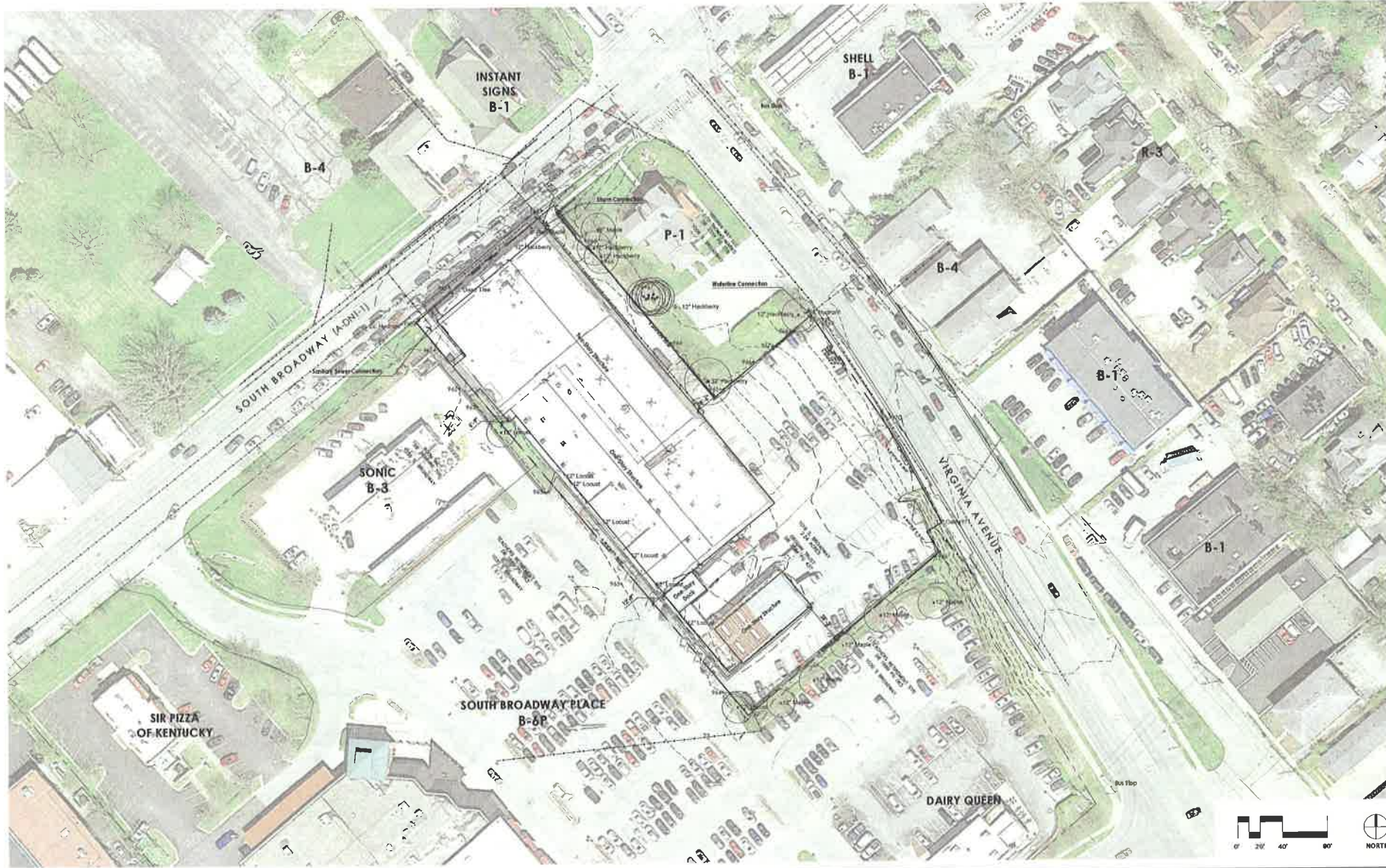


35 SpringHill Suites
863 South Broadway



AREA CHARACTER AND CONTEXT STUDY
Residential and Commercial Context

May 4, 2020

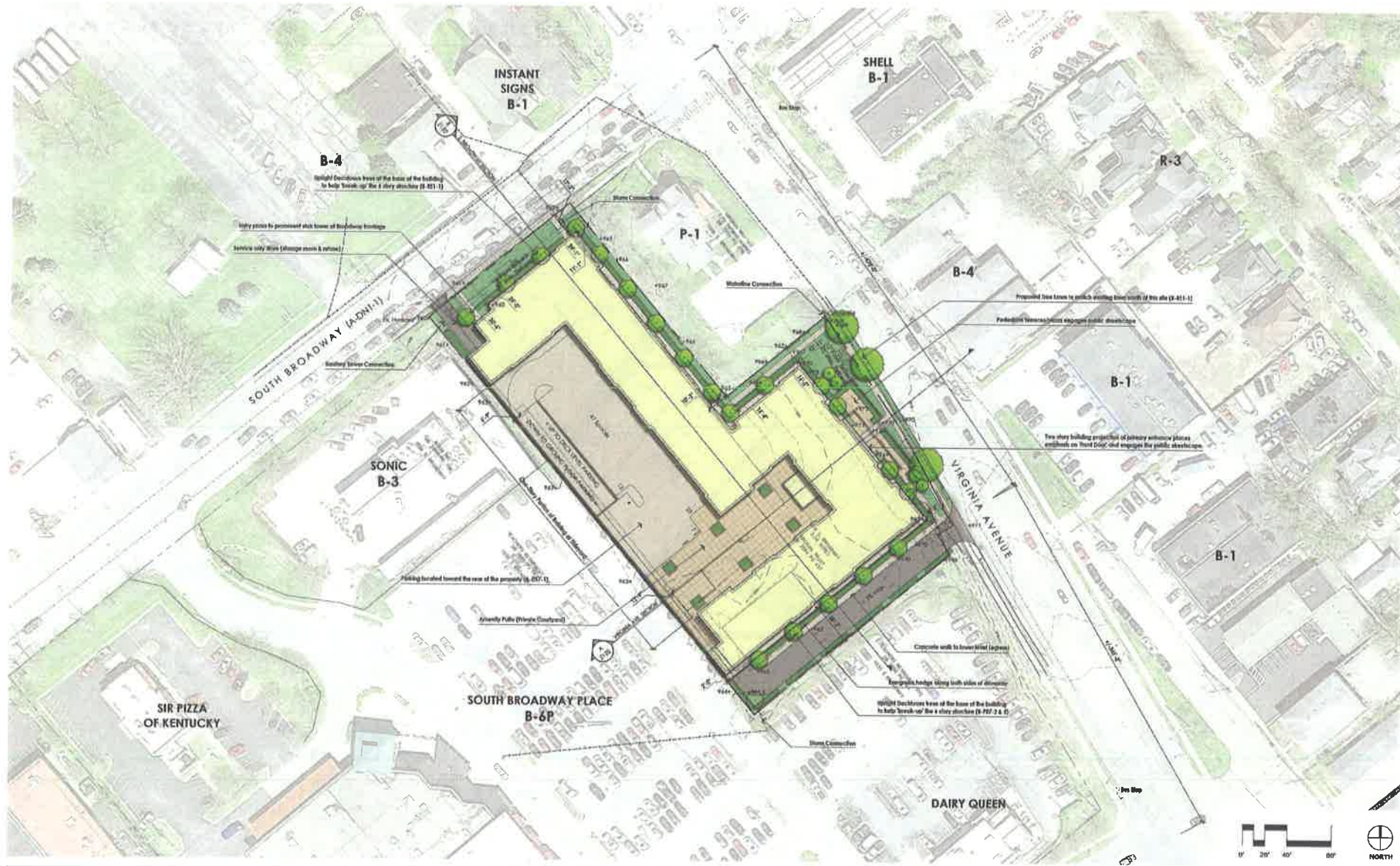


GATEWAY LOFTS - LEXINGTON, KENTUCKY ■ BROADWAY & VIRGINIA

EDGE PLANNING
CONSULTING AND ARCHITECTURE
INCORPORATED

TYPICAL CROSS SECTIONS

May 4, 2020



ILLUSTRATIVE MASTER PLAN

May 4, 2020

GATEWAY LOFTS - LEXINGTON, KENTUCKY ■ BROADWAY & VIRGINIA

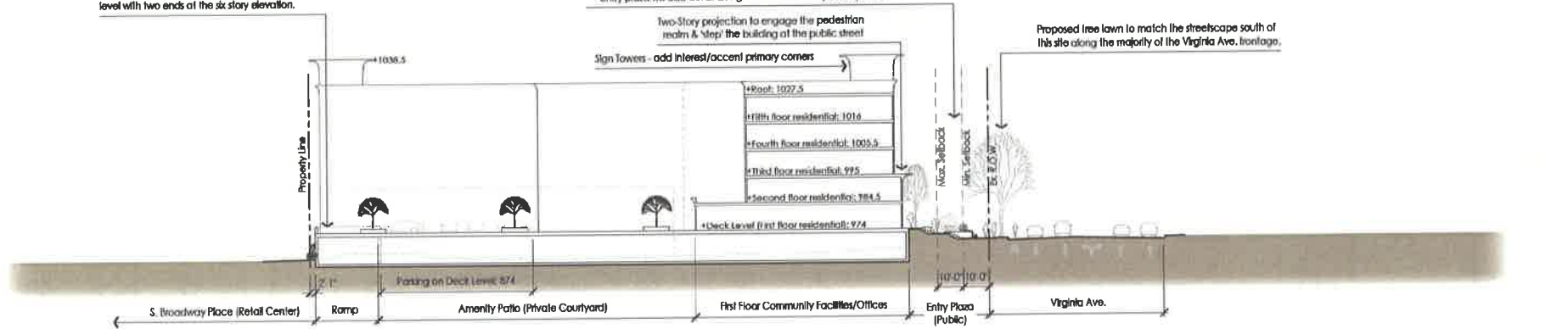


The majority of the building along this shared property line is a one-story parking level with two ends at the six-story elevation.

