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

**Zone Change Request for the properties located at 118 Montmullin Street, 121-123 Prall Street, and a portion of 545-549, 553, and 563 S. Limestone.**

Dear Members of the Planning Commission:

We represent Subtext Acquisitions, LLC (“Subtext” or “Applicant”) and on its behalf have filed a zone change request for the properties located at 118 Montmullin Street, 121-123 Prall Street, and a portion of 545-549, 553, and 563 S. Limestone (the “Properties”). The Properties combine to consist of 0.99 net acres currently zoned a mix of Neighborhood Business (B-1) zone, Planned Neighborhood Residential (R-3) zone, and Single Family Residential (R-1E) zone. The Properties consist of a mixed-use, multi-family development and parking areas. The Applicant’s request is to rezone the Properties to Neighborhood Business (B-1) zone to allow for the same use that exists today – a mixed-use, multi-family development (“Ever Lexington” or “Development”). The portion of the Properties that we are requesting a zone change is limited to 0.51 net (0.61 gross) acres.

As part of our continued efforts to implement the Comprehensive Plan while also listening to the community concerns, Subtext is requesting a substantially altered proposal from its original request in 2024. Subtext is proposing to build a reduced project under the Form Based Neighborhood Business (B-1) zone without removing any existing single-family properties in the Pralltown Neighborhood. This is the same zone that was utilized for the two Hub projects that are in close proximity to the Project Site and proven to be able to naturally assimilate with the surrounding neighborhoods. The Development also sees a corresponding reduction in the proposed density. Subtext previously proposed 251 units, 799 beds, 484 parking spaces, with retail and amenity areas (“Initial Request”). The new proposal limits the Ever Lexington to 170 units, 491 beds, and 215 parking spaces, while retaining significant retail and amenity areas.

Subtext submits that this revised Development and downzoning of the Initial Request’s Corridor-Node (CN) zone is a direct response to the concerns raised in the initial zone change request. Of particular note, the revised Project Site does not result in the loss of any existing free-standing residences as it is entirely made up of existing parking lots and the mixed-use structures along S. Limestone. The proposed height of the structure is approximately 90 feet, down from the Initial Request of 108 feet; and the width of the Project Site along Prall and Montmullin Streets is 205 feet, down from the Initial Request of 560 feet on Montmullin. This reduction in building height, size, unit count, and bed count ensures that the proposed Development will not intrude

into the Pralltown Neighborhood and that no existing single residential structure will be blocked from receiving sunlight throughout the year.

This Zone Change Request is in agreement with the Comprehensive Plan for the multitude of reasons outlined below. Primarily, the request offers a chance to implement one of the overarching themes of the Comprehensive Plan: to increase density along Lexington's major corridors that allows for the enhancement of mass public transit infrastructure and ridership. As noted in the Comprehensive Plan: "Studies such as Imagine Nicholasville Road and Imagine New Circle Road have concluded that increasing the intensity of land use along these corridors, particularly for residential purposes, is necessary to accommodate population growth through more efficient land utilization. Doing so also ensures that the bulk of the highest density residential development occurs outside of existing thriving neighborhoods." This is an ideal location for the proposed multi-family housing complex as it is within the corridor studied by Imagine Nicholasville Road and will allow for a much safer pedestrian system at a major gathering point for UK students and in front of the future planned LexTran Transit Stop. This well-designed project upholds the Urban Service Area preservation strategy, is appropriate infill in an area that is almost entirely dominated by the University and uses serving its students, and encourages community interaction through open space and pedestrian and multimodal connectivity.

This project aligns with the aspects of a desirable community and the place making concepts the Comprehensive Plan stresses such as openness, social offerings, and aesthetics with its connections and enhancement of the multimodal facilities. The submitted development plan follows many of the specific recommendations of the Comprehensive Plan in its discussion on how to grow successful neighborhoods while protecting the environment as we are increasing density without introducing a new use into the neighborhood; supporting infill and redevelopment throughout the urban service area; increasing the residential units in close proximity to the LexTran route serving S. Limestone; and, providing a well-designed project that furthers the commitment to safe and positive social interactions including easy access to the interior courtyard, neighborhood serving retail, and connections to UK's Campus.

