

ORDINANCE NO. 010 - 2023

AN ORDINANCE CHANGING THE ZONE FROM A HIGH DENSITY APARTMENT (R-4) ZONE, A NEIGHBORHOOD BUSINESS (B-1) ZONE AND A LIGHT INDUSTRIAL (I-1) ZONE TO AN INDUSTRIAL REDEVELOPMENT PLANNED UNIT DEVELOPMENT (PUD-3) ZONE, FOR 27.087 NET (27.461 GROSS) ACRES, FOR PROPERTY LOCATED AT 125 TURNER COMMONS WAY AND 1409 N. FORBES ROAD. (TURNER PROPERTY 4, LLC; COUNCIL DISTRICT 11).

WHEREAS, at a Public Hearing held on December 15, 2022, a petition for a zoning ordinance map amendment for property located at 125 Turner Commons Way and 1409 N. Forbes Road from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone and a Light Industrial (I-1) zone to an Industrial Redevelopment Planned Unit Development (PUD-3) zone, for 27.087 net (27.461 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 8-0; and

WHEREAS, the Urban County Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 125 Turner Commons Way and 1409 N. Forbes Road from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone and a Light Industrial (I-1) zone to an Industrial Redevelopment Planned Unit Development (PUD-3) zone, for 27.087 net (27.461 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: February 9, 2023

Linda Gorton

MAYOR

ATTEST:

[Signature]

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: February 16, 2023-1t

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Rec'd by _____
Date: _____

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

IN RE: PLN-MAR-22-00021: TURNER PROPERTY 4, LLC - a petition for a zone map amendment from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone, and a Light Industrial (I-1) zone to a Industrial Redevelopment Planned Unit Development (PUD-3) zone, for 27.087 net (27.461 gross) acres, for property located at 125 Turner Commons Way and 1409 N. Forbes Road. (Council District 11)

Having considered the above matter on December 15, 2022, at a Public Hearing, and having voted 8-0 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 Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will activate an underutilized parcel within the infill and redevelopment area (Theme A, Goal #2) and will include a significant increase in density and mixing of uses.
 - b. The proposal will help reinforce an underutilized portion of the W Main Street corridor by redeveloping a primarily vacant tract into a destination-type development (Theme E, Goal#1.c)
 - c. The request will expand opportunities for mixed use development within Lexington-Fayette county and will provide diversity in housing types for the Meadowthorpe area (Theme A, Goal #3.a)
 - d. The proposed rezoning will help with the creation of a variety of jobs (Theme C, Goal #1.a) by allowing for the incorporation of neighborhood-scale retail and commercial uses.
 - e. The entertainment, dining, and retail uses detailed in the proposal will help create a development that is appealing to both tourists and residents (Theme C, Goal #1d, Theme C Goal #2.d)
2. The requested Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Density Policy #12, as it will create walkable neighborhood amenities such as a neighborhood center, and wineries that will help supplement the residential component of the neighborhood.
 - b. The increase in allowable uses will increase the diversity of job types available in this area, meeting Diversity Policy #2.
 - c. The proposed development meets Design Policy #5 by utilizing the linear park and multi-modal pathways to create pedestrian-friendly street patterns and walkable blocks to create inviting streetscapes.
 - d. The proposed development meets Sustainability Policy #4 by creating centrally located greenspace that is directly adjacent to the development's residential component.
 - e. The request meets Livability Policy #6 by providing the opportunities to accommodate additional entertainment and amenity opportunities that appeal to young professionals.
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.

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- a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as it intensifies an underutilized site and creates a true mixing of uses that provides safe pedestrian-scale connections to community facilities, greenspace, employment, business, shopping, and entertainment for users of the development as well as the surrounding neighborhoods.
- b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development provides new roadway connections between N. Forbes Road and W. Main Street, incorporates direct pedestrian linkages to the nearby transit stop, and provides safe multi-modal connections throughout the development.
- c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the request will increase the amount of green open space, tree canopy coverage, and reduce the overall amount of impervious surface on-site.

ATTEST: This 20th day of January, 2023.



 Secretary, Jim Duncan

LARRY FORESTER
 CHAIR

Note: The corollary development plan, PLN-MJDP-22-00068: TURNER PROPERTY & MEADOWTHORPE COMMUNITY BUISNESS CENTER (TURNER COMMONS) was approved by the Planning Commission on December 15, 2022.

K.R.S. 100.211(7) requires that the Council take action on this request by March 15, 2023.

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

OBJECTORS

OBJECTIONS

VOTES WERE AS FOLLOWS:

AYES:	(8)	Barksdale, Bell, Davis, de Movellan, Forester, Michler, Penn, and Worth
NAYS:	(0)	
ABSENT:	(3)	Meyer, Nicol, and Pohl
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-22-00021** carried.

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

MAP AMENDMENT REQUEST (MAR) APPLICATION

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

Applicant: TURNER PROPERTY 4 LLC, 1387 E NEW CIRCLE ROAD STE 130, LEXINGTON, KY 40505
Owner(s): TURNER PROPERTY 4 LLC, 1387 E NEW CIRCLE ROAD STE 130, LEXINGTON, KY 40505
Attorney: ZACH CATO, 145 CONSTITUTION STREET, LEXINGTON, KY 40507

2. ADDRESS OF APPLICANT'S PROPERTY

125 TURNER COMMONS WAY, AND 1409 N. FORBES ROAD, LEXINGTON, KY 40511
--

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing Use	Zoning	Requested Use	Acreage	
				Net	Gross
I-1	LIGHT INDUSTRIAL	PUD-3	MIXED-USE	22.379	22.657
B-1	OFFICE	PUD-3	MIXED-USE	1.548	1.704
R-4	PARKING LOT	PUD-3	MIXED-USE	3.018	3.097

4. COMPREHENSIVE PLAN

a. Utilizing Placebuilder, what Place-Type is proposed for the subject site?	2ND TIER URBAN
b. Utilizing Placebuilder, what Development Type is proposed for the subject site? If residential, provide the proposed density	MEDIUM DENSITY NON-RESIDENTIAL / MIXED USE

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO

6. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	Private
Storm Sewers:	To Be Constructed
Sanity Sewers:	To Be Constructed
Refuse Collection:	Private
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



BILLINGS LAW FIRM ^{PLLC}
COUNSELORS-AT-LAW

ZACHARY G. CATO, ESQ.
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145 Constitution Street
Lexington, Kentucky 40507
(o) (859) 225-5240
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October 31, 2022

Urban County Planning Commission
200 E. Main Street
Lexington, KY 40507

Re: PLN-MAR-22-00021 - Zone Map Amendment for 125 Turner Commons Way and 1409 N. Forbes Road (the “Properties”)

Dear Commission:

My firm represents Turner Property 4, LLC (the “Applicant”) as owner of the Properties in this application for zone map amendment.

1. Property Overview

The Properties total approximately 27.457 acres located on W. Main Street and N. Forbes Road.¹ The Turner Commons Way parcel was historically used for tobacco warehouses and storage but has been largely vacant and underutilized in recent years. It is also a uniquely shaped parcel, narrow but stretching over two-thirds of a mile from W. Main Street back toward W. New Circle Road. The North Forbes Road parcel has an office building constructed in 1959 and an associated parking lot.

2. Zoning Request

The Applicant seeks to change the zoning from Light Industrial (I-1) (125 Turner Commons Way) zone and Neighborhood Business (B-1)/High Density Apartment (R-4) (1409 N. Forbes Rd.) zones to the newly established Industrial Redevelopment Planned Unit Development (PUD-3) zone.

3. Purpose

The goal of PUD-3 zone—and this application—is to revitalize underutilized industrial and adjacent properties that, over time, have become less suited to traditional industrial uses due to proximity to nonindustrial uses such as residential neighborhoods.

¹ 125 Turner Commons Way is 22.682 gross acres; 1409 N. Forbes Road is 4.775 gross acres.

4. Applicant's Vision and Plan

The Applicant's vision for the Properties is to create a new mixed-use center which provides a mix of services, new employment, and entertainment opportunities to the area. The development is planned to create appropriate buffers with the existing residential neighborhoods nearby to minimize disruption while increasing the use and benefit of the Properties from their current state.

5. Comprehensive Plan

This application is unique because the Comprehensive Plan does not address planned unit development zones, and the PUD-3 zone specifically did not exist when the current Plan was adopted. Instead, the Applicant looks to the Goals and Objectives of the Comprehensive Plan generally and how a PUD-3 zone on the Properties would further those objectives. The application furthers the following Goals and Objectives of the 2018 Comprehensive Plan:

- Theme A: Growing Successful Neighborhoods
 - Goal 2: Support infill & redevelopment throughout the Urban Service Area as a strategic component of growth.
 - Objective a: Identify areas of opportunity for infill, redevelopment, adaptive reuse, and mixed-use development.
 - Goal 3: Provide well-designed neighborhoods & communities.
 - Objective a: Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing throughout Lexington-Fayette County.

The proposed PUD-3 zone will create unique mixed-use redevelopment opportunities. For example, the proposal allows consumer services (food, drink, retail, and entertainment) and commercial services (offices and flex space) alongside live/work/play opportunities for dwelling units and temporary lodging.

Nearby residents will benefit from the proposal as well. The mix of consumer-oriented uses add additional dining, shopping, and entertainment opportunities, whereas the office and flex space encourages employment opportunities. These new uses are major upgrades from the last number of years that saw the Turner Commons Way parcel largely vacant, and the N. Forbes Road parcel underutilized. This is the type of development opportunity that allows the Urban Service Boundary to remain intact.