The frontage of Virginia is at an angle to the rest of the site. Portions of the building are placed in the Build-To Zone and a terraced entry plaza will add detail along this 'Front Door' & public space.

Two-Story projection to engage the pedestrian realm & 'step' the building of the public street
Sign Towers - add interest/accent primary corners

Proposed tree lawn to match the streetscape south of this site along the majority of the Virginia Ave. frontage.

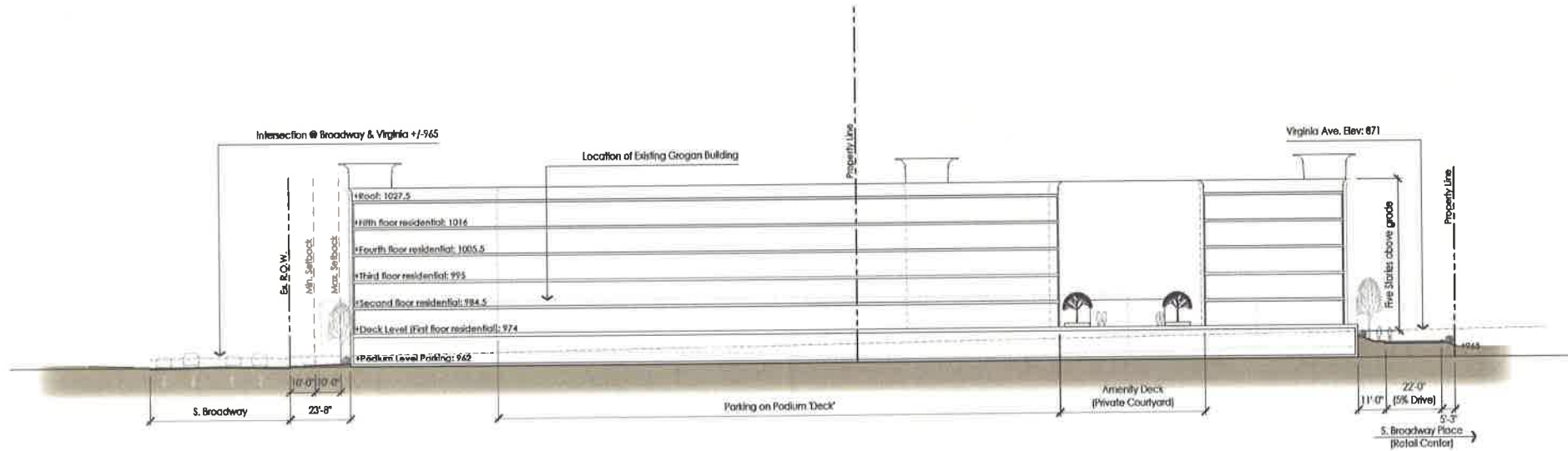


SECTION A (looking Northwest)

Intersection @ Broadway & Virginia +/-965

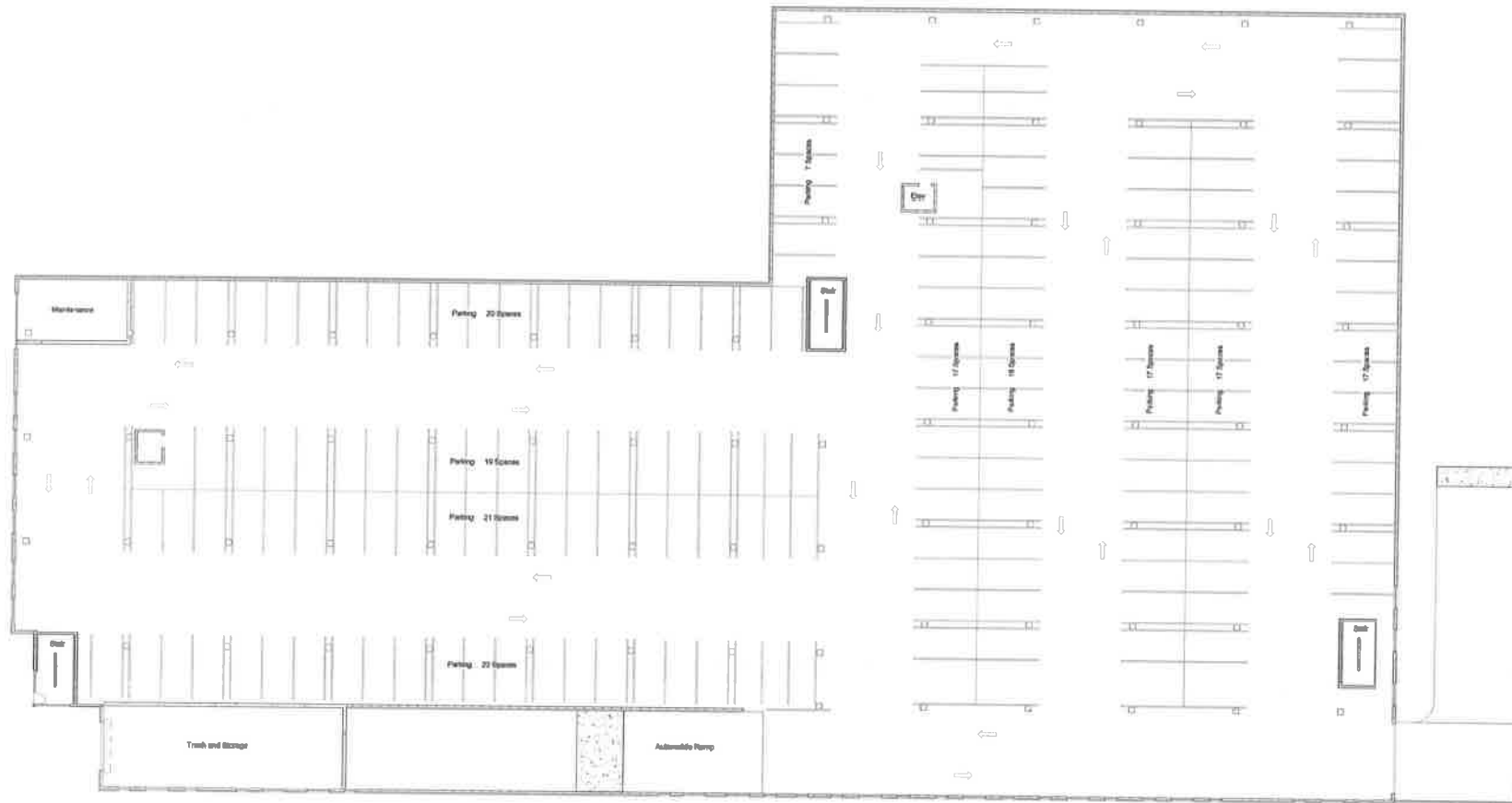
Location of Existing Grogan Building

Virginia Ave. Elev: 671



SECTION B (looking Northeast)

Gateway Lofts Lexington
Virginia Avenue & South Broadway



Floor Plan - Level 1



DEAN A. WENZ
ARCHITECTS

2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Lexington
Virginia Avenue & South Broadway