Ever Lexington will not put undue strain on the surrounding infrastructure as it is believed that a majority of our tenants are only 60 feet away from their campus and the interior parking garage is well proportioned to capture the amount of cars in today's multi-family developments. It will also aid in implementing the future plans called for in this area by Imagine Nicholasville Road. The area in front of the Properties is the approximate location for a proposed Center Lane Transit Stop to service the bi-directional bus lane proposed for the center lane of S. Limestone. By increasing the pedestrian public realm in front of Ever Lexington from existing conditions, the Development will allow for additional area to implement the proposed improvements and increase the availability and convenience of mass transit. Of course, the increase in density directly in front of a major transit center can only help in Lexington's goal to increase ridership on mass transit.

The Applicant is quite confident in calling this a well-designed project as it furthers many of the design and density policies laid out in the Comprehensive Plan. By providing a people-first/pedestrian friendly street pattern design that will improve the area's safety and connectivity and creating inviting streetscapes. (Design Policy #1, #5, and #6). The Development is complying with the Multi-Family Design Standards as outlined below. (Design Policy #3). As the Comprehensive Plan stresses the need to increase density and intensity on our corridors, Ever

Lexington is achieving this while still being sensitive to the surrounding context. (Design Policy #4; Density Policy #1 and #2). With an interior parking garage, the proposed development plan is ensuring the vehicular use areas enhance walkability and bikability. (Design Policy #7). The area surrounding the Properties is dominated by student housing in single family structures, this proposal will introduce a denser multi-family development into the immediate area. (Design Policy #8). The proposed amenities and open space areas will provide neighborhood-focused open spaces with the interior courtyard and neighborhood-focused retail, there is a city park in close walking distance, and it is impossible to ignore the significant amount of useable open space on campus directly across S. Limestone. (Design Policy #9 and #12). Subtext also designs all of its developments to be energy efficient with features such as: energy efficient LED light fixtures throughout, low flow plumbing fixtures, high efficiency heating / cooling HVAC systems, energy Star appliances throughout, low VOC paint and wall coverings specified in project manual, occupancy sensors for lighting in various high traffic areas, and lighting controls with scenes for reduced lighting use during different times of day

In summary, this well-designed project upholds the Urban Service Area preservation strategy, is appropriate development of underutilized properties on a major corridor, provides additional housing units, encourages community interaction through pedestrian connectivity and useable open space, encourages a more comprehensive transportation system, all while respecting its neighbors and protecting the environment green infrastructure and useable open space. As such, it is quite clear that the proposed zone change is in compliance with the 2045 Comprehensive Plan. As outlined above, the proposed project meets the following Goals and Objectives of the Comprehensive Plan:

**THEME A: GROWING & SUSTAINING SUCCESSFUL NEIGHBORHOODS.**

**GOAL 1: EXPAND HOUSING CHOICES.**

**OBJECTIVES:**

- a. Pursue incentives and regulatory approaches that encourage creativity, energy efficiency, and sustainability in housing development.
- b. Accommodate the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types.
- d. Create and implement housing incentives that strengthen the opportunities for higher-density and housing affordability.

**GOAL 2: SUPPORT INFILL AND REDEVELOPMENT THROUGHOUT THE URBAN SERVICE AREA AS A STRATEGIC COMPONENT OF GROWTH.**

**OBJECTIVES:**

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

**GOAL 3: PROVIDE WELL-DESIGNED NEIGHBORHOODS AND COMMUNITIES.**

OBJECTIVES:

- a. Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing throughout Lexington-Fayette County.
- b. Strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation.
- c. Encourage the use of neighborhood-enhancing elements, such as green infrastructure, street trees, neighborhood-serving businesses, gathering spaces and other types of community focal points.
- d. Improve Lexington's transportation network through ample street and sidewalk connections between new and existing development.

**THEME B: PROTECTING THE ENVIRONMENT.**

**GOAL 2: IDENTIFY AND MITIGATE LOCAL IMPACTS OF CLIMATE CHANGE BY TRACKING AND REDUCING LEXINGTON-FAYETTE COUNTY'S CARBON FOOTPRINT AND GREENHOUSE GAS EMISSIONS, AND COMMIT TO COMMUNITY-WIDE NET ZERO GREENHOUSE GAS EMISSIONS BY THE YEAR 2050.**

OBJECTIVES:

- d. Prioritize multi-modal options that de-emphasize single-occupancy vehicle dependence.