- Theme C: Creating Jobs & Prosperity
 - Goal 1: Support & showcase local assets to further the creation of a variety of jobs.
 - Objective a: Strengthen efforts to develop a variety of job opportunities that lead to prosperity for all.
 - Objective d: Encourage development that promotes and enhances tourism.
 - Goal 2: Attract the world's finest jobs, encourage an entrepreneurial spirit, & enhance our ability to recruit & retain a talented, creative workforce by establishing opportunities that embrace diversity with inclusion in our community.
 - Objective a: Prioritize the success and growth of strategically-targeted employment sectors (healthcare, education, high-tech, advanced manufacturing, agribusiness, agritourism, and the like), and enable infill and redevelopment that creates jobs where people live.
 - Objective d: Provide entertainment and other quality of life opportunities that attract young and culturally diverse professionals, and a work force of all ages and talents to Lexington.

The flexibility of the PUD-3 zone allows utilization by employers in retail, professional, and light manufacturing industries. By drawing a large cross-section of visitors and residents, this application creates an environment attractive to employers and employees wishing to locate to a dynamic setting. For example, the ability for both upstart and established employers to experiment with different types of offices in flex space; the ease of socializing at lunch or after work without driving to a different location; and neighborhood-scale structures that do not have the “look or feel” of traditionally segmented residential, commercial, and professional buildings found elsewhere in Fayette County. This project will create an environment that fosters creative modern development and services that are increasingly desirable to Fayette County residents.

- Theme E: Urban & Rural Balance
 - Goal 1: Uphold the Urban Service Area concept.
 - Objective c: Emphasize redevelopment of underutilized corridors.
 - Objective d: Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features.

- Goal 3: Maintain the current boundaries of the Urban Service Area & Rural Activity Centers & create no new Rural Activity Centers.

The Comprehensive Plan prioritizes fully developing and making the most of the current land within the Urban Service Area in lieu of expanding it. This application achieves many of the Goals and Objectives of the Comprehensive Plan—increased density, residential opportunities, and live/work concepts—into areas within the existing Urban Service Area. The development will enable more infill and redevelopment projects to reduce pressure on expansion of the Urban Service Area.

6. Place-Type

Planned unit developments are not specified in the Comprehensive Plan. However, the PUD-3 zone is a type of mixed-use zone. The place-types for which mixed use zones are recommended are therefore appropriate for this Application. The place-type that fits this Application best is 2nd Tier Urban:

Where significant infill and redevelopment opportunities exist to complement the urban core. While not expected to be as intensely developed as the downtown core, high-rise opportunities are not precluded provided that they are context-sensitive. The forward trend for development in the 2nd tier urban areas should be towards increased walkability and intensity.

7. Development Type

The Application is best described as an MNR-MU (medium density non-residential/mixed-use) development type. The plan satisfies the design characteristics perfectly, including activated ground levels, multimodal connections, pedestrian accessibility, and orientation to the internal streets. A breakdown of the specific development criteria is enclosed as Exhibit A. This analysis also includes the development criteria for the INR (industrial & production non-residential/mixed-use) criteria given the industrial aspects of the PUD-3 zone.

8. PUD-3 Criteria

a. Location Criteria

The Properties satisfy the location criteria of the PUD-3 ordinance: (i) they are located within the Urban Service Area; (ii) the Turner Commons Way parcel has direct access to the W. Main Street corridor; (iii) the Turner Commons Way parcel is more than ten (10) acres in size; and (iv) the Turner Commons Way parcel is currently zoned for industrial (I-1) use.

The N. Forbes Road parcel satisfies the location criteria because (i) it is adjacent to the Turner Commons Way parcel for which PUD-3 zoning is sought; (ii) connectivity between the Properties is proposed; (iii) the N. Forbes Road parcel will be incorporated into the PUD-3 development; and (iv) a portion of the parcel is zoned for business uses (B-1).

b. Uses, Development Plan, and Design Standards

The Applicant proposes a mix of uses permitted in the PUD-3 zone, including: restaurants, retail, event space, bar, a small athletic facility, office, office/warehouse flexspace, and residential.

These uses are spread out so that short-term users (restaurant and retail patrons, for example) will primarily be near the main entrances of the development, whereas those users who may be present longer (office, warehouse, and residential users, for example) are further away from the entrances. One of the benefits to this design is that the more heavily trafficked areas will be located nearest the Main Street corridor and will not need to drive all the way down Turner Commons Way, reducing traffic noise and frequency near the more residential adjacent areas at the rear of the development.

The plan is also designed to emphasize wayfinding, placemaking, pedestrian access, and interconnectivity within the development. Parking areas are oriented away from pedestrian areas as much as possible, with street cross-section design that separates pedestrian areas from both vehicular areas and structures to increase visibility and safety. Special attention has been paid to enhancing the tree canopy and adding new landscaping, including creation of a linear park as a buffer from adjacent residential zones. On the North Forbes Road parcel, the Applicant plans a centralized greenspace with a pond. The new structures proposed are designed to meet both the design standards of the PUD-3 zone but also the existing structures in the vicinity, ensuring a context-appropriate final result.

To aid the Planning Commission's review, the Applicant is enclosing certain architectural renderings which demonstrate the proposed styles, materials, and finishes of structures. See **Exhibit B**. These renderings, while not final, illustrate the nature and "feel" of the places the Applicant seeks to create.

c. Signs

The Applicant is not proposing construction of new signs in this Application. The sign submittal contemplated by Zoning Ordinance 22C-6(12) will be prepared as part of a subsequent sign permit application (assuming this Application is approved and the development moves forward).

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9. Engagement

The Applicant met with stakeholders in the Meadowthorpe neighborhood at multiple meetings regarding both the PUD-3 zone text amendment and the ultimate development shown in the Application. The neighborhood has been largely supportive of the goals for the project, and the Applicant has taken steps in the zone text amendment process to incorporate the stakeholders' feedback and carry it forward into the development plan.

The Applicant has committed to further meetings and discussions with neighborhood stakeholders throughout the zone change and development plan processes.

10. Summary

The Applicant is excited to bring this unique experience to Lexington. We look forward to presenting to the Commission and answering any questions about the application. Thank you for your time and consideration.

Sincerely,



ZACH CATO

Encl.

Exhibit A

Development Criteria Analysis

MEDIUM DENSITY NON-RESIDENTIAL / MIXED-USE

SITE DESIGN, BUILDING FORM, & LOCATION	
A-DS3-1	Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
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-DS8-1	At the individual street level, medium density housing types should be interspersed with single-family detached units and should be context sensitive.
A-DS10-1	Residential units should be within reasonable walking distance to a focal point.
A-DS11-1	Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single loaded streets.
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-DN3-1	Pedestrian-oriented commercial opportunities should be incorporated within residential neighborhoods.
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)

2ND TIER URBAN

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-LI6-1	Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors.
C-LI6-2	ADUs and/or affordable housing options should be incorporated into existing and new single-family residential development. (A-DN5)
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-PL2-1	Developments should aim to provide a neighborhood-serving use that does not already exist in the vicinity, or that fills a specific need.
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.
D-SP9-1	Encourage co-housing, shared housing environments, planned communities and accessory dwelling units for flexibility and affordability for senior adults and people with disabilities.
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-GR9-1	Live/work units should be incorporated into residential developments.
E-GR9-2	Low-intensity business uses that will provide neighborhood amenities should be incorporated into existing neighborhoods.

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.

MEDIUM DENSITY NON-RESIDENTIAL / MIXED-USE

SITE DESIGN, BUILDING FORM, & LOCATION (CONT.)

- E-GR9-3** Less intense multi-family residence types (duplexes, four-plexes, courtyard apartments, etc.) should be incorporated into primarily single-family areas.
- E-GR9-4** Development should intensify underutilized properties and develop vacant and underutilized gaps within neighborhoods. (E-GR6)
- 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.

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 multimodal 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 multimodal 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-DS10-2** New focal points should be designed with multimodal connections to the neighborhood.
- 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** Multimodal 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.

2ND TIER URBAN

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 multimodal transportation infrastructure to school sites, including sidewalks, shared-use paths, and roadways that can accommodate the bus and vehicle traffic associated with the site.

E-ST3-1

Development along major corridors should provide for ride sharing pick up and drop off locations along with considerations for any needed or proposed park and ride functions of the area. (E-GR10, E-GR7)

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.

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.

INDUSTRIAL & PRODUCTION NON-RESIDENTIAL

SITE DESIGN, BUILDING FORM, & LOCATION

- 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-D11-1** 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-PS3-1** Development potential in the Rural Activity Centers should be maximized. (E-ST5)
- C-PS8-1** Opportunities for industry and special trade employment should be increased.
- 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-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.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

- 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-CO4-1** Dead-end streets and Cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
- 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-CO4-3** Street pattern and design should consider site topography and minimize grading where possible.
- D-CO5-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
- 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.
- E-ST5-1** Increased intensity in the Rural Activity Centers should not negatively impact surrounding rural areas.
- 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.

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.

	Criteria Met	Not Applicable	Criteria Not Met	Comment
Site Design, Building Form, & Location				
A-DS3-1		✓		No multifamily proposed.
A-DS4-2	✓			Development to scale with adjacent areas.
A-DS5-3	✓			Buildings oriented to streets with ample pedestrian paths.
A-DS5-4	✓			Buildings oriented to streets with ample pedestrian paths.
A-DS7-1	✓			Parking established to rear or screened to greatest practicable extent.
A-DS7-2	✓			Parking established to rear or screened to greatest practicable extent.
A-DS7-3		✓		No parking structures proposed.
A-DS8-1		✓		No medium density housing proposed.
A-DS10-1	✓			Residential units are planned for incorporation into activated areas with greenspace, entertainment, dining, and employment uses.
A-DS11-1		✓		No parks or schools proposed.
A-DN2-1		✓		No infill residential proposed; residential units are incorporated into mixed-use areas.
A-DN2-2	✓			Development to scale with adjacent areas and includes landscaping and design buffers to protect existing neighborhoods.
A-DN3-1	✓			Development presents new commercial opportunities in walking distance for existing residential neighborhoods.
A-DN3-2	✓			Residential units are planned for incorporation into activated areas with greenspace, entertainment, dining, and employment uses.
A-EQ3-1	✓			Development to scale with adjacent areas and includes landscaping and design buffers to protect existing neighborhoods.
A-EQ7-1		✓		No schools proposed.
B-PR9-1	✓			No "environmentally sensitive areas" but existing topography will be largely preserved or improved.