Floor Plan - Level 2



DEAN A. WENZ

ARCHITECTS

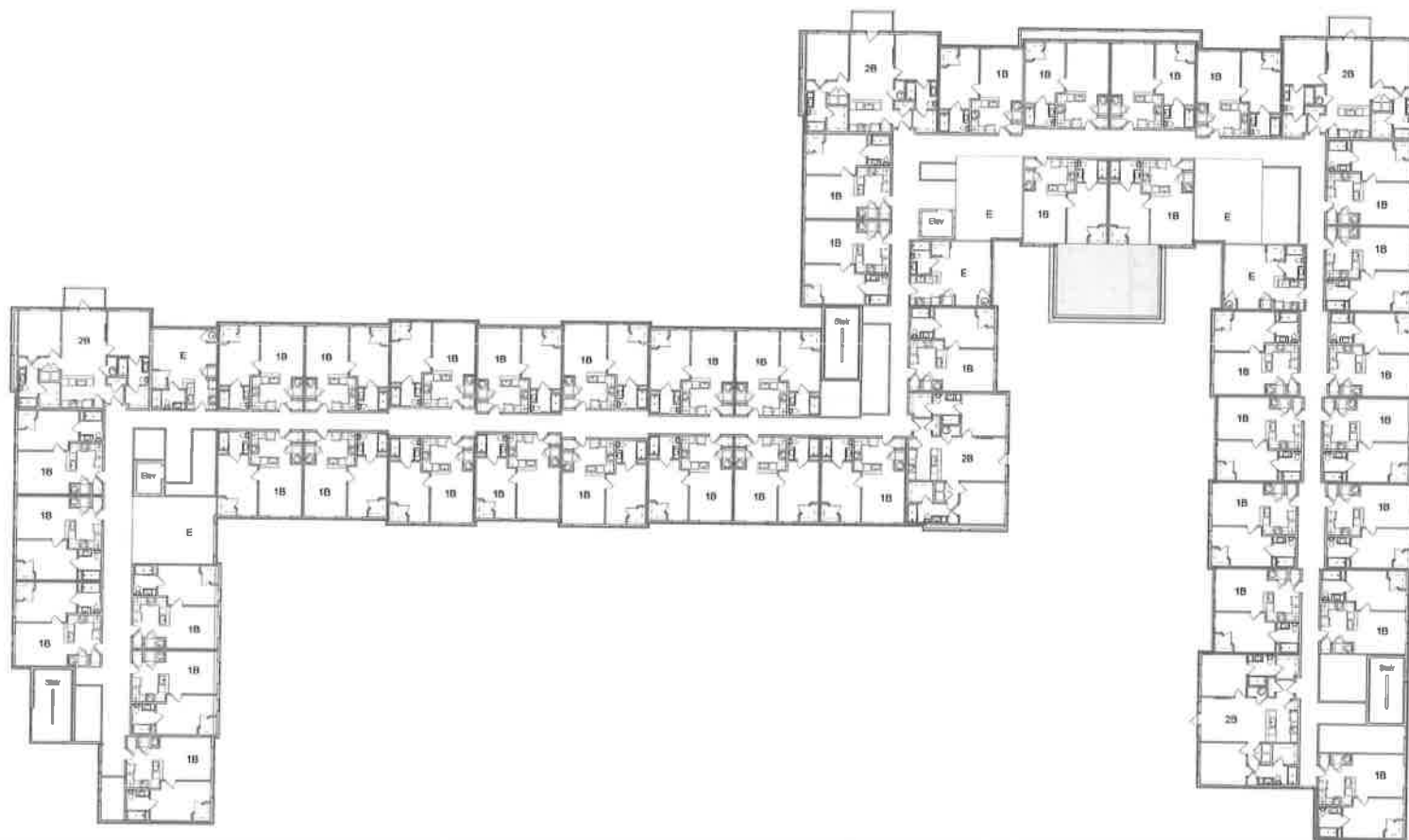
2463 East Main Street

Bexley, Ohio 43209

Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Lexington
Virginia Avenue & South Broadway



Floor Plan - Levels 3-6



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ARCHITECTS

2463 East Main Street Bexley, Ohio 43209 Phone (614) 239-6868 www.wenz-architecture.com

Gateway Lofts Lexington
Virginia Avenue & South Broadway



Virginia Avenue Elevation



South Broadway Elevation

DEAN A. WENZ
ARCHITECTS

2463 East Main Street

Bexley, Ohio 43209

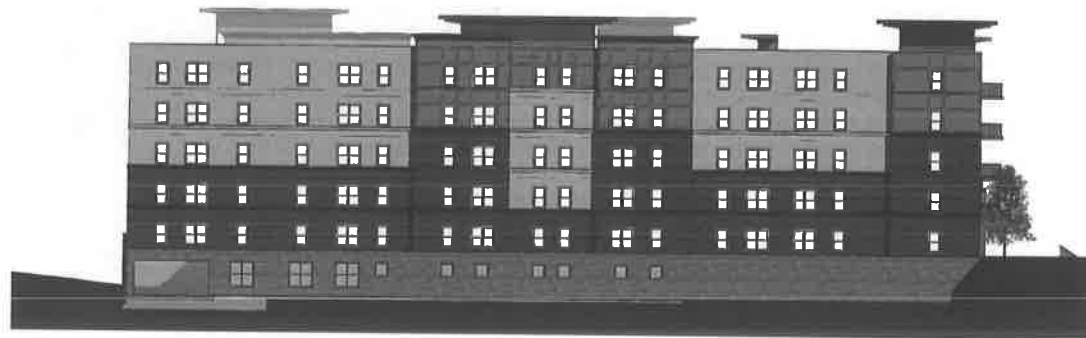
Phone (614) 239-6868

www.wenz-architecture.com

Gateway Lofts Lexington
Virginia Avenue & South Broadway



Southwest Elevation



Southeast Elevation

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ARCHITECTS

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Gateway Lofts Lexington
Virginia Avenue & South Broadway



Perspective View

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ARCHITECTS

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www.wenz-architecture.com

UPDATED 05.07.2020

Gateway Lofts Lexington (PLN-MAR-20-00011)

1016-1024 SOUTH BROADWAY

Mixed-use business and multi-family residential development replacing a medical retail and storage.

Applicant

GATEWAY LOFTS LEXINGTON
150 East Broad Street
Columbus, OH 43215
wkirk@hccliving.com



Owner

GPG LLC
12 Lansdowne Est.
Lexington, KY 40502



Application Details

Acreage:

2.24 net (2.53 gross) acres

Current Zoning:

Wholesale and Warehouse (B-4) Zone

Proposed Zoning:

Neighborhood Business (B-1) Zone

Place-type / Development Type:

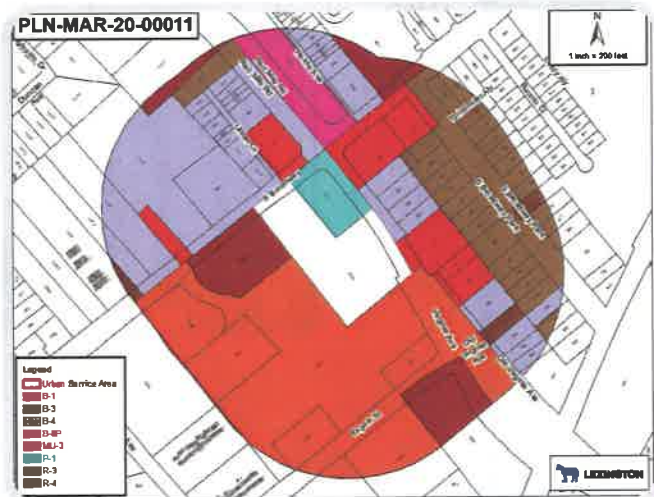
Corridor*

High Density Non-Residential / Mixed Use

For more information about the Corridor Place-Type see Imagine Lexington pages 303-314.

Description:

The applicant is seeking to develop a mixed-use business and residential structure, which will include 256 market rate one and two bedroom units. Associated with the development will be an internal parking garage and amenities for residents.



Status

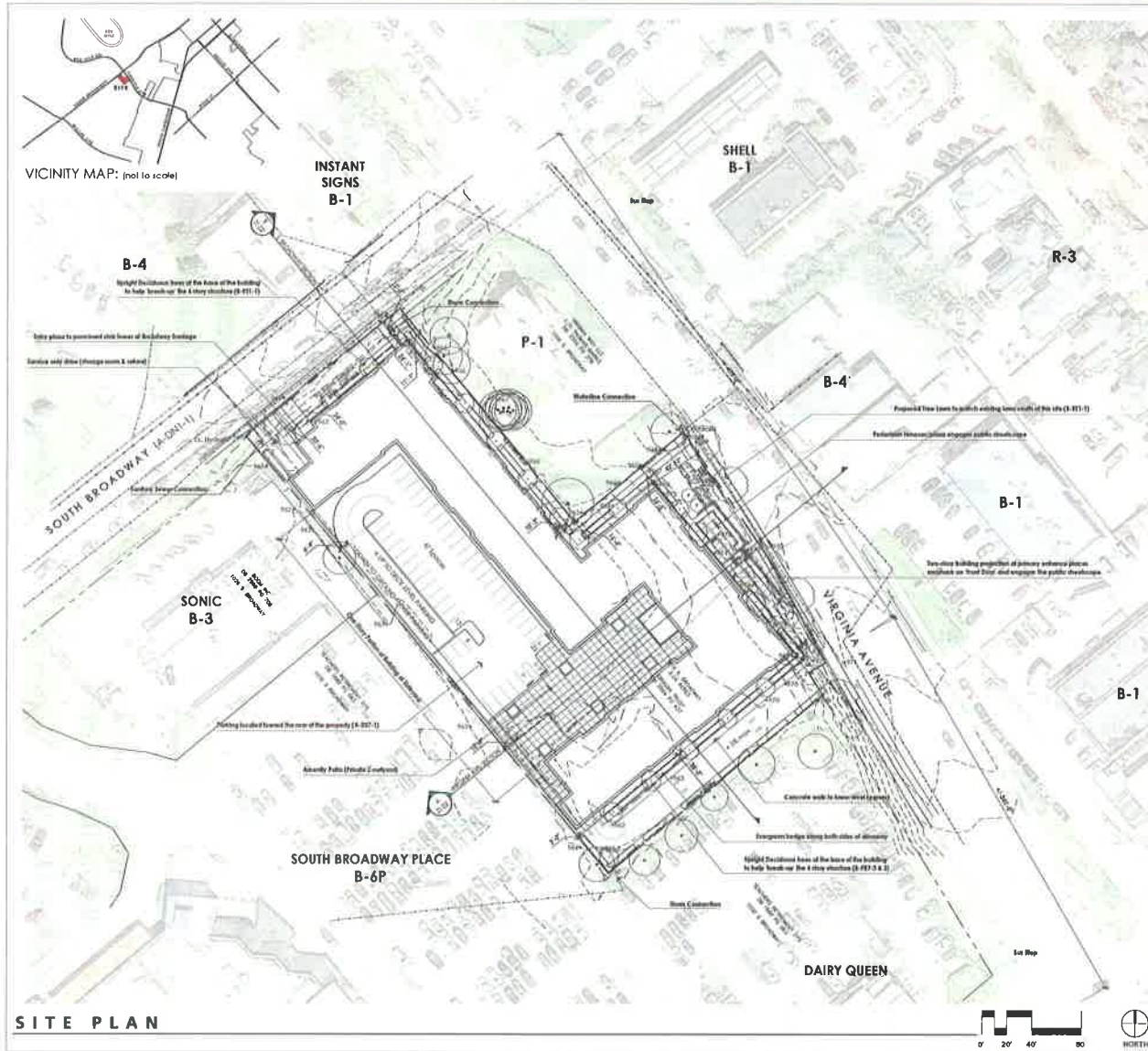
- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

Public Engagement

- Due to the COVID-19 outbreak the applicant has not yet conducted a meeting.

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

Latest Plan



GENERAL NOTES:

- This Preliminary Development Plan is based on a Survey prepared by Palmer Engineering in April of 2020.
- No grading, stripping, excavation, filling or other disturbance of the natural ground cover shall take place prior to approval of an erosion control plan. No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.

DEVELOPMENT DATA:

SITE AREA:	
Total	47,574 SF / 2.24 Acres
BUILDING - 5 STORY	
Community Facilities	4,500 SF
Total Units	256
Gross Residential Floor Area (5 floors)	202,500 SF*
Net Area Ratio	3.1
Density (Gross)	114 # Units/Acre
Lot Coverage	77.72%
- Pad/m Level parking	5.85%
- Asphalt Driveway	71.87%
- Rear Courtyard	80.5% (gross lot)
- Other	22% (net)
Unit Breakdown:	
1 BR	80%
2 BR	18%
3 BR	2%

NOTES:

- The FRP is based on the 5 floor of single detached community facilities shown on the instant plan and not of the ground floor parking garages shown on the instant plan which would require separate zoning of those garages.

CODE COMPLIANCE:

Section	Required	Provided
Setback	Min: 5' Max: 25'	Frontage along Broadway has been set back to allow for general entryway. Frontage along Virginia has an angle to the lot and the ground floor units allow to provide the entry frontage to the lot. Building 5 story. The ground floor Courtyard Entryway has been projected around the street and a "recessed entrance" has been provided for the building and to indicate the frontage.
Side	Min: 5'	The side yard along the 5. Broadway Place driveway is set back in the middle of the lot at 17' in the north and 15' in the south. The side yard is set back from the lot line by a minimum of 5 feet. The side yard is set back from the lot line by a minimum of 5 feet. The side yard is set back from the lot line by a minimum of 5 feet.
Front	Min: 5'	Due to the 1' setback lot width, the front yard is set back from the lot line by a minimum of 5 feet. The front yard is set back from the lot line by a minimum of 5 feet.
Open Space	Min: 10% Recreational	The instant plan shows approximately 20% of the lot area is set aside for open space. There is an existing park in the area adjacent to the instant plan. The open space is set aside for the use of the community. The open space is set aside for the use of the community.
Lot Coverage	Min: 75%	The instant plan shows the lot coverage is approximately 77.72%. The lot coverage is set back from the lot line by a minimum of 5 feet. The lot coverage is set back from the lot line by a minimum of 5 feet.
Building Height	Min: 100'	The instant plan shows the maximum building height is set at 17' to the top of the lot. The maximum building height is set at 17' to the top of the lot. The maximum building height is set at 17' to the top of the lot.
Off Street Parking	Min: 20%	256 units are required for 20% lot coverage. The instant plan shows 256 units are provided. The instant plan shows 256 units are provided. The instant plan shows 256 units are provided.

Signatures:

I do hereby certify that this development plan was approved by the Urban County Planning Commission of Lexington, Kentucky.

Secretary, Urban County Planning Commission

EDGE LANDSCAPE ARCHITECTURE
 330 W. SPRING STREET, SUITE 350
 COLUMBUS, OH 43215
 614.486.1344
 www.edge.com

Palmer Engineering
 311 E. Main Street, Lexington, KY
 606.369.9993

Dean A. Wenz Architects
 2441 E. Main Street, Beatty, OH
 419.279.4848

Gateway Lofts
 1016 S. Broadway
 Lexington, KY

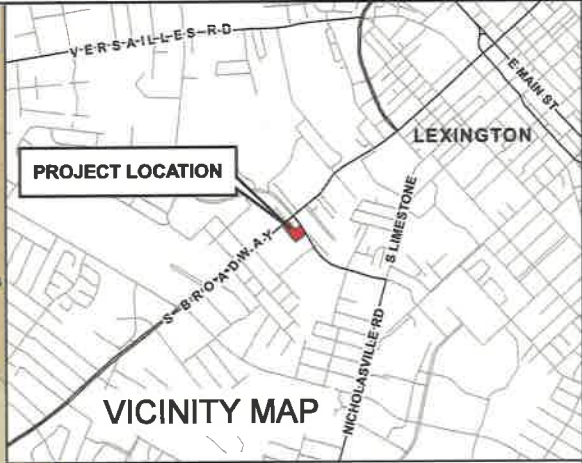
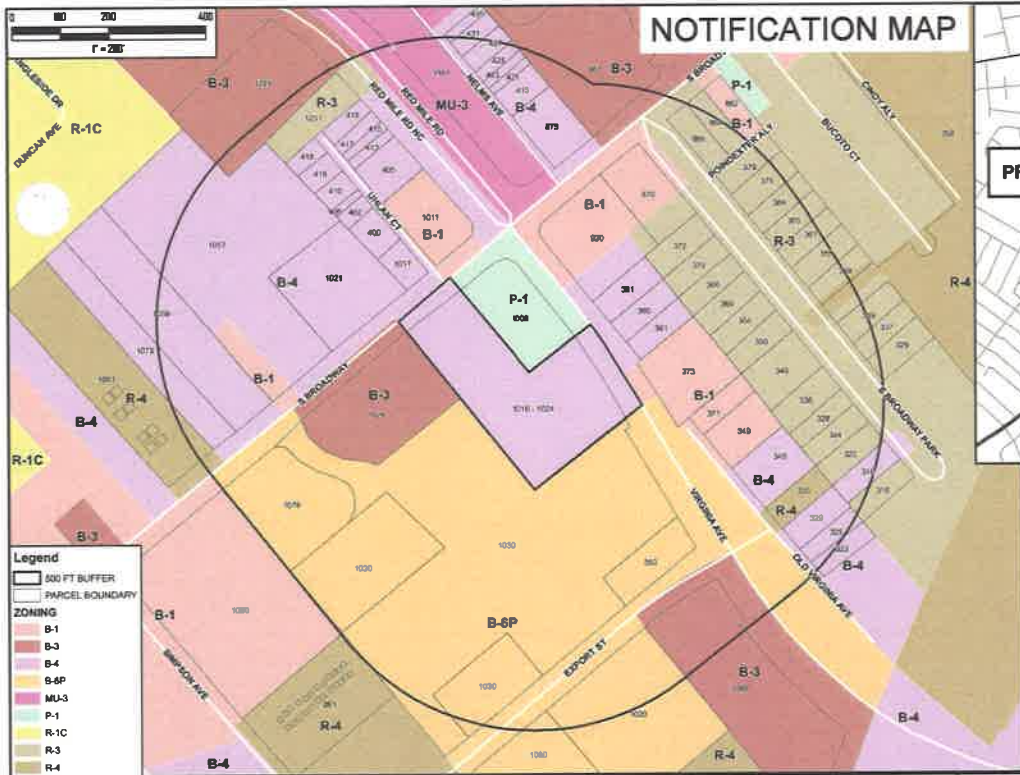
Gateway Lofts
 Lexington, LLC
 150 E. Broad Street
 Columbus, OH 43215