B-SU11-1	✓				Plan proposes installation of a new wetland area/park that replaces current surface parking, as well as upgrades to water quality and sewer capacity.
C-DI1-1	✓				PUD-3 created and utilized to reimagine what is possible on former industrial sites and enhance new employment opportunities.
C-DI5-1		✓			Property not within an opportunity zone.
C-LI6-1				✓	No multifamily proposed; however, single-family attached units are included and the property is on the Main Street/Leestown corridor.
C-LI6-2		✓			This is not a single-family residential development.
C-LI7-1	✓				The plan provides for true mixed-uses with walkable opportunities for shopping, employment, dining, and recreation.
C-PS9-2	✓				The existing offices on the N. Forbes Road parcel will be enhanced by the PUD-3 development and new opportunities/connectivity.
C-PS10-2		✓			There are no underutilized parking lots currently.
C-PS10-3	✓				The proposed parking is tailored to the anticipated parking needs for the development, nothing more.
D-PL2-1	✓				The development will offer new opportunities for work, dining, and recreation that are not currently offered in the immediate vicinity.
D-PL7-1	✓				Stakeholders have been consulted extensively throughout the ZOTA process for PUD-3 and will continue to be consulted.
D-PL9-1		✓			There are no historically significant structures on the properties.
D-PL10-1	✓				The development includes several areas for proposed art easements, such as preservation of water towers as environmental art features, public art at the pond area, and murals on the linear park area.
D-SP3-1	✓				The development allows for sufficient right-of-way and wireless easements if needed.
D-SP3-2		✓			No antennae are proposed.

D-SP9-1			✓		The residential units proposed are for single-family attached type units.
E-GR4-1			✓		There are few viable existing structures except those that have been recently refurbished.
E-GR5-1			✓		There are no structures on site with demonstrated historic significance.
E-GR9-1		✓			The development incorporates employment uses and residential uses in a walkable, connected environment.
E-GR9-2		✓			The development incorporates employment uses and residential uses in a walkable, connected environment.
E-GR9-3			✓		There are no "primarily single-family areas" in the development.
E-GR9-4		✓			The purpose of this development is to revitalize a formerly industrial property that has been severely underutilized for decades.
E-GR-10-2		✓			The development plans for pedestrian oriented connectivity and location of buildings that is convenient to neighbors and guests.
E-GR10-3		✓			New buildings in the development, particularly in the areas planned for retail use, are planned around new greenspaces and courtyard areas.
Transportation & Pedestrian Connectivity					
A-DS1-1					There is very limited usable frontage owned by the Applicant on the Main St./Leestown Lextran route due to the lot shape and the location of the overpass so on-site seating or shelters are not feasible. However, there are two (2) nearby existing Lextran stops which will be directly connected to the development via pedestrian sidewalks.
A-DS1-2		✓		✓	Pedestrian connectivity is provided.
A-DS4-1		✓			The development plans for pedestrian oriented connectivity and location of buildings that is convenient to neighbors and guests.
A-DS5-1		✓			The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety.

A-DS5-2	✓			The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety.
A-DS10-2	✓			The development plans for pedestrian oriented connectivity and location of buildings that is convenient to neighbors and guests.
A-EQ3-2	✓			The development plans for pedestrian oriented connectivity and location of buildings that is convenient to neighbors and guests.
A-EQ7-2			✓	No healthcare or social services proposed.
B-SU4-1	✓			Greenspaces are proposed on the plan.
C-PS10-1	✓			Parking and pick up/drop off locations are planned.
D-CO1-1	✓			The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety and reinforce the mixed-use nature of the area.
D-CO2-1	✓			The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety and reinforce the mixed-use nature of the area.
D-CO2-2	✓			The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety and reinforce the mixed-use nature of the area.
D-CO4-2			✓	The long, narrow nature of the parcels preclude multiple parallel streets.
D-CO5-1	✓			Streets have been planned to minimize driving the full length of the property for most users and to ensure pedestrian safety.
D-SP1-3			✓	There are no nearby school sites.
E-ST3-1	✓			Parking and pick up/drop off locations are planned.
Greenspace & Environmental Health				
A-DS4-3	✓			The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
A-EQ7-3	✓			New buildings in the development, particularly in the areas planned for retail use, are planned around new greenspaces and courtyard areas.

B-PR2-1	✓			There are no "environmentally sensitive areas" on the site.
B-PR2-2		✓		There are no floodplains on site.
B-PR2-3		✓		There are no floodplains on site.
B-PR7-1		✓		There are no nearby greenway, tree stand, or stream connections.
B-PR7-2	✓			The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
B-PR7-3	✓			The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
B-RE1-1	✓			The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
B-RE2-1	✓			Plan proposes installation of a new wetland area/park that replaces current surface parking, as well as upgrades to water quality and sewer capacity.
D-SP2-1		✓		No school site proposed.
D-SP2-2		✓		No school site proposed.
E-GR3-1		✓		There are no nearby greenway connections.
E-GR3-2	✓			The plan proposes creating new focal points that emphasize greenspace areas and courtyards which are unique to the site for the vicinity.

Site Design, Building Form, & Location	Criteria Met	Criteria Not Applicable	Criteria Not Met	Comment
B-PR9-1		✓		There are no "environmentally sensitive areas" on the site.
B-SU11-1	✓			Plan proposes installation of a new wetland area/park that replaces current surface parking, as well as upgrades to water quality and sewer capacity.
C-DI1-1	✓			PUD-3 created and utilized to reimagine what is possible on former industrial sites and enhance new employment opportunities.
C-DI5-1		✓		Property is not within an opportunity zone.
C-PS3-1		✓		Property is not near a Rural Activity Center.
C-PS8-1	✓			PUD-3 zoning allows for light industrial (I-1) uses to continue, creating new industrial employment opportunities nearby the mixed-use development.
C-PS10-2	✓			There are no underutilized parking lots currently.
C-PS10-3	✓			The proposed parking is tailored to the anticipated parking needs for the development, nothing more.
D-PL7-1	✓			Stakeholders have been consulted extensively throughout the ZOTA process for PUD-3 and will continue to be consulted.
D-PL9-1		✓		There are no historically significant structures on site.
D-SP3-1	✓			The development allows for sufficient right-of-way and wireless easements if needed.
D-SP3-2		✓		No antennae are proposed.
E-GR4-1		✓		There are few viable existing structures except those that have been recently refurbished.
E-GR5-1		✓		There are no structures on site with demonstrated historic significance.

Transportation & Pedestrian Connectivity						
C-PS10-1	✓					Parking and pick up/drop off locations are planned.
D-CO1-1	✓					The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety and reinforce the mixed-use nature of the area.
D-CO2-1	✓					The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety and reinforce the mixed-use nature of the area.
D-CO2-2	✓					The development is planned to visually segregate pedestrian areas, driving areas, and buildings to enhance safety and reinforce the mixed-use nature of the area.
D-CO4-1	✓					Dead-ends and cul-de-sacs are minimized in favor of interconnectivity and new neighborhood connections.
D-CO4-2				✓		The long, narrow nature of the parcels preclude multiple parallel streets.
D-CO4-3	✓					The plan preserves existing topography where feasible.
D-CO5-1	✓					Streets have been planned to minimize driving the full length of the property for most users and to ensure pedestrian safety.
E-ST3-1	✓					Parking and pick up/drop off locations are planned.
Greenspace & Environmental Health						
A-DS4-3	✓					The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
A-EQ7-3	✓					New buildings in the development, particularly in the areas planned for retail use, are planned around new greenspaces and courtyard areas.

B-PR2-1	✓			There are no "environmentally sensitive areas" on the site.
B-PR2-2		✓		There are no floodplains on site.
B-PR2-3		✓		There are no floodplains on site.
B-PR7-1		✓		There are no nearby greenway, tree stand, or stream connections.
B-PR7-2	✓			The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
B-PR7-3	✓			The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
B-RE1-1	✓			The property is formerly industrial with minimal landscaping features; significant new tree canopy and landscaping is proposed.
B-RE2-1	✓			Plan proposes installation of a new wetland area/park that replaces current surface parking, as well as upgrades to water quality and sewer capacity.
E-ST5-1		✓		Property is not near a Rural Activity Center.
E-GR3-1		✓		There are no nearby greenway connections.
E-GR3-2	✓			The plan proposes creating new focal points that emphasize greenspace areas and courtyards which are unique to the site for the vicinity.