PROJECTING: 19175
 DATE: 5/4/2020
 USED FOR: Preliminary Development Plan

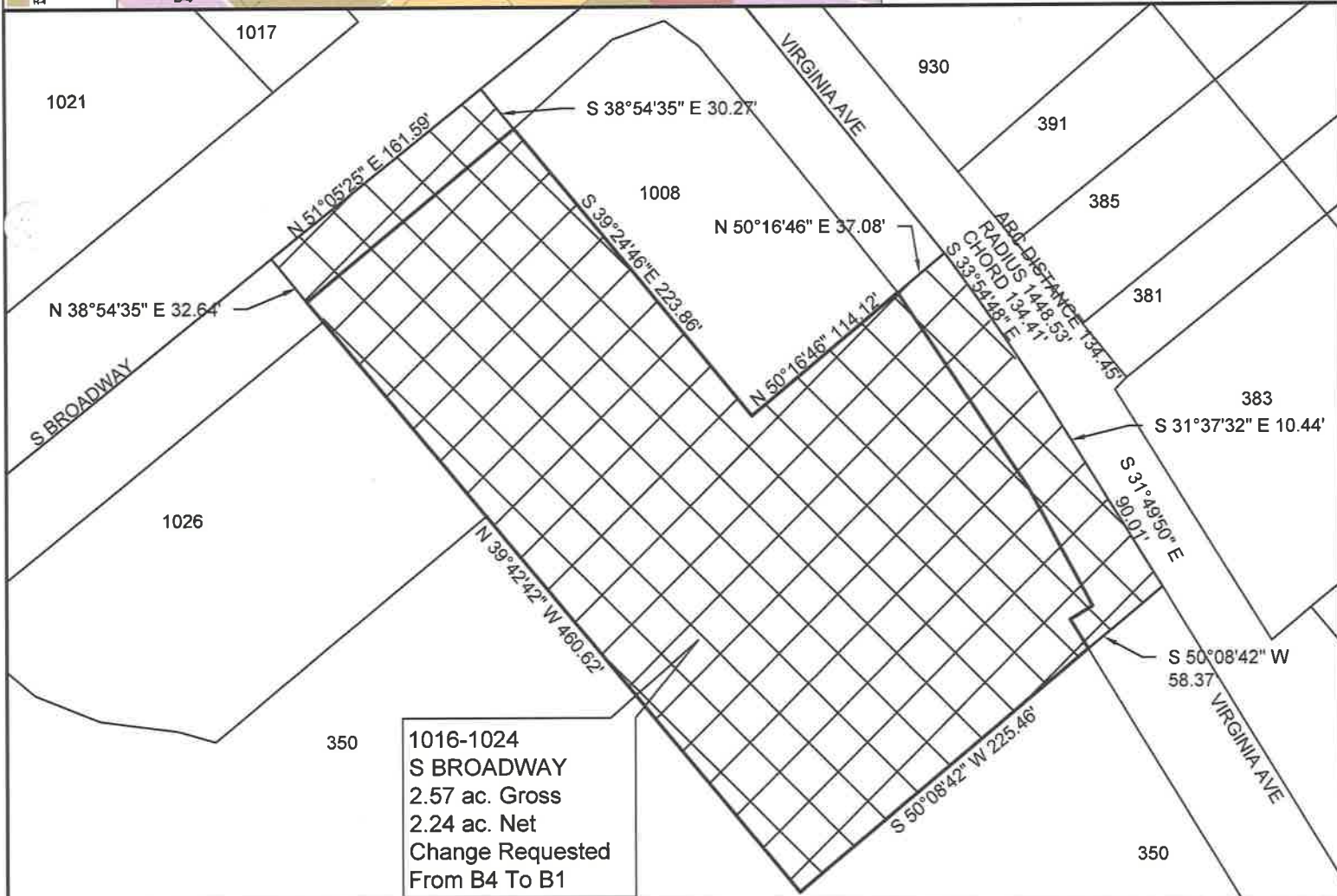
PRELIMINARY DEVELOPMENT PLAN

PRELIMINARY ZONING DOCUMENT NOT FOR CONSTRUCTION

Z1.01



Vicinity Map - NTS
 Notification Map - 1"=200'
 Property Map - 1"=100'



PROPERTY MAP



Title: GPG LLC PROPERTY	From	To	Net	Gross
Property Address: 1016-1024 S. Broadway	B4	B1		
Applicant Name/Address: Gateway Lofts Lexington 150 East Broad Street, Columbus OH 43215				
Owner Name/Address: GPG LLC, 12 Lansdowne Est., Lexington KY 40502				
Prepared by: Palmer Engineering				
Date Filed or Amended: May 12, 2020	TOTAL		2.24	2.57



PALMER ENGINEERING
 301 EAST MAIN STREET
 SUITE 900
 LEXINGTON, KENTUCKY 40517
 (606)388-9293

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-20-00011: GATEWAY LOFTS LEXINGTON

DESCRIPTION OF ZONE CHANGE

Zone Change: From a Wholesale and Warehouse (B-4) zone
To a Neighborhood Business (B-1) zone
Acreage: 2.24 net (2.53 gross) acres
Location: 1016-1024 South Broadway



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	B-4	Medical Retail / Warehousing
To North	P-1 / B-1	Offices / Retail and Gym
	B-4	Multi-Family Residential
To East	B-6P	Restaurant
To South	B-6P	Shopping Center
	B-3	Restaurant
To West	B-4	Offices and Car Rental

URBAN SERVICE REPORT

Roads - The subject property is located near the corner of South Broadway (US 68) and Virginia Avenue (US 27), with frontage along both roadways. South Broadway (US 68) is a major arterial roadway and is identified as one of Lexington's urban corridors. The roadway experiences approximately 25,950 average daily trips. Virginia Avenue is a minor arterial roadway and experiences approximately 17,100 average daily trips. Virginia Avenue becomes Red Mile Road west of its intersection with South Broadway. Due to the constriction of South Broadway caused by historical development and the high amount of traffic at this location there is significant slowdown of the northbound traffic caused by the shortened left only turn lane that allows access to Red Mile Road. Access to the site is proposed solely from Virginia Avenue.

Curb/Gutter/Sidewalks - Both South Broadway and Virginia Avenue have curb, gutters, or sidewalks at this location. Roadway improvements may be required at the time of development of the site due to the constriction of the roadway along South Broadway.

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

Storm Sewers - The subject property is located within the Wolf Run watershed. Storm sewers are currently located along the right-of-way; however, the developer will be required to address water quality on their site in accord with the adopted Engineering Manuals. There are no special flood hazard areas in this location.

Sanitary Sewers - The subject properties are located within the Wolf Run sewershed, which is served by the Town Branch Wastewater Treatment Facility, located on Lisle Industrial, east of New Circle Road. Sanitary sewer capacity will need to be verified prior to certification of the final development plan for the proposed redevelopment.

Refuse - The Urban County Government serves this area with refuse collection on Mondays. However, supplemental service by private refuse haulers is commonly utilized for commercial and multi-family land uses, such as those proposed.

Police - The nearest police station is the main headquarters, located approximately one and a half miles to the northeast on East Main Street.

Fire/Ambulance - Fire Station #11 is the nearest station to this site. It is located approximately ½ mile to the southwest on Harrodsburg Road between St. Joseph Hospital and Picadome Elementary School.

Transit - LexTran service is available within the immediate area along both South Broadway and Virginia Avenue. Outbound and inbound service for the South Broadway Route (#13) and the Old Franfort Pike (#24) are available less than ¼ mile of the subject property. Outbound and inbound service for the Red Mile Route (#15) is available within 300 feet of the subject property.

Parks - There are two parks within proximity of the development. Lou John Park is located ½ mile northeast of the subject property located on Prall Street and Lou Johnson Way. Additionally, the Picadome Golf Course is located approximately ½ mile southwest of the subject property on Parkway Drive.

SUMMARY OF REQUEST

The applicant is seeking a zone change from the Wholesale and Warehouse Business (B-4) zone to the Neighborhood Business (B-1) zone for the property located at 1016-1024 South Broadway. The zone change application is seeking to construct a mixed-use business and multi-family residential development that includes commercial operations on the first floor, and structured parking and residential on the five (5) floors above. Their application also indicates a desire to designate the site a Form-Based Neighborhood Business Project.

PLACE-TYPE

CORRIDOR

Lexington's major roadways focused on commerce and transportation. The overriding emphasis of Imagine Lexington is significantly overhauling the intensity of the major corridors. The future of Lexington's corridors lies in accommodating the shifting retail economic model by incorporating high density residential and offering substantial flexibility to available land uses. Adding a mix of land uses to support the existing retail will provide a built-in customer base, create a more desirable retail experience, and allow a greater return on investment for landholders. Additional focus is on increasing the viability of enhanced mass transit, thereby reducing the reliance on single-occupancy vehicles and improving Lexington's overall transportation efficiency.

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



This zone is intended to accommodate neighborhood shopping facilities to serve the needs of the surrounding residential area. Generally, they should be planned facilities and should be located as recommended in the Comprehensive Plan. This zone should be oriented to the residential neighborhood, and should have a roadway system which will be adequate to accommodate the anticipated vehicular traffic.

A form-based neighborhood business project may be approved by the Planning Commission on any site over one (1) acre in size. The lot, yard, height and setback requirements will be those established by the Commission on the approved development plan, rather than those stated in the Zoning Ordinance. In addition to the development plan, an applicant seeking approval of a form-based neighborhood business project shall be required to submit an area character and context study prepared by an architect or urban design professional.

PROPOSED USE



The applicant is seeking to construct a six (6) story mixed-use business and residential development. The proposed structure would incorporate commercial uses on the first floor facing South Broadway, structure parking on the second and third floors, and apartments on floors two through six. The building would have pedestrian access points on both South Broadway and Virginia Avenue, and sole vehicular access from Virginia Avenue. The proposed development seeks to include 29 efficiency apartments, 203 one-bedroom apartments, and 25 two-bedroom apartments for a total of 257 dwelling units. The total proposed residential density is 114.7 dwelling units per net acre. The proposed development is seeking a Form Based Project designation. As such, the applicant has submitted a Character and Context Study for the area and the associated development plan.

APPLICANT & COMMUNITY ENGAGEMENT



On June 30th, the applicant and their development team held a Zoom meeting to receive neighborhood comments and input regarding the proposed development. They had previously sent out a letter inviting those within the 500-foot notification area to the meeting. Seven people expressed an interest in coming, and four attended.

During the meeting the applicant and their team displayed the development plan and architectural renderings. Comments made by the attendees relating to the building were in favor and complimentary. However, concerns were raised about traffic on Virginia Avenue. It was pointed out that it is extremely difficult to make a left from Old Virginia Avenue (opposite Export Court) and from the driveway that connects South Broadway Park with Virginia Avenue, which is part of the development containing the Shell Station and the Starbucks. It was suggested that the City place a traffic signal at the intersection of Export Court and Virginia Avenue. The applicant has indicated that they will discuss the suggestion with the Division of Traffic Engineering to determine potential solutions.

PROPERTY & ZONING HISTORY



The subject property has been zoned Wholesale and Warehouse Business (B-4) (previously known as General Business District zone) since the comprehensive rezoning of Fayette County in 1969. The historic land use for the subject property has been primarily warehousing, with a smaller retail component. The current owner and operator of the subject property is Grogan's Healthcare Supply, which has been at this location since 1986. Prior to the Grogan's family purchase of the property, the site was utilized for different warehousing and retail operations.

Construction on the property occurred in two separate phases. The first phase occurred at the turn of the 20th century and resulted in the construction of the brick building that fronts along South Broadway. The second phase occurred in 1978 and resulted in the construction of a steel clad structure at the rear of the property. Both structures have been modified to fit the needs of the users throughout their occupation.

There has been significant change in the zoning and land use in this area of Lexington over the course of the last 30 years. Historically, South Broadway was primarily comprised of warehousing associated with the drying and sale of tobacco. Today, this portion of South Broadway and Virginia Avenue is primarily comprised of commercial and multi-family residential land uses. While there are older structures throughout the area, the building itself has not been nominated to the National Register of Historic Properties, nor has the surrounding area sought designation for inclusion to the Register or local designation as an Historic District Overlay (H-1) zone.

COMPREHENSIVE PLAN COMPLIANCE



The 2018 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 applicant opines that their proposed rezoning is in agreement with several goals, objectives, and policies 2018 Comprehensive Plan. In the following section the staff describes some of the elements that are in agreement with the Comprehensive Plan.

POLICIES

The applicant begins their justification with a review of the policies of the Comprehensive Plan. They stress that the proposed development is in compliance with Density Policy #1, which states that "the highest density of our residential development should be directed to our major corridors and downtown." The applicant indicates that the proposed density of 114.7 dwelling units per acre is located on two arterial roadways with transit facilities. They state that the proposed development will reduce reliance on the automobile, as potential residents can walk, bike or use transit to access the nearby employment, healthcare,



dining and entertainment options.

The staff agrees with these aspects of the applicant's proposal and that this Policy of the 2018 Comprehensive can be met with the proposed development.

GOALS & OBJECTIVES

Following their review of the policies of the Comprehensive Plan, the applicant goes on to describe the Goals and Objectives that they are seeking to comply with for the proposed rezoning. First, the applicant indicates that they are seeking to expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types, prioritizing higher density housing types (Theme A, Goal #1.b). The proposed development provides a variety of dwelling units including 29 efficiency apartments, 203 one-bedroom apartments, and 25 two-bedroom apartments for a total of 257 dwelling units. The proposed density is supported by the Comprehensive Plan in both quantity and location.

Additionally, the applicant indicates that the proposed development will support infill and redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2). The applicant indicates that the proposed development is an example of redevelopment of an existing parcel, which is comprised of a large quantity of surface parking. The petitioner opines that the replacement of the surface parking with structured parking is a better utilization of the land. The applicant also indicates that they are seeking to respect the context and design features of area's surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b). They indicate that the context of the area is reported in their context study, which is required with the form-based project.

Next, the applicant indicates that the proposed development will provide a well designed neighborhood and community (Theme A, Goal #3) by focusing on pedestrian mobility to the nearby amenities. The applicant states that they will have pedestrian connections to the surrounding shopping area to the south, and to sidewalks along South Broadway and Virginia Avenue to connect to nearby uses and to transit routes (Theme A, Goal #3.b). Additionally, the applicant indicates that the property is already developed and that the redevelopment will cause minimal disruption of natural features (Theme A, Goal #3.c).

Combined with the focus on pedestrian and transit facilities described previously, the applicant indicates that the proposed rezoning and associated development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses. The petitioner emphasizes that due to the location of the proposed development, the increase in facilities with the project, and it's proximity to bike and transit routes, they are seeking to prioritize multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d)

Staff is supportive of the applicant's focus on multi-modal options. Due to the proposed density of the development and shift from warehousing to residential land use, there is a need to provide enhanced transit stops, which include the establishment of shelters and benches. The applicant should work with the MPO and LexTran for regarding the need and potential changes to stop locations.

Finally, the applicant also indicates that they are seeking to uphold the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (South Broadway) (Objective E, Goal #1.c), and allowing development of an underutilized parcel on a major corridor (Objective E, Goal #1.d).

The staff agrees with these aspects of the applicant's proposal and that these Goals and Objectives of the 2018 Comprehensive can be met with the proposed 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 2018 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.

The applicant has indicated that the site is located within the Corridor Place-Type and is seeking to redevelop the property as High Density Non-Residential / Mixed Use Development Type. Staff concurs with the applicant's assessment of the Place-Type, as the subject property is located along two arterial roadways, and South Broadway is identified within the 2018 Comprehensive Plan as a "major corridor." Staff also agrees that a High Density Non-Residential / Mixed Use development can be appropriate for the subject property, as it is a recommended Development Type within the Comprehensive Plan and can fit the context of the established area. Finally, staff agrees with the applicant's assessment that the Neighborhood Business (B-1) with a Form-Based Neighborhood Business Project zone can be appropriate for this location, providing the applicant is able to demonstrate agreement with the Comprehensive Plan and that the proposed development is reflective of the character and context of the area.

While the applicant has addressed some of the Development Criteria, there are areas of concern as to how the applicant has applied or not applied the development criteria, specifically with the High Density Non-Residential / Mixed Use Development Type. The following criteria should be further described by the applicant to demonstrate how they are in agreement with the Comprehensive Plan.

1. Site Design, Building Form and Location

Despite compliance with some of the criteria for Site Design, Building Form and Location, there are areas of concern. The applicant should expand upon the following development criterion.

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.

Associated with the submission of the application, the petitioner has submitted a Character and Context Study regarding the development of the subject property as a Form-Based Neighborhood Business Project. A form-based project allows for the lot, yard, height and setback requirements to be established by the Planning Commission on the approved development plan, rather than those stated in the Zoning Ordinance. This study will need to be reviewed in association with the Development Plan and a recommendation must be determined.

Additionally, the applicant indicates that the proposed development will seek to set the future context in accord with other Imagine Lexington corridor policies and PlaceBuilder priorities. Staff would like the applicant to expand upon how they are respecting the established context of the area, while also setting the new context for the future.

A-DS7-3: Parking structures should activate the ground level.

The proposed development has two areas of concern regarding activation of the parking structure. The first area is located along the south side of the proposed development that abuts the current shopping center. This portion of the site is a very long segment of the structure, has little variation of the facade and is very visible from both South Broadway and the shopping center. Staff would like the applicant to explore how they can activate this portion of the structure.

Additionally, staff is concerned with the portion of the structure oriented to Virginia Avenue. The applicant has provided activation with the two patios located along the entryway; however, in the areas surrounding those patios there is little to no activation. The applicant should seek to activate this space as they are prominent portions of the building that flank the entryway.

C-LI7-1: Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.

Directly to the south of the proposed development is a commercial shopping center. The applicant should provide easy access to this area, allowing for integration and future development.

2. Transportation and Pedestrian

Despite compliance with some of the criteria for Transportation and Pedestrian, there are areas of concern.



The applicant should expand upon the following development criteria and staff comments.

A-DS1-1: Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).

LexTran service is available within the immediate area along both South Broadway and Virginia Avenue. Outbound and inbound service for the South Broadway Route (#13) and the Old Franfort Pike (#24) are available less than 1/4 mile of the subject property. Outbound and inbound service for the Red Mile Route (#15) is available within 300 feet of the subject property. As the applicant has cited their dedication to both de-emphasizing single-occupancy vehicle dependence and promoting the use of transit within their application, they should include an enhanced stop at this location. This can be accomplished by working with the Division of Planning / MPO and LexTran staff.

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

The applicant is showing some areas of potential conflict between cyclists and automobiles within the overall development. As proposed, the bike parking is located at the South Broadway side of the parking structure. The applicant should provide safe access to and from the right-of-way for cyclists and consider bike parking along South Broadway at grade.

3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, limits the impacts on the surrounding environment, and adds both street trees and internal tree canopy coverage.

STAFF RECOMMENDS: POSTPONEMENT, FOR THE FOLLOWING REASONS:



1. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Corridor Place-Type, specifically the High Density Non-Residential / Mixed Use Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. 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.
 - b. A-DS7-3: Parking structures should activate the ground level.
 - c. C-LI7-1: Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
 - d. A-DS1-1: Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).
 - e. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-20-00011: GATEWAY LOFTS LEXINGTON

STAFF REVIEW

In the period following the July Subdivision and Zoning Committee meetings, the applicant met with staff to discuss the proposed rezoning. Following those meetings, the applicant reviewed staff's and the sub-committee's comments, and modified their application regarding the proposed development and its agreement with the 2018 Comprehensive Plan. New information submitted by the applicant includes a supplemental justification letter, and an updated development plan. The new information provided by the applicant addresses staff's concerns regarding the applicant's compliance with the Comprehensive Plan.

The materials submitted specifically focused on those Development Criteria that necessitated greater discussion from the original application. One of staff's greatest concerns was the need for the applicant to expand upon how they are respecting the established context of the area, while also setting the new context for the future (A-DS4-2). The petitioner has indicated that they are seeking to develop the subject property within the Corridor Place-Type, which is meant to set a future context, while also meeting the standards of a Form-Based Neighborhood Business Project, which seeks to respect the current context of the area. Regarding the context of the area, the applicant references numerous structures that are larger in both height and FAR, including Saint Joesph Hospital and the associated office buildings, the Hub 2, the Campbell House, and the Lexington Clinic. The applicant stresses that the immediate area is a blend of larger buildings associated with residential and medical land uses, and smaller, low density restaurant and service land uses. Additionally, the applicant describes some of the architectural form of older structures in the area. They state that through the inclusion of brick, they are seeking to create continuity with the built form of the area, while not mimic the exact architectural style.

The new context that the applicant is seeking to set is a more urban development. The applicant notes that many of the nearby hotels are suburban-style, with substantial front parking lots and large setbacks. This development is seeking to activate the street with more "urban-style" setbacks, while also lessening the visual impact of parking on the South Broadway and Virginia Avenue roadways. The applicant opines that this development will set the tone for more urban, dense development, rather than a suburban-style, along these corridors close to downtown and the University of Kentucky.

Next, the applicant describes in greater detail the activation of the ground level of the parking structure that is adjacent to the South Broadway Place Shopping Center's parking lot (A-DS7-3). The applicant states that they are proposing a masonry wall with window-like openings that will screen their parking that is positioned to the rear of the proposed development. They are seeking to utilize windows and openings along the back, rather than utilize a mural, as they feel it would not be consistent with the architectural style of the building. Staff is understanding of the applicant's desire to maintain an architectural styling along the rear of the building; however, should the applicant want to utilize only windows, there should be a greater discussion regarding the percentage of the wall-face that is comprised of windows. LEED standards recommend that no more than 40% of its length or 50 feet, whichever is less, is blank (without doors or windows). Staff recommended a mural as it was an option for activation, specifically stated in the Comprehensive Plan. The activation of this portion of the structure should be discussed to a greater extent at the time of the final development plan.