Exhibit B

Architectural Renderings





|| LORD
|| AECK
|| SARGENT

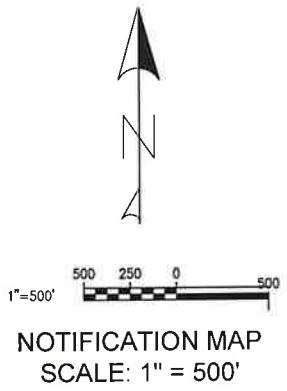
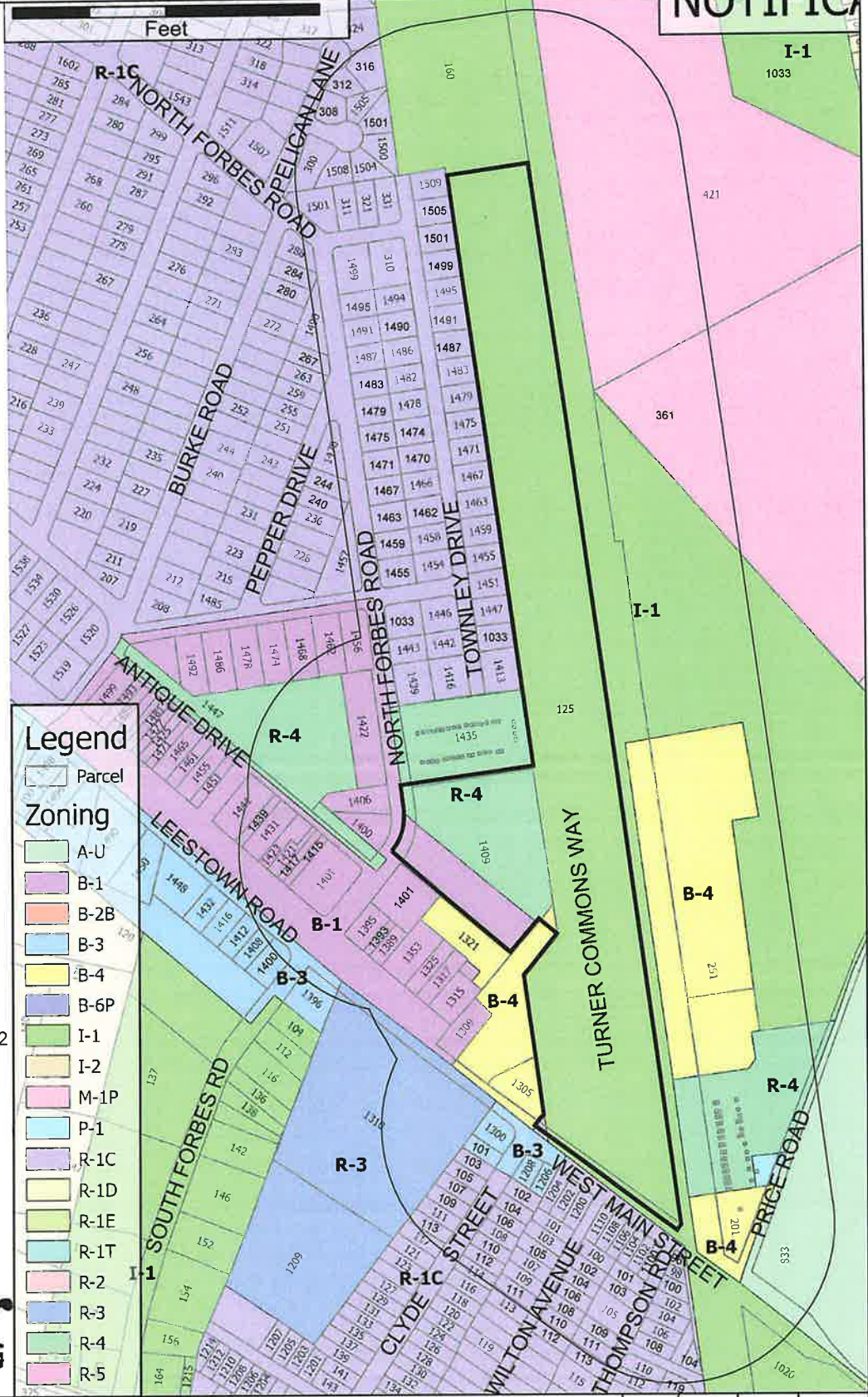


LORD
AECK
SARGENT



LORD
AECK
SARGENT

NOTIFICATION



- Legend**
- Parcel
 - Zoning**
 - A-U
 - B-1
 - B-2B
 - B-3
 - B-4
 - B-6P
 - I-1
 - I-2
 - M-1P
 - P-1
 - R-1C
 - R-1D
 - R-1E
 - R-1T
 - R-2
 - R-3
 - R-4
 - R-5

PROPERTY INFORMATION:
 D.B. 3893 P.G. 681/D.B. 3792 P.G. 242
 CABINET/SLIDE: A-696

PALMER ENGINEERING
 301 E. MAIN STREET
 SUITE 900
 LEXINGTON, KY 40507
 (859) 389-9293



STATE OF KENTUCKY
 GARRETT J. PALMER
 13889
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR
 1013122

TITLE: TURNER PROPERTY 4, LLC.
 PROPERTY ADDRESS: 125 TURNER COMMONS WAY & 1409 N FORBES RD. LEXINGTON, KY 40505
 APPLICANT / DEVELOPER: TURNER PROPERTY 4, LLC.
 APPLICANT ADDRESS: 1387 EAST NEW CIRCLE ROAD, LEXINGTON, KY 40505
 OWNER NAME: TURNER PROPERTY 4, LLC.
 OWNER ADDRESS: 1387 EAST NEW CIRCLE ROAD, LEXINGTON, KY 40505
 PREPARED BY: PALMER ENGINEERING COMPANY
 DATE FILED OR AMENDED: OCTOBER 31, 2022

FROM	TO	NET	GROSS
B-1	PUD-3	1.548	1.704
R-4	PUD-3	3.018	3.097
I-1	PUD-3	22.379	22.657
TOTAL		26.944	27.457



October 20, 2022

400 Shoppers Drive P.O. Box 747
Winchester, Kentucky 40392-0747
(859)-744-1218



LEGAL DESCRIPTION

**TURNER PROPERTY, LLC.
Zone Change from B-1, R-4 & I-1 to PUD-3
Turner Commons Way and North Forbes Road
Lexington, Fayette County, Kentucky**

A TRACT OF LAND SITUATED NORTHEAST OF WEST MAIN STREET AND SOUTHEAST OF NORTH FORBES ROAD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

Beginning at a point in the northeast right-of-way line of West Main Street common to Turner Property and the CSX Real Properties, thence South 36°16'58" West 22.30 feet to a point in the centerline of West Main Street, thence leaving CSX Real Properties with said centerline;

North 53°43'02" West 574.58 feet to a point, thence leaving the centerline of North Forbes Road;

North 36°16'58" East 26.96 feet to a point in the right-of-way line common to Dan Puchalski, thence with the property line of Dan Puchalski;

North 45°53'40" East 18.66 feet to a point;

North 07°53'02" West 461.42 feet passing a point common to Dan Puchalski and Fitzgerald & Fuller to a point common to Fitzgerald & Fuller and Wesix Ventures, LLC, thence along the property line of Wesix Ventures, LLC four calls as follows;

North 41°04'07" East 31.83 feet to a point;

North 38°29'38" East 141.60 feet to a point;

North 50°31'34" West 77.00 feet to a point;

South 40°32'26" West 142.40 feet to a point common to Wesix Ventures, LLC & NCJPM Properties, LLC thence along the property line of NCJPM Properties, LLC;

North 49°41'34" West 235.12 feet to a point;

North 49°41'34" West 233.08 feet passing a point common to NCJPM Properties, LLC and J & C Campbell Investment Co. to a point in the right-of-way line of North Forbes

Road common to J & C Campbell Investment Co. thence leaving the right-of-way line of North Forbes Road;

North 48°54'50" West 39.38 feet to a point in the centerline of North Forbes Road, thence with said centerline two calls as follows;

A curve to the left having a radius of 173.03 feet, a length of 141.53 feet and a chord of North 16°12'09" East to a point;

North 07°29'50" West 76.00 feet to a point, thence leaving the centerline of North Forbes Road;

North 82°30'10" East 39.10 feet to a point in the right-of-way line of North Forbes Road common to Meadowthorpe, LLC thence along the property line of Meadowthorpe, LLC;

North 82°11'26" East 400.00 feet to a point common with Meadowthorpe, LLC thence continuing along said property line;

North 07°48'34" West 929.75.00 feet passing a point common to Meadowthorpe, LLC and Meadowthorpe Subdivision, thence along the property line of Meadowthorpe Subdivision two calls as follows;

North 07°48'34" West 655.00 feet to a point;

North 07°48'34" West 360.00 feet to a point common to Meadowthorpe Subdivision and Turner Property 4, LLC thence along the property line of Turner Property 4, LLC;

North 82°05'50" East 266.05 feet to a point common to Turner Property 4, LLC and the CSX Real Properties, thence leaving Turner Property 4, LLC along the property line of CSX Real Properties four calls as follows;

South 07°54'11" East 360.00 feet to a point;

South 07°54'11" East 655.00 feet to a point;

South 07°48'41" East 1219.07 feet to a point;

South 07°51'01" East 1250.74 feet to the point of beginning (P.O.B.), containing a gross area of 27.461 acres and a net area of 27.087 acres, more or less.

This description has been prepared by Brian Ward, PE, PLS, Palmer Engineering, P O Box 747, Winchester, KY 40392-0747.

TURNER PROPERTY 4, LLC (PLN-MAR-22-00021)

125 TURNER COMMONS WAY,
1409 FORBES RD

Applicant/ Owner

TURNER PROPERTY 4, LLC
1387 E New Circle Road, Suite 130
LEXINGTON, KY 40505
zach.cato@blfky.com (Attorney)



Rezone the property to establish a mixed-use industrial development.