Finally, the applicant has provided greater detail regarding alternative modes of travel for potential residents. The applicant has included a depiction of the ingress and egress points for pedestrians and cyclists. Multiple points of access are meant to reduce conflicts with cars and create a safer environment for non-vehicular modes of mobility (C-LI7-1 and D-CO2-1). The applicant has also indicated that they are working with the MPO staff and LexTran regarding enhancing the transit stop located at Virginia Avenue adjacent to the Dairy Queen with a bench and shelter.

With the information provided to staff and reflected in both this supplemental staff report and the original staff report, staff agrees that this application is in agreement with the 2018 Comprehensive Plan and recommends approval of the zone change.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASON:



1. The requested zone change from the Wholesale and Warehouse Business (B-4) zone to the Neighborhood Business (B-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types, prioritizing higher density housing types (Theme A, Goal #1.b). The proposed development provides a variety of dwelling units including 29 efficiency apartments, 203 one-bedroom apartments, and 25 two-bedroom apartments for a total of 257 dwelling units.
 - b. The proposed development will support Infill and Redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2) with a development that will respect the context and design features of the area's surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b). The Area Character and Context study provides greater detail regarding how the project will be compatible with the existing urban form.
 - c. The proposed development will provide a well designed neighborhood and community (Theme A, Goal #3) by focusing on pedestrian mobility to the nearby amenities, including the shopping area to the south, while also connecting to other nearby uses and to transit routes (Theme A, Goal #3.b).
 - d. The proposed rezoning and associated development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses.
 - e. The proposed development preferences bicycle, pedestrian, and transit routes through the incorporation of new infrastructure (bike parking and transit shelter), prioritizing multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d)
 - f. The proposed redevelopment will cause minimal disruption of natural features (Theme A, Goal #3.c), while also upholding the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (South Broadway) (Objective E, Goal #1.c), and allowing development of an underutilized parcel on a major corridor (Objective E, Goal #1.d). The proposed redevelopment of the site will not impact any natural features.
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that supports pedestrian mobility, while also providing cross access to surrounding amenities and job opportunities. The development will help to intensify the land use along South Broadway, a major urban arterial roadway.
 - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of enhanced pedestrian facilities along South Broadway and Virginia Avenue, that provides safe and easy access to transit stops. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment. The proposed development also allows for added street trees and internal tree canopy coverage, while also reducing impervious surfaces on the subject property.
3. This recommendation is made subject to approval and certification of [PLN-MJDP-20-00028: Gateway Lofts \(Grogan & Grogan\)](#), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

2. GATEWAY LOFTS LEXINGTON ZONING MAP AMENDMENT & GATEWAY LOFTS (GROGAN AND GROGAN) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-20-00011: GATEWAY LOFTS LEXINGTON (8/2/20)*- a petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone, for 2.24 net (2.53 gross) acres, for property located at 1016-1024 S. Broadway.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 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 applicant is seeking a zone change from the Wholesale and Warehouse Business (B-4) zone to the Neighborhood Business (B-1) zone for the property located at 1016-1024 South Broadway. The zone change application is seeking to construct a mixed-use business and multi-family residential development that includes commercial operations on the first floor, and structured parking and residential on the five (5) floors above. Their application also indicates a desire to designate the site a Form-Based Neighborhood Business Project.

The Zoning Committee Recommended: Postponement to the full Commission.

The Staff Recommends: Postponement, for the following reasons:

- 1. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Corridor Place-Type, specifically the High Density Non-Residential / Mixed Use Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. 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.
 - b. A-DS7-3: Parking structures should activate the ground level.
 - c. C-LI7-1: Developments should create mixed-use neighborhoods with safe access to community facilities, green-space, employment, businesses, shopping, and entertainment.
 - d. A-DS1-1: Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).
 - e. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
- b. PLN-MJDP-20-00028: GATEWAY LOFTS (GROGAN AND GROGAN) (8/2/20)* - located at 1016 S. BROADWAY, LEXINGTON, KY.
Project Contact: Edge

Note: The purpose of this amendment is to rezone the property.

Note: The applicant submitted a revised development plan on June 30th that addressed several of the conditions identified by the Technical Committee on June 24. However, the plan needs further refinement in order to comply with the requirements of the Zoning Ordinance.

The Subdivision Committee Recommended: Postponement, There are still questions about compliance with the principal uses allowed in the B-1 zone, Article 8-16(b) of the Zoning Ordinance and lack of information in the Form-Based Neighborhood Business Project.

- 1. Provided the Urban County Council rezones the property B-1; otherwise, any Commission action of approval is null and void.
- 2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
- 3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
- 4. Urban Forester's approval of tree inventory map.
- 5. Greenspace Planner's approval of the treatment of greenways and greenspace.
- 6. Department of Environmental Quality's approval of environmentally sensitive areas.
- 7. Discuss compliance with Article 8-16(b) of the Zoning Ordinance specifically the proposed use along S. Broadway.
- 8. Discuss stormwater quality and detention.
- 9. Discuss street improvements and addition of right-of-way.
- 10. Discuss mass transit enhancement/accommodations.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

11. Discuss required parking for first floor along S. Broadway.
12. Discuss Form-Based Neighborhood Business Project Context and Character Study submitted per Article 8-16(o)(3) of the Zoning Ordinance.
13. Discuss Placebuilder criteria:
 - a. 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.
 - b. A-DS7-3: Parking structures should activate the ground level.
 - c. C-LI7-1: Developments should create mixed-use neighborhoods with safe access to community facilities, green-space, employment, businesses, shopping, and entertainment.
 - d. A-DS1-1: Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).
 - e. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.

Staff Zoning Presentation – Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and aerial photographs of the general area. He said the applicant is proposing this zone change to construct a six (6) story mixed-use business and residential development. The proposed structure would incorporate commercial uses on the first floor facing South Broadway, structure parking on the second and third floors, and apartments on floors two through six. The building would have pedestrian access points on both South Broadway and Virginia Avenue, and sole vehicular access from Virginia Avenue. The proposed development seeks to include 29 efficiency apartments, 203 one-bedroom apartments, and 25 two-bedroom apartments for a total of 257 dwelling units. The total proposed residential density is 114.7 dwelling units per net acre. The proposed development is seeking a Form Based Project designation. As such, the applicant has submitted a Character and Context Study for the area and the associated development plan.

Mr. Baillie said that the subject property is near the corner of South Broadway and Virginia Avenue. He said that South Broadway is a major arterial roadway and is identified as one of Lexington's urban corridors. The roadway experiences approximately 25,950 average daily trips. Virginia Avenue is a minor arterial roadway and experiences approximately 17,100 average daily trips. He said that the zoning around the subject property is a mix of various zones, consisting of R-3, R-4, B-1, B-6P, MU-3, and B-4 zones. He said the historic land use for the subject property has been primarily warehousing, with a smaller retail component. The current owner and operator of the subject property is Grogan's Healthcare Supply. Today, this portion of South Broadway and Virginia Avenue is primarily comprised of commercial and multi-family residential land uses. While there are older structures throughout the area, the building itself has not been nominated to the National Register of Historic Properties, nor has the surrounding area sought designation for inclusion to the Register or local designation as an Historic District Overlay (H-1) zone. On the aerial map, he pointed to subject property and the frontage along South Broadway, the parking access in the rear along Virginia Avenue. He pointed to the transit stops located on Virginia Avenue and the adjacent shopping center.

Mr. Baillie said that the Staff concurs with the applicant's assessment of the Place-Type, as the subject property is located along two arterial roadways, and South Broadway is identified within the 2018 Comprehensive Plan as a major corridor. Staff agrees with the applicant's assessment that the Neighborhood Business (B-1) with a Form-Based Neighborhood Business Project zone can be appropriate for this location, providing the applicant is able to demonstrate agreement with the Comprehensive Plan and that the proposed development is reflective of the character and context of the area.

Mr. Baillie displayed elevation studies from the applicant's context study, and pointed to the Virginia Avenue elevation, which has their primary pedestrian entrance. He said that there is a two-tiered patio and landscaping along the right-of-way. He also displayed an elevation from South Broadway and said that businesses will be located along the front with residential above it. He also displayed an elevation of the rear of the proposed building and pointed to the parking area below the structure. He said that the staff had concern with the activation of the space on the ground floor. He said that the applicant has depicted some windows, but the staff had recommended the potential use of a mural, which the applicant stated that a mural may take away from the architectural elements.

Mr. Baillie said that the staff is now recommending approval of this zone change, with the modifications that the applicant has made, for the following reasons:

1. The requested zone change from the Wholesale and Warehouse Business (B-4) zone to the Neighborhood Business (B-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types, prioritizing higher density housing types (Theme A, Goal #1.b). The proposed development provides a variety of dwelling units including 29 efficiency apartments, 203 one-bedroom apartments, and 25 two-bedroom apartments for a total of 257 dwelling units.
 - b. The proposed development will support Infill and Redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2) with a development that will respect the context and design features of the area's surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b). The Area Character and Context study provides greater detail regarding how the project will be compatible with the existing urban form.