Application Details

Acreage:

27.087 (27.461 gross) acres

Current Zoning:

Light Industrial (I-1) zone
High Density Apartment (R-4) zone
Neighborhood Business (B-1) zone

Proposed Zoning:

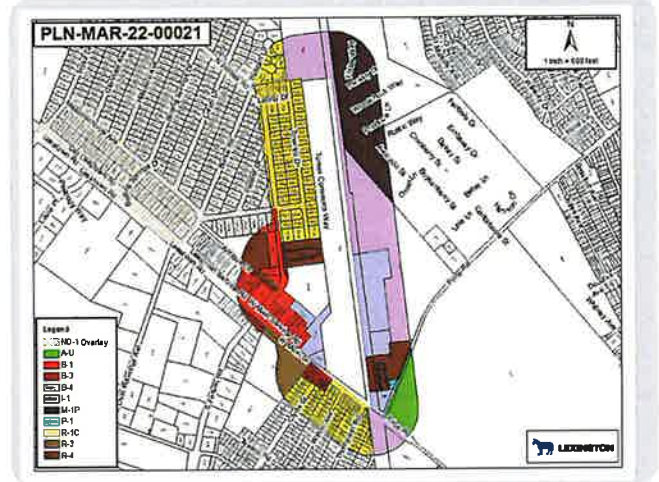
Industrial Redevelopment Planned Unit Development (PUD-3) zone

Place-type / Development Type:

Second Tier Urban
Medium Density Non-Residential/ Mixed Use
For more information about the Second Tier Urban Place-Type see Imagine Lexington page 265. For information about the Medium Density Non-Residential/ Mixed Use Development Type, see Imagine Lexington, page 272.

Description:

The applicant is seeking to establish a mixed-use development including restaurant, retail, entertainment, office, residential, and light industrial uses on the subject properties.



Public Engagement

- The applicant met with stakeholders within the Meadowthorpe neighborhood while crafting the language for the PUD-3 Zoning Ordinance text amendment. The applicant should conduct further outreach to discuss the proposed rezoning and accompanying development plan.

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

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

Development Plan

Palmer ENGINEERING
 225 West Main Street, Lexington, KY 40507
 Phone: (606) 253-8585
 Fax: (606) 253-8586
 www.palmereng.com

TURNER COMMONS & LLC
 TURNER COMMONS AND NORTH FOREBES ROAD
 LEXINGTON, FAYETTE COUNTY, KENTUCKY

OWNER/DEVELOPER
 TURNER COMMONS AND
 NORTH FOREBES ROAD
 LEXINGTON, KY 40507

811
 Know what's below.
 Call before you dig.

VEGETATION SCHEDULE

Species	Quantity	Number	Notes
1. Yellow Birch	3,274	131	Plant by 10/15/2022
2. Red Maple	1,800	72	Plant by 10/15/2022
3. Red Oak	1,800	72	Plant by 10/15/2022
4. White Oak	1,800	72	Plant by 10/15/2022
5. American Sycamore	250	10	Plant by 10/15/2022
6. Green Ash	250	10	Plant by 10/15/2022
7. American Elm	250	10	Plant by 10/15/2022
8. Honey Locust	250	10	Plant by 10/15/2022
9. Northern Red Oak	250	10	Plant by 10/15/2022
10. White Pine	250	10	Plant by 10/15/2022
11. American Elm	250	10	Plant by 10/15/2022
12. Norway Spruce	250	10	Plant by 10/15/2022
13. Eastern White Pine	250	10	Plant by 10/15/2022
14. American Elm	250	10	Plant by 10/15/2022
15. Norway Spruce	250	10	Plant by 10/15/2022
16. Eastern White Pine	250	10	Plant by 10/15/2022
17. American Elm	250	10	Plant by 10/15/2022
18. Norway Spruce	250	10	Plant by 10/15/2022
19. Eastern White Pine	250	10	Plant by 10/15/2022
20. American Elm	250	10	Plant by 10/15/2022
21. Norway Spruce	250	10	Plant by 10/15/2022
22. Eastern White Pine	250	10	Plant by 10/15/2022

VEGETATION SCHEDULE
 100% VEGETATION SCHEDULE
 ALL SPECIES SHALL BE PLANTED BY 10/15/2022
 ALL SPECIES SHALL BE PLANTED IN GROUPS OF 10
 ALL SPECIES SHALL BE PLANTED IN GROUPS OF 10
 ALL SPECIES SHALL BE PLANTED IN GROUPS OF 10

LEGEND
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VICINITY MAP
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 8. SITE
 9. SITE
 10. SITE
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GENERAL NOTES

1. ALL NOTES ARE SUBJECT TO THE CITY OF LEXINGTON ZONING ORDINANCES AND THE CITY ENGINEER'S REVIEW.
2. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LEXINGTON.
3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE DEVELOPER SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE SHOWN.
5. THE DEVELOPER SHALL MAINTAIN ALL EXISTING DRIVEWAYS AND DRIVEWAYS UNLESS OTHERWISE SHOWN.
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10. THE DEVELOPER SHALL MAINTAIN ALL EXISTING DRIVEWAYS AND DRIVEWAYS UNLESS OTHERWISE SHOWN.

PURPOSE OF PLAN:
 THE PURPOSE OF THIS DEVELOPMENT PLAN IS TO SHOW THE LOCATION AND SPECIES OF ALL PROPOSED VEGETATION TO BE PLANTED ON THE SITE. THE PLAN SHALL BE PLANTED BY 10/15/2022.

OWNER'S ACKNOWLEDGMENT:
 I, THE OWNER, HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE CONTENTS OF THIS DEVELOPMENT PLAN AND I AGREE TO THE PROVISIONS THEREOF. I AGREE TO MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

PLANNING COMMISSION CERTIFICATION:
 I, THE PLANNING COMMISSION ENGINEER, HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN COMPLIES WITH ALL APPLICABLE ZONING ORDINANCES AND THE CITY ENGINEER'S REQUIREMENTS.

DATE: 11/10/2022

SCALE: 1" = 20'

NORTH: AS SHOWN

APPROVED: [Signature]

DATE: 11/10/2022

APPROVED: [Signature]

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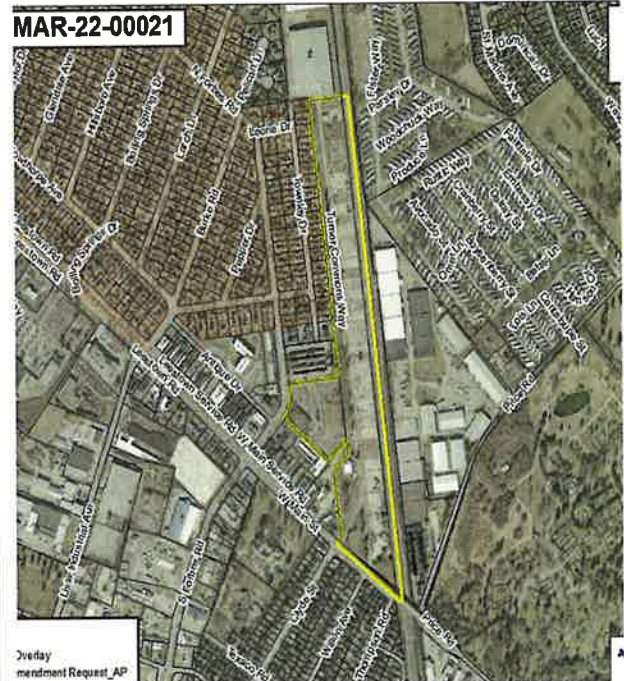
STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-22-00021: TURNER PROPERTY 4, LLC

DESCRIPTION OF ZONE CHANGE

Zone Change: From a Light Industrial (I-1), Neighborhood Business (B-1), and High-Density Apartment (R-4) zones
To an Industrial Redevelopment Planned Unit Development (PUD-3) Zone

Acreage: 26.944 net (27.457 gross) acres

Location: 125 Turner Commons Way & 1409 N. Forbes Road



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Properties	I-1/B-1/R-4	Equipment Storage/Office
To North	I-1	Industrial
To East	I-1/B-4/ R-4/	Railroad/ Industrial/ Residential/
To South	M-1P	Mobile Home Park
To West	B-3/ R-1C B-4/B-1/R-4/ R-1C	Auto Service/ Residential Auto Service/Retail/ Restaurant/Residential

URBAN SERVICE REPORT

Roads - The subject properties have frontage on W. Main Street, a major arterial roadway, N. Forbes Road, a collector roadway, and Old Main Street, a local roadway. The property is also served by a private internal roadway, Turner Commons Way, which will provide the primary internal circulation for the site. Primary access to the property is proposed along W. Main Street and N. Forbes Road.

Curb/Gutter/Sidewalks - Curb, gutter and sidewalks exist along both W. Main Street and Old Main Street. This portion of N. Forbes Road contains curb and gutter, but lacks sidewalk infrastructure. Internal roadways will be constructed with all necessary curb, gutter, and sidewalk facilities.

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

Storm Sewers - The subject properties are located within the Town Branch watershed. There are no FEMA Special Flood Hazard Areas on the properties or in the immediate vicinity. Storm sewers exist in this portion of the Urban Service Area.

Sanitary Sewers - The subject properties are located within the Town Branch watershed. The property is served by the Town Branch Waste Water Treatment Facility, located on Lisle Industrial Avenue, inside New Circle Road, and west of Leestown Road. Since the use of the site is proposed for a major redevelopment, the petitioner will need to secure Capacity Assurance Program approval prior to the final development plan being certified.

Refuse - The Urban County Government serves this area with refuse collection on Thursdays. Supplemental service may be required to serve the needs of the proposed mixed-use development. This can be accomplished by contracting with private refuse collectors, if desired.

Police - The subject properties are located within the West Sector and are served by the West Sector Roll Call Center, located on Old Frankfort Pike, approximately one mile west of the subject properties

Fire/Ambulance - Fire Station #13 is located less than 600 feet southwest of the subject properties on Leestown Road.

Transit - This area is served by the Leestown Road Route (#12), with outbound and inbound service at the intersection of Leestown Road and N. Forbes Road.

Parks - The subject properties are a walkable distance to Meadowthorpe Park, which is located approximately 600-feet northwest of the subject properties.

SUMMARY OF REQUEST

The applicant is seeking a zone change from the Light Industrial (I-1), Neighborhood Business (B-1), and High-Density Apartment (R-4) zones to the Industrial Redevelopment Planned Unit Development (PUD-3) zone in order to create a mixed-use industrial development.

PLACE-TYPE

2ND TIER URBAN
2nd Tier Urban development consists of areas that complement the urban core, generally located within the established Infill and Redevelopment Boundary. Development within the 2nd Tier Urban Place-Type should promote walkability, increased intensity, and should promote appropriate stewardship of the available opportunities that will accommodate Lexington's future growth.

DEVELOPMENT TYPE

MEDIUM DENSITY NON-RESIDENTIAL / MIXED-USE
Primary Land Use, Building Form, & Design
Primarily community-serving commercial uses, services, places of employment, and/or a mix of uses within mid-rise structures with a higher Floor Area Ratio. Mixed-use structures typically include more multi-family residential units and places of employment, and retail and commercial options generally draw from a larger geographic area. An activated and pedestrian-scale ground level should be provided. These developments may include more employment space for professional office and can include some larger entertainment spaces.
Transit Infrastructure & Connectivity
Though they draw more external users, they should still include multi-modal connections allowing for easy neighborhood access. Mass transit infrastructure is to be provided on par with that of other modes, and the higher-density housing types should be located in close proximity.
Parking
The buildings should be oriented to the street, and developments should avoid over-parking, with provided parking located internally.

PROPOSED ZONING



The intent of the Planned Unit Development (PUD-3) zoning classification is to:

1. Implement the Goals and Objectives of the 2018 Comprehensive Plan.
2. Promote the innovative reuse and redevelopment of underutilized sites in Lexington-Fayette County, which is consistent with the Goals and Objectives of the 2018 Comprehensive Plan.

This Planned Unit Development Zone is established to ensure redevelopment that supplements neighborhood character, offers new entertainment and "live where you work" opportunities, and encourages innovation and unique mixed-use development on sites that were used for traditional industrial purposes but which over time have become less suited to traditional industrial uses due to their proximity to non-industrial uses. This Planned Unit Development Zone provides desirable housing, work, and entertainment options to creative professionals while preserving some of the compatible traditional light industrial uses.

PROPOSED USE



This petitioner is proposing the Industrial Redevelopment Planned Unit Development (PUD-3) zone in order to create a mixed-use industrial development. The applicant's proposal includes 14 commercial buildings ranging from 1-3 stories that will incorporate a wide variety of uses including: restaurants, a winery, retail, office space, and flex industrial space. The development will also include a residential component, with 25 attached townhouse units located near the center of the development. The proposal includes 674 total parking spaces.

The development will also create a linear park that will run adjacent to the western property line and serve as a buffer between the development and the adjacent single-family residential neighborhood. A centralized pond will serve as both an amenity and a stormwater management feature located along the western edge of the development.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant met with stakeholders within the Meadowthorpe neighborhood while crafting the language for the Industrial Redevelopment Planned Unit Development (PUD-3) Zoning Ordinance text amendment. The applicant should conduct further outreach to discuss the proposed rezoning and most recent iteration of the development plan.

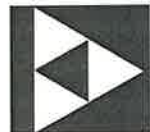
PROPERTY & ZONING HISTORY



The property at 125 Turner Commons Way has been zoned Light Industrial (I-1) and Neighborhood Business (B-1) since before the 1969 comprehensive rezoning of the city and county. The property historically was used as tobacco warehouses, with connections to the adjoining railroad. The warehouses adjoining the railroad were demolished in 2016, and since that time the property has primarily been used for equipment and recreational vehicle storage since then. In addition to the storage use, this parcel does have a 5,000 square-foot building near its southern end that is currently being utilized as a contractor's office.

The property at 1409 N. Forbes Road is split zoned High Density Apartment (R-4) Zone and Neighborhood Business (B-1) zone, and has had this zoning configuration prior to the 1969 comprehensive rezoning of the city and county. This property contains a 32,000 square-foot office building that was constructed in 1959, along with accessory parking areas. The applicant has indicated that they wish to retain this existing structure and utilize it for office space.

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.

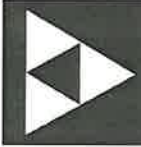
GOALS, OBJECTIVES, & POLICIES

The applicant opines that they are in agreement with the adopted Goals and Objectives of the 2018 Comprehensive Plan. The applicant states that their proposal supports infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2). While the office use at 1409 N Forbes Road is still in operation, the adjoining property at 125 Turner Commons Way has not functioned as warehousing space for a significant portion of time. This request will activate an underutilized portion of land within the Infill and Redevelopment Area, and will serve to strengthen an underutilized portion of the W. Main Street/Leestown Road Corridor (Theme E, Goals #1.c, 1.d).

The applicant then states that the proposal also fulfills the goals of improving neighborhoods through expanded opportunities for mixed-use developments in Lexington-Fayette County (Theme A, Goal #3.a). The request will change this area from underutilized industrial space to a mix of neighborhood scale commercial, retail, and industrial flex office space. Included with this proposal is a residential component that incorporates attached townhome units to provide additional housing stock and housing-type diversity for the Meadowthorpe area (Theme A, Goal #1.b).

The applicant further opines that the request is in keeping with the Comprehensive Plan's goal supporting and showcasing local assets to further the creation of a variety of jobs (Theme C, Goal #1). The applicant's proposal creates the flexibility to incorporate a wide variety of employment opportunities, including restaurant, office, entertainment, and flex industrial uses into the subject properties. The applicant also opines that the particular entertainment, dining, and retail uses detailed within the proposal will help create a development that is appealing to both tourists and young professionals (Theme C, Goal #1.d, Theme C Goal #2.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.

While the applicant does not directly reference any specific Comprehensive Plan Policies within their letter of justification, staff has identified several policies listed within the 2018 Comprehensive Plan that are being met with this request. In expanding the allowable uses, the request meets Density Policy #3 and Design Policy #12, which advocates for opportunities for additional neighborhood supportive uses and amenities. The Industrial Redevelopment Planned Unit Development zone will give this area additional flexibility in uses, allowing the applicant to create walkable neighborhood amenities such as restaurants, breweries, and wineries that will help supplement the residential component of the Meadowthorpe Neighborhood. In expanding the number and type of permitted uses, this request significantly increases the job opportunities available in this area, meeting Diversity Policy #2.

The request also meets Livability Policy #6, which focuses on attracting and retaining young professionals by improving amenities and entertainment options. This proposed rezoning would create an attractive destination-type environment that would include popular amenities and uses.

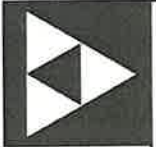
Finally, the proposed development meets Design Policy #5 by utilizing the linear park and multi-modal pathways to create pedestrian friendly street patterns and walkable blocks to create inviting streetscapes. The linear park is centrally located, and is adjacent to the residential units being proposed with this request, meeting Sustainability Policy #4.

PLACE TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject properties. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2018 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The 2nd Tier Urban Place-Type is an area where significant infill and redevelopment opportunities exist to complement the urban core. While not expected to be as intensely developed as the downtown core, high-rise opportunities are not precluded provided that they are context-sensitive. The forward trend for development in the 2nd tier urban areas should be towards increased walkability and intensity. The Medium Density Non-Residential / Mixed-Use Development Type should be primarily community-serving commercial uses, services, places of employment, and/or a mix of uses within mid-rise structures with a higher floor area. These developments are intended to draw more external users, which include more multi-modal connections that promote mass transit and walkability, and deemphasize the impact of single occupancy vehicles. The staff agrees that the subject properties are located within the 2nd Tier urban area and that the proposed development would provide services within an area that transitions from an industrial into a more residential context in line with the Medium Density Non-Residential/Mixed Use Development Type.

The Comprehensive Plan recommends six zoning categories within the 2nd Tier Urban Place-Type: the Neighborhood Business (B-1), Neighborhood Node (MU-1), Mixed-Use Corridor (MU-2), Mixed-Used Community (MU-3), High Density Apartment (R-4), and High Rise Apartment (R-5) zones. The recommended zones within the Place-Type are meant to guide future development; however, an applicant can request a different zone provided that there is an appropriate justification for the zone. The applicant's proposed Industrial Redevelopment Planned Unit Development (PUD-3) zone allows for a dense mixing of uses that is called for within the 2nd Tier Urban Place-Type, and as a result staff agrees that this zone can be appropriate for the subject property.



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.

1. Site Design, Building Form and Location

The proposed rezoning meets the criteria for Site Design, Building Form and Location. The applicant's proposal intensifies an underutilized site and creates a true mixing of uses that provides safe pedestrian-scale connections to community facilities, greenspace, employment, business, shopping, and entertainment for users of the development as well as the surrounding neighborhoods. Despite agreement with the majority of the criteria for the Site Design, Building Form, and Location, there is one criterion the applicant must further address

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

As the development includes attached townhouse units, the development is required to meet the 2018 Comprehensive Plan's Multi Family Design Standards. Staff finds that the proposed request meets the site-related Multi-Family Design standards as they are centrally located, are oriented around communal open space, feature activated first floors, and are effectively connected to the multi-modal paths that span the development. While a partial rendering of the proposed residential units that was provided as a component of the PUD-3 Architectural packet, which includes some detail as to the design of these structures, further information regarding the proposed architectural design of the townhomes should be provided by the applicant to demonstrate full compliance with the required architectural standards.