- c. The proposed development will provide a well-designed neighborhood and community (Theme A, Goal #3) by focusing on pedestrian mobility to the nearby amenities, including the shopping area to the south, while also connecting to other nearby uses and to transit routes (Theme A, Goal #3.b).
- d. The proposed rezoning and associated development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses.
- e. The proposed development preferences bicycle, pedestrian, and transit routes through the incorporation of new infrastructure (bike parking and transit shelter), prioritizing multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d).
- f. The proposed redevelopment will cause minimal disruption of natural features (Theme A, Goal #3.c), while also upholding the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (South Broadway) (Objective E, Goal #1.c), and allowing development of an underutilized parcel on a major corridor (Objective E, Goal #1.d). The proposed redevelopment of the site will not impact any natural features.
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that supports pedestrian mobility, while also providing cross access to surrounding amenities and job opportunities. The development will help to intensify the land use along South Broadway, a major urban arterial roadway.
 - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of enhanced pedestrian facilities along South Broadway and Virginia Avenue, that provides safe and easy access to transit stops. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment. The proposed development also allows for added street trees and internal tree canopy coverage, while also reducing impervious surfaces on the subject property.
3. This recommendation is made subject to approval and certification of PLN-MJDP-20-00028: Gateway Lofts (Grogan & Grogan), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Commission Questions – Mr. Pohl asked if there will be commercial use on the first floor. Mr. Baillie said that in the B-1 zone, form-based neighborhood business project, they are required to have business on the first floor. Mr. Pohl said that on the architectural plans, there doesn't seem to be any indication of commercial space on the floor plans. He said that there are no entrances facing Broadway, only windows. Mr. Baillie said that the elevation of South Broadway depicts doors to access the commercial operations. He said that during the Committee meeting, the staff reiterated that the applicant needed to include that in their overall parking calculations. He said that the applicant had submitted a joint parking agreement. Mr. Pohl said that the first floor along South Broadway shows residential use. Mr. Baillie said that is the second level of the structure and added that there is another drawing depicting an open area, which didn't get included in the presentation.

Development Plan Presentation – Mr. Martin presented the preliminary development plan associated with this zone change. He said that the applicant submitted a revised plan and indicated that revised conditions were distributed to the Planning Commission, as follows:

1. Provided the Urban County Council rezones the property B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. ~~Discuss~~ Denote compliance with Article 8-16(b) of the Zoning Ordinance specifically the proposed use along S. Broadway.
8. ~~Discuss~~ Denote stormwater quality and detention shall be determined at time of the Final Development Plan.
9. ~~Discuss~~ Denote street improvements and the addition of right-of-way shall be determined at time of the Final Development Plan.
10. ~~Discuss~~ Denote mass transit enhancements/accommodations shall be determined at time of the Final Development Plan. (Placebuilder criteria A-DSI-1).
11. ~~Discuss~~ Denote required parking for first floor along S. Broadway.
12. ~~Discuss~~ Denote that the proposed development plan shall comply with the Form-Based Neighborhood Business Project Context and Character Study submitted per Article 8-16(b)(o)(3) of the Zoning Ordinance.
13. Denote that the parking structure activation along South Broadway Place (side yard) shall be determined at the time of the Final Development Plan. (Placebuilder criteria A-DS7-3).
14. 43. ~~Discuss~~ Resolve Placebuilder criteria:

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

- a. 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.
- b. A-DS7-3: Parking structures should activate the ground level.
- c. C-LI7-1: Developments should create mixed-use neighborhoods with safe access to community facilities, green-space, employment, businesses, shopping, and entertainment.
- d. A-DS1-1: Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7).
- e. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.

Mr. Martin said there will be a Final Development Plan on this prior to any building, which is particularly important because of their request for the B-1 Form-Based Neighborhood Business zone. He said that under the B-1 requirements, the Planning Commission is required to make a finding on their compliance with their form-based study. However, that requirement is associated with the Final Development Plan. He displayed the applicant's proposed development plan and pointed to the entrance off of Virginia Avenue, into the parking structure. He pointed to the area of activation along Virginia Avenue and South Broadway, which is difficult because of the traffic. He said that the staff recommended that that applicant close the access point off of South Broadway.

Mr. Martin said that applicant is proposing a 6-story building with 205,000 square feet, 257 dwelling units, which are predominantly one-bedroom units. He said that they are proposing over 6,000 square feet of commercial space on the first floor along South Broadway. He said that there are some reductions available to them with their parking, including bicycle and transit, which they are utilizing. He said that they are required 10% open space and they are proposing approximately 20%, which include balconies, and an area within the building. He said that the applicant will need to address condition #8, stormwater quality and detention on the site at time of the Final Development Plan. He said that condition #10, which the applicant also need to address is transit facilities at time of the Final Development Plan. He said that condition #12, the applicant need to denote that the proposed development plan shall comply with the Form-Based Neighborhood Business Project Context and Character Study submitted per Article 8-16(b)(o)(3) of the Zoning Ordinance. He said that condition #13, the applicant also needs to denote that the parking structure activation along South Broadway Place shall be determined at the time of the Final Development Plan. He said the Planning Commission is not officially required to make a finding on that study until the Final Development Plan.

Traffic Impact Study – Mr. Emmons said that one of the staff's primary concern was the intersection of Red Mile Road/Virginia Avenue and South Broadway, because it has a very high accident rate. He said that the Kentucky Transportation Cabinet is looking to do safety projects at this intersection. He said that staff and the Kentucky Transportation Cabinet were all opposed to accessing South Broadway, and the applicant agreed. He said that South Broadway is a Minor Arterial Road, with an average count of 26,000 vehicles per day and Virginia Avenue is also a Minor Arterial Road with over 17,000 vehicles per day. He said that this proposed development will generate approximately 1,700 vehicle trips per day, in and out of the development, which will only be about 100 during a.m. and p.m. peak hours. He added that the Institute of Engineers created a category called "off-campus housing", which is either ½ mile or more than 1.2 mile away from college campuses, and if this generator was utilized, it would not have met the threshold for generating enough peak hour trips. However, these types of uses usually generate more traffic throughout the day and less traffic during the a.m. and p.m. peak hours.

Mr. Emmons said that the intersection at Red Mile Road and South Broadway is of concern, but this proposed development will not make it any worse. He said that the only thing that this study identified was the vehicles exiting the development may have difficulty making a left turn onto Virginia Avenue, during the evening peak time. He said that the staff is satisfied with the traffic study and the access. He said that this area is also one of the highest bicycle and pedestrian areas, and the staff believes that there is acceptable bicycle and pedestrian facilities in this general vicinity. He said that in regards to transit, they recommend that the applicant work with LexTran to create a better bus stop in this area. He said that staff is recommending to resolve the transit stop at the time of the Final Development Plan.

Applicant Presentation – Mr. Murphy, attorney; Will Kirk, Gateway Lofts; Chris Mitchell, Palmer Engineering; and Ryan Pearson, Edge Landscape Architecture were present. He said that the staff has presented their Context Study, which isn't needed until the Final Development Plan. He said that they have met with the staff from the Division of Transportation Planning and have agreed to work with LexTran regarding the bus shelter. He said that he believes because of this location, this is the ideal place for developing the corridors.

Citizen Comment – There were no citizens present to speak to this application.

Zoning Action – A motion was made by Mr. Pohl, seconded by Mr. Nicol, and carried 9-0 (Penn absent) to approve PLN-MAR-20-00011: GATEWAY LOFTS LEXINGTON, for the reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Pohl, seconded by Mr. Davis, and carried 9-0 (Penn absent) to approve PLN-MJDP-20-00028: GATEWAY LOFTS (GROGAN AND GROGAN), as presented by the staff.

ZONING DESCRIPTION

1016 – 1024 South Broadway
Lexington, Fayette County, Kentucky

A certain tract or parcel of land located in Fayette County, Kentucky, situated along South Broadway, US 68, in the city of Lexington, KY, and being more particularly described as follows:

The Point of Beginning (P.O.B.) at Iron Pin and Cap in the existing right of way of South Broadway, US 68, 32.64 feet left of centerline station 69+91, corner to BOOM, Inc., having a Kentucky State Plane Coordinate (NAD 83, Single Zone) of Northing (Y) of 3903954.015, and an Easting (X) of 5276606.345, thence

North 38°54'35" West 32.64 feet to a point in the center of South Broadway, US 68, thence continuing with the centerline of South Broadway, US 68;

North 51°5'25" East 161.59 feet to a point in the center of South Broadway, US 68, thence leaving the centerline of South Broadway, US 68;

South 38°54'35" East 30.27 feet to an Iron Pin and Cap, 30.27 feet left of centerline station 68+28, corner to Virginia Way, LLC, thence leaving the existing right of way of South Broadway, US 68 with Virginia Way, LLC;

South 39°24'46" East 223.86 feet to an Iron Pin and Cap, thence;

North 50°16'46" East 114.12 feet to an Iron Pin and Cap, in the existing right of way of Virginia Avenue, 37.08 feet right of centerline station 52+57.18, thence leaving Virginia Way, LLC;

North 50°16'46" East 37.08 feet to the centerline of Virginia Avenue, thence continuing with the centerline of Virginia Avenue;

Along an arc to the right, having a radius of 1448.53 feet, a length of 134.45 feet, and a chord of South 33°54'48" East 134.41 feet, thence;

South 31°37'32" East 10.44 feet, thence;

South 31°49'50" East 90.01 feet, thence leaving the centerline of Virginia Avenue;

South 50°08'42" West 58.37 feet to an Iron Pin and Cap in the existing right of way of Virginia Avenue, 57.50 feet right of centerline station 55+01.37, corner to Teachers Retirement System, thence leaving the existing right of way of Virginia Avenue with Teachers Retirement System;

South 50°08'42" West 225.46 feet to an Iron Pin and Cap, thence continuing with Teachers Retirement System and BOOM Inc.;

North 39°42'42" West 460.62 feet to the **Point of Beginning (P.O.B.)** containing a gross area of 2.57 Acres of land and a net area of 2.24 Acres of land.