2. Transportation and Pedestrian

Staff finds that this request meets the requirements for Transportation and Pedestrian Connectivity. The proposed development provides new roadway connections between N. Forbes Road and W. Main Street, incorporates direct pedestrian linkages to the nearby transit stop, and provides safe multi-modal connections throughout the development.

3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will significantly increase the amount of green open space, tree canopy coverage, and reduce the overall amount of impervious surface on-site.

PUD-3 REQUIREMENTS



The Industrial Redevelopment Planned Unit Development PUD-3 zone has additional zone-specific requirements, which include location requirements, site design criteria, an architectural design packet, and a certification from a select list of design professionals. While the majority of the PUD-3 requirements were met with the applicant's submission, the architectural detail packet requires further discussion.

The ordinance requires that said architectural packet "Identify the proposed styles, materials, and finishes of any proposed structures which shall be considered by the Planning Commission in determining whether to approve the Planned Unit Development Plan". The architectural packet submitted by the applicant is too vague to be useful in evaluating the project. The applicant notes that the buildings will be of a "post-modern" style; however, this can refer to a wide variety of potential buildings/structure styles. Similarly, the materials cited by the applicant: wood, masonry, and metal, are also vague and encompass a wide variety of styles and visual appearances that do not provide specific enough detail to allow the Planning Commission to effectively evaluate the proposal. The applicant does not indicate whether there will be a cohesive color scheme, and what those colors may be.

While staff understands that many of the designs of the proposed structures have not yet been finalized at this time, greater detail should be provided regarding the overarching architectural elements and design features that will be consistent throughout the development in order to achieve the cohesiveness called for by the ordinance.

PARKING REVIEW



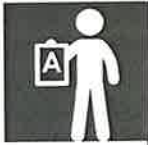
Under the requirements of the newly adopted Parking and Landscaping Zoning Ordinance Text Amendment, all “Significant Developments,” or developments with over 5,000 square-feet of building coverage that require a Zoning Map Amendment, shall provide a Parking Demand Mitigation Study for the project that details the following information:

1. Review of national best practices for parking calculations for the project, including the current ITE Manual Parking ranges or the ranges produced by the ITEParkGen Report.
2. The anticipated parking demand for the project;
3. How the anticipated parking demand will be satisfied on-site or off-site
4. The methods and strategies to be implemented in order to reduce vehicle trips by site users;
5. The methods and strategies to be implemented in order to promote transportation options by site users; and
6. The projected mode share by site users from the utilization of the study’s strategies.

Without taking any additional steps to mitigate the traffic to the site, the ITE Parking generator projects a peak parking demand of 709 spaces for weekdays, and 663 parking spaces needed at peak times during the weekend. In order to reduce parking demand, the applicant is proposing several avenues of reducing vehicular trips, including: incorporating shared parking, potentially utilizing live-work units, transit stops, rideshare areas, and bike parking. By incorporating these measures, the applicant’s Parking Demand Mitigation Study projects that the adjusted peak mitigated demand for weekdays will be 631 spaces, and for weekends will be 593 spaces.

Based on the submitted development plan, the applicant is planning to provide a total of 674 spaces. While this number is 6% greater than the number of spaces that was recommended by the Parking Demand Mitigation Study, the applicant opines that the extra spaces are necessary in order to provide extra convenience during peak hours, and to address neighborhood concerns of parking spilling out of the development and into the adjacent residential areas.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The requested Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will activate an underutilized parcel within the infill and redevelopment area (Theme A, Goal #2) and will include a significant increase in density and mixing of uses.
 - b. The proposal will help reinforce an underutilized portion of the W Main Street corridor by redeveloping a primarily vacant tract into a destination-type development (Theme E, Goal#1.c)
 - c. The request will expand opportunities for mixed use development within Lexington-Fayette county and will provide diversity in housing types for the Meadowthorpe area (Theme A, Goal #3.a)
 - d. The proposed rezoning will help with the creation of a variety of jobs (Theme C, Goal #1.a) by allowing for the incorporation of neighborhood-scale retail and commercial uses.
 - e. The entertainment, dining, and retail uses detailed within the proposal will help create a development that is appealing to both tourists and young professionals (Theme C, Goal #1d, Theme C Goal #2.d)

2. The requested Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Density Policy #3 and Design Policy #12, as it will create walkable neighborhood amenities such as a park, restaurants, breweries, and wineries that will help supplement the residential component of the Meadowthorpe Neighborhood.
 - b. The increase in allowable uses will increase the diversity of job types available in this area, meeting Diversity Policy #2.
 - c. The proposed development meets Design Policy #5 by utilizing the linear park and multi-modal pathways to create pedestrian-friendly street patterns and walkable blocks to create inviting streetscapes.
 - d. The proposed development meets Sustainability Policy #4 by creating centrally located greenspace that is directly adjacent to the development's residential component.
 - e. The request meets Livability Policy #6 by providing the opportunities to accommodate additional entertainment and amenity opportunities that appeal to young professionals.

3. 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 it intensifies an underutilized site and creates a true mixing of uses that provides safe pedestrian-scale connections to community facilities, greenspace, employment, business, shopping, and entertainment for users of the development as well as the surrounding neighborhoods.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development provides new roadway connections between N. Forbes Road and W. Main Street, incorporates direct pedestrian linkages to the nearby transit stop, and provides safe multi-modal connections throughout the development.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the request will increase the amount of green open space, tree canopy coverage, and reduce the overall amount of impervious surface on-site.

1. **TURNER PROPERTY 4, LLC ZONING MAP AMENDMENT & TURNER PROPERTY & MEADOWTHORPE COMMUNITY BUSINESS CENTER DEVELOPMENT PLAN**

- a. **PLN-MAR-22-00021: TURNER PROPERTY 4, LLC** – a petition for a zone map amendment from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone, and a Light Industrial (I-1) zone to a Industrial Redevelopment Planned Unit Development (PUD-3) zone, for 27.087 net (27.461 gross) acres, for property located at 125 Turner Commons Way and 1409 N. Forbes Road.

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.

This petitioner is proposing the Industrial Redevelopment Planned Unit Development (PUD-3) zone in order to create a mixed-use industrial development. The applicant's proposal includes 14 commercial buildings ranging from 1-3 stories that will incorporate a wide variety of uses including: restaurants, a winery, retail, office space, and flex industrial space. The development will also include a residential component, with 25 attached townhouse units located near the center of the development. The proposal includes 674 total parking spaces.

The development will also create a linear park that will run adjacent to the western property line and serve as a buffer between the development and the adjacent single-family residential neighborhood. A centralized pond will serve as both an amenity and a stormwater management feature located along the western edge of the development.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Postponement, for the following reasons:

1. The requested Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will activate an underutilized parcel within the infill and redevelopment area (Theme A, Goal #2) and will include a significant increase in density and mixing of uses.
 - b. The proposal will help reinforce an underutilized portion of the W Main Street corridor by redeveloping a primarily vacant tract into a destination-type development (Theme E, Goal #1.c)
 - c. The request will expand opportunities for mixed use development within Lexington-Fayette County and will provide diversity in housing types for the Meadowthorpe area (Theme A, Goal #3.a)
 - d. The proposed rezoning will help with the creation of a variety of jobs (Theme C, Goal #1.a) by allowing for the incorporation of neighborhood-scale retail and commercial uses.
 - e. The entertainment, dining, and retail uses detailed within the proposal will help create a development that is appealing to both tourists and young professionals (Theme C, Goal #1d, Theme C Goal #2.d)
2. The requested Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Density Policy #3 and Design Policy #12, as it will create walkable neighborhood amenities such as a park, restaurants, breweries, and wineries that will help supplement the residential component of the Meadowthorpe Neighborhood.
 - b. The increase in allowable uses will increase the diversity of job types available in this area, meeting Diversity Policy #2.
 - c. The proposed development meets Design Policy #5 by utilizing the linear park and multi-modal pathways to create pedestrian-friendly street patterns and walkable blocks to create inviting streetscapes.
 - d. The proposed development meets Sustainability Policy #4 by creating centrally located greenspace that is directly adjacent to the development's residential component.
 - e. The request meets Livability Policy #6 by providing the opportunities to accommodate additional entertainment and amenity opportunities that appeal to young professionals.
3. 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 it intensifies an underutilized site and creates a true mixing of uses that provides safe pedestrian-scale connections to community facilities, greenspace, employment, business, shopping, and entertainment for users of the development as well as the surrounding neighborhoods.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development provides new roadway connections between N. Forbes Road and W. Main Street, incorporates direct pedestrian linkages to the nearby transit stop, and provides safe multi-modal connections throughout the development.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the request will increase the amount of green open space, tree canopy coverage, and reduce the overall amount of impervious surface on-site.
- b. **PLN-MJDP-22-00068: TURNER PROPERTY & MEADOWTHORPE COMMUNITY BUSINESS CENTER (TURNER COMMONS) (1/29/2023)*** - located at 125 TURNER COMMONS WAY & 1409 N. FORBES ROAD, LEXINGTON, KY
Council District: 11
Project Contact: Palmer Engineering

Note: The purpose of this plan is to depict development of the site, in support of the requested zone change from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone, and a Light Industrial (I-1) zone to an Industrial Redevelopment (PUD-3) zone.

The Subdivision Committee Recommends Postponement. There are questions regarding the scale of plan and lack of required information per Article 21 of the Zoning Ordinance.

Should this plan be approved, the following conditions should be considered:

1. Provided the Urban County Council approves the zone change to PUD-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Correct Planning Commission certification.
10. Correct plan scale.
11. Addition of required topography contours.
12. Modify plan type to "Planned Unit Development Plan".
12. Denote height of proposed buildings in feet.
13. Denote proposed use of all buildings.
14. Dimension all proposed and existing buildings.
15. Denote typical parking space and drive aisle.
16. Revise purpose of plan note.
17. Clarify uses of area adjacent to West Main Street.
18. Dimension trail, sidewalks, and all hardscapes areas.
19. Clarify uses adjacent to buildings D & E.
20. Clarify Turner Commons Way cross-section north of access A.
21. Discuss design standards per Article 22C-5 of the Zoning Ordinance.
22. Discuss Placebuilder criteria.

Ms. Wade indicated that an abbreviated hearing was possible and asked if anyone would like a full hearing on the item.

Kylie Schmidt, resident of the Melrose/Oak Park neighborhood, stated that she was excited for the development at the property, but had concerns about the amount of traffic this development would bring.

A full hearing for the item proceeded.

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Staff Presentation – Mr. Daniel Crum presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone, and a Light Industrial (I-1) zone to an Industrial Redevelopment Planned Unit Development (PUD-3) zone, for 27.087 net (27.461 gross) acres, for property located at 125 Turner Commons Way and 1409 N. Forbes Road. The applicant is seeking to develop a mixed-use industrial development.

Mr. Crum indicated that there has been a Traffic Impact Study done on the subject property, and Mr. Stuart Kearns would add more context to that study following the staff presentation. Mr. Crum continued, highlighting that the applicant had chosen the 2nd Tier Urban Place-Type, and the Medium Density Non-Residential Mixed Use Development Type and indicated that Staff was in agreement with these selections. Additionally, Mr. Crum displayed a map of the different land uses proposed on the subject property, include commercial, residential, and industrial land uses. Mr. Crum indicated that the development plan fulfills many of the goals of the Comprehensive Plan, including using underutilized property within the Urban Service Area, developing along corridors, and providing expansive employment opportunities.

Mr. Crum displayed renderings of the residential and commercial properties and concluded his presentation stating that Staff was recommending approval.

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location of the subject property, as well as various surrounding landmarks. Mr. Martin stated that the applicant is proposing a private street through the development. Additionally, Mr. Martin, reiterated the types of the development that Mr. Crum highlighted, as well as the pond and various other greenspaces on the property.

Mr. Martin indicated that the amended plan in front of the Planning Commission today addressed many of the concerns that Staff had, which according to Mr. Martin was due to a lack of specificity. Mr. Martin also stated that Staff has required that a note be added on the development plan that the applicant comply with their own design standards. Additionally, Mr. Martin noted that the Meadowthorpe Neighborhood Association would need to be notified if there is an amended plan in the future. Mr. Martin concluded his presentation stating the Staff is recommending approval and could answer any questions from the Planning Commission.

Commission Questions – Mr. Davis asked if the neighborhood across from the development would be notified of an amended development. Mr. Martin stated that they could add that, but it is not a condition at this time. Mr. Davis stated that he thought it would be fair that the neighborhood should receive notice.

Mr. Michler asked if the orientation of the building on the corner of Turner Commons and Main Street was discussed between the Staff and the applicant. Mr. Martin indicated that it was discussed and that the applicant could discuss that during their presentation.

Mr. de Movellan asked if there is vehicular access at the very back of the property to the park. Mr. Martin stated that the vehicular access would be stopped at the rear, but there is the ability for pedestrian access through the industrial portion to the public park in the rear.

Applicant Presentation – Nathan Billings, attorney for applicant, gave an abbreviated presentation on the property and the application. Mr. Billings noted 18 months of working closely with the Meadowthorpe Neighborhood Association before they went to staff with this application. Mr. Billings indicated that they were in agreement with the staff findings and the development plan, with the additional condition that the Melrose/Oak Park Neighborhood Association be notified if a plan is amended.

Mr. Billings discussed the traffic concerns, and stated that while they cannot resolve the off-site traffic problems with the zone change, but it was important to address the concerns publically to show the good faith efforts that have been conducted to get here, which is why there is no opposition to the development. Mr. Billings displayed pictures of the intersections that would be of most concern and indicated that the intersection at N. Forbes Road would potentially be getting improvements to help alleviate those traffic concerns. Additionally, Mr. Billings indicated that the underpass under Main Street would remain open and that the applicant would be blocking access utilizing gates from the Meadowthorpe neighborhood, except for emergency vehicles. Mr. Billings also indicated that there is a private agreement with the neighborhood association that says the gates have to be closed except in cases of an emergency.

Commission Questions – Mr. Penn thanked Mr. Billings and his team for the work they have done since the Subdivision Committee.

Traffic Impact Study Presentation – Mr. Stuart Kearns presented the Traffic Impact Study for the subject property and gave context on the various data points that go into the study. Mr. Kearns stated that Traffic Impact Studies should be taken with a grain of salt because ITE Trip rates reflect local conditions, existing conditions are usually based on a single observation, trip distribution is a best guess, and development timelines can often change. Additionally, Mr. Kearns stated that the “A through F” report card scale utilized in a study can be misleading at times. Mr. Kearns stated that an A or a B can often indicate that you have made your road too big and that a C or D rating is often the sweet spot for roadway capacity.

In the data that Mr. Kearns displayed, it highlighted that Leestown/W. Main Street has stayed relatively stable since 1994, as has Forbes Road. Mr. Kearns ended his presentation stating that the study recommends a 125 foot right turn lane from Leestown Road onto Turner Commons Way, but there was not adequate room to insert one. Additionally, Mr. Kearns concluded that the intersection does not meet signal warrants.

Public Comment – Kylie Schmidt, resident of the Melrose/Oak Park neighborhood, asked for the justification for leaving the gate access, and not closing the underpass which connects to Old Main Street. She indicated a preference to moving traffic to the intersection with N. Forbe Road.

Rick Wells, 201 Price Road, wanted to know where to access the Traffic Impact Study and was concerned about the turn by Palumbo Lumber.

Rock Daniels, 1519 Old Leestown Road, wanted to thank everyone who worked hard on this application and working with the neighborhood.

Gabe Hensley, 301 Pelican Lane, thanked the all those involved for a good outcome and noted that it was not always easy, but common ground was found.

Ben Halada, 3052 Beaumont Center Circle, wanted more information about the development and if there would be retaining walls placed near the back of property.

Applicant Rebuttal – Mr. Nathan Billings, attorney for the applicant, stated that as of now, there are no construction plans for a retaining wall near the back of the development. Mr. Billings attempted to alleviate Ms. Schmidt’s concerns by saying that there are a number of solutions to this problem, but none of the come from the zone change process, but they are committed to finding the best solution possible. Mr. Billings indicated that they are aware of the problems at Price Road, but that 700 cars out of 14,000 in the impact study is a drop in the bucket. Additionally, Mr. Billings commented that he was not sure if the Melrose/Oak Park neighborhood had an active neighborhood association, but did have discussions with people from the neighborhood. Finally, Mr. Billings indicated that the Traffic Impact Study could be found on the Citizen Portal on the LFUCG website.

Commission Questions and Comments – Mr. Davis asked if a Melrose Neighborhood Association does not exist, could a condition be made to say that notification will be given to them when one is created and the Meadowthorpe Association. Mr. Billings suggested to send notice to the last registered agent of the inactive neighborhood association, even if it is no longer active. Mr. Baillie added that it was inactive, but the Planning Commission can identify an area of notification.

Mr. de Movellan asked if Mr. Billings can address the issue of the sound in relation to the townhomes in the development. Mr. Billings indicated that this development was not meant to be a concert venue like The Burl, and if there were music, it would be more acoustic and not as loud.

Mr. Michler asked what the width of the railroad easement was. Mr. Billings stated he did not know off the top of his head, but they would comply with whatever the easement was.

Mr. Bell stated that this process was refreshing and that the communication between the applicant and the neighborhoods, as well as making an infill development that will be an asset is remarkable and commended all involved.

Action – A motion was made by Mr. Davis and seconded by Mr. de Movellan and carried 8-0 (Meyer, Nicol, and Pohl absent) to approve PLN-MAR-22-00021: TURNER PROPERTY 4, LLC for reasons provided by Staff.

Action – A motion was made by Mr. Davis and seconded by Mr. de Movellan and carried 8-0 (Meyer, Nicol, and Pohl absent) to approve **PLN-MJDP-22-00068: TURNER PROPERTY & MEADOWTHORPE COMMUNITY BUISNESS CENTER (TURNER COMMONS)** with the 17 conditions outlined by Staff, modifying condition #16 to say that the Meadowthorpe Neighborhood Association and any future Melrose /Oak Park neighborhood associations registered with the Division of Planning to be notified of any plan amendment prior to such amended plan being filed with the Division of Planning.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS

VI. COMMISSION ITEMS - The Chair will announce that any item a Commission member would like to present will be heard at this time.

VII. STAFF ITEMS – The staff will report at the meeting.

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will **NOT** be heard are those requiring the Commission’s formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. MEETING DATES FOR JANUARY 2023

Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	January 5, 2023
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	January 5, 2023
Subdivision Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov’t Center.....	January 12, 2023
Work Session, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building.....	January 19, 2023
Technical Committee, Wednesday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	January 25, 2023
Zoning Items Public Hearing, Thursday, 1:30 p.m, in Council Chambers, 2nd Floor, Gov’t Center	January 26, 2023

X. ADJOURNMENT

Larry Forester, Chair

Janice Meyer, Secretary

TW/HB/RS

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