**GOAL 3: APPLY ENVIRONMENTALLY SUSTAINABLE PRACTICES TO PROTECT, CONSERVE AND RESTORE LANDSCAPES AND NATURAL RESOURCES.**

OBJECTIVES:

- c. Incorporate environmental equity and green infrastructure principles in new plans and policies.
- e. Incentivize green infrastructure practices in the design of new development.
- f. Promote, maintain, and expand the urban forest throughout Lexington.

**THEME D: IMPROVING A DESIRABLE COMMUNITY.**

**GOAL 1: WORK TO ACHIEVE AN EFFECTIVE, EQUITABLE, AND COMPREHENSIVE TRANSPORTATION SYSTEM.**

OBJECTIVES:

- a. Implement the Complete Streets policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles.
- b. Expand the network of accessible transportation options for residents and commuters, which may include the use of mass transit, bicycles, walkways, ride-sharing, greenways and other strategies.

- d. Improve traffic operation strategies, traffic calming, and safety for all users.
- f. Enhance transportation options that are affordable, equitable, and responsive to the needs of residents and that support their preferred or necessary mode of transportation, with an emphasis on sidewalk improvements and connectivity.

**GOAL 2: SUPPORT A MODEL OF DEVELOPMENT THAT FOCUSES ON PEOPLE-FIRST TO MEET THE HEALTH, SAFETY AND QUALITY OF LIFE NEEDS OF LEXINGTON-FAYETTE COUNTY'S RESIDENTS AND VISITORS.**

**OBJECTIVES:**

- a. Ensure built and natural environments are safe and accessible through activated and engaging site design.
- d. Monitor and evaluate newly passed parking regulations to ensure they are achieving more walkable, people-first development, and lowering development costs.

**THEME E: MAINTAINING A BALANCE BETWEEN PLANNING FOR URBAN USES AND SAFEGUARDING RURAL LAND.**

**GOAL 1: UPHOLD THE URBAN SERVICE AREA CONCEPT.**

**OBJECTIVES:**

- a. Preserve the Urban Service Boundary concept, which is the first of its kind in the United States, and has been foundational in fiscally responsible planning and growth management in Lexington since 1958.
- c. Ensure all types of development are environmentally, economically, equitably, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.
- d. Emphasize redevelopment of underutilized corridors.
- e. 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.

**Placebuilder**

The Property is located on a major corridor and the Development is a high-density mixed use housing development that is surrounded by existing and future public transit infrastructure. Based on the location and type of development, the natural Place Type is Corridor, and the Development Type is High Density Non-Residential/Mixed Use. The Form Based B-1 zone is specifically recommended for this PlaceType and Development Type. This is a natural zone to create a mixed-use project offering neighborhood focused retail uses.

**Standards That Are Applicable to Our Proposal**

**LAND USE**

- A-DS12-1 Development should be located nearest to neighborhood serving commercial areas. This development is a mixed-use development that is proposing a neighborhood serving retail component with a large interior useable open space for the neighborhood.

- A-DN2-1 Infill residential should aim to increase density. The proposed development will substantially increase density for this infill project.
- A-DN3-1 Pedestrian-oriented commercial opportunities and other services should be incorporated within residential neighborhoods. This development is a mixed-use development that is proposing a neighborhood serving retail component with a large interior useable open space for the neighborhood.
- A-DN3-2 Development should incorporate residential units in commercial centers. This development is retaining commercial square footage of the existing commercial center on S. Limestone while incorporating residential units.
- C-LI7-1 Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment. This development is a mixed-use development that is proposing a neighborhood serving retail component with a large interior useable open space for the neighborhood and increasing the pedestrian infrastructure along S. Limestone.
- D-CO3-1 Development should increase density and intensity adjacent to transit. This development increases density and intensity adjacent to an existing transit line and in front of a planned transit infrastructure improvement.
- D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application. Subtext participated in Pralltown Day that provided an opportunity to meet with stakeholders to hear and respond to any concerns. We also held a neighborhood meeting prior to submitting this application. The concerns most heard related to preventing development to intrude into the historic Pralltown neighborhood and ensuring that our tenants are not parking on neighborhood streets. The proposed Development directly addresses both of these concerns with the revised size of the project.
- E-ST8-1 Development should be high density and contain a mixture of uses. This development is a mixed-use development that is proposing a neighborhood serving retail component with a large interior useable open space for the neighborhood while increasing density from today's conditions.
- E-ST8-2 Development should provide community-oriented places and services. This development is a mixed-use development that is proposing a neighborhood serving retail component with a large interior useable open space for the neighborhood.
- E-GR10-1 Transit oriented development (TOD) should be provided. This development is a mixed-use development increases density and intensity adjacent to an existing transit line and in front of a planned transit infrastructure improvement.

#### TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

- A-DS1-2 Accessible pedestrian linkages to transit should be provided. This development is proposing to increase the pedestrian infrastructure along S. Limestone in between two transit stops.
- A-DS4-1 A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided. This development is proposing a large interior useable open space that is restricted to pedestrians and bicyclists, increasing the pedestrian infrastructure along S. Limestone, while providing separate access for vehicles.
- A-DS5-1 Safe multi-modal facilities should be provided to ensure vehicular separation from bicycles, pedestrians and other modes of transport. This development is proposing a large interior useable open space that is restricted to pedestrians and bicyclists,

- increasing the pedestrian infrastructure along S. Limestone, while providing separate access for vehicles.
- A-DS5-2 Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape. This is being done.
  - A-DS10-1 New developments should incorporate clear and dedicated connections to nearby community anchors. This is being done where feasible.
  - A-DS11-1 Street layouts should provide clear, visible access to neighborhood-focused open space and greenspaces. While this development is not proposing a new street layout, it is designed with this tenet in mind for pedestrians and bicyclists.
  - A-EQ5-2 Development should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). This development is a mixed-use development increases density and intensity adjacent to an existing transit line and in front of a planned transit infrastructure improvement that is providing a large interior useable open space that is restricted to pedestrians and bicyclists, increasing the pedestrian infrastructure along S. Limestone, while providing separate access for vehicles
  - D-CO1-1 Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type. This is being done.
  - D-CO2-1 Development should create and/or expand a connected multimodal transportation network that satisfies all users' needs. This development is proposing a large interior useable open space that is restricted to pedestrians and bicyclists, increasing the pedestrian infrastructure along S. Limestone, while providing separate access for vehicles.
  - D-CO2-2 Development should comply with Lexington's Complete Streets Policy. While the Complete Streets Policy has yet to be adopted, this development is following the tenets and best practices for this type of development.
  - D-SP6-1 Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes. This development is a mixed-use development adjacent to an existing transit line and in front of a planned transit infrastructure improvement that is providing a large interior useable open space that is restricted to pedestrians and bicyclists, increasing the pedestrian infrastructure along S. Limestone, while providing separate access for vehicles.

#### ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

- B-PR7-1 Developments should be designed to minimize tree removal and to protect and preserve existing significant trees. There are no existing significant trees and we are proposing to add street trees to enhance the pedestrian realm.
- B-PR9-1 Minimize grading and topsoil disturbance by utilizing the existing topography to the greatest extent possible and preserving key natural features. This is being done as the development is designed to take advantage of the change in elevation between Prall Street and Montmullin Street.
- B-PR10-1 Development should avoid overlighting and upward directed lighting. This is being done where feasible.
- B-SU4-1 Development should minimize and/or mitigate impervious surfaces. This is being done where feasible.
- B-SU5-1 Developments should incorporate energy efficient systems and renewable energy resources (i.e. wind, solar, etc.). This is being done where feasible.
- B-SU9-1 Green Stormwater Infrastructure (GSI) should be implemented in new development.

- This is being done where feasible as the development is proposing to incorporate a green roof for portions of the top story.
- B-SU11-1 Development should incorporate low impact landscaping and native plant species. This is being done where feasible.
  - B-RE1-1 Developments should improve the tree canopy. There are no existing significant trees and we are proposing to add street trees to enhance the pedestrian realm.
  - D-SP10-1 Prioritize street trees in the planting strip. There are no existing significant trees and we are proposing to add street trees to enhance the pedestrian realm.

#### SITE DESIGN

- A-DS5-4 Development should provide a pedestrian-oriented and activated streetscapes. This development is a mixed-use development adjacent to an existing transit line and in front of a planned transit infrastructure improvement that is providing a large interior useable open space that is restricted to pedestrians and bicyclists, increasing the pedestrian infrastructure along S. Limestone along an activated streetscape, while providing separate access for vehicles.
- A-DS7-1 Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments. The parking structure and retail parking are internal to the site.
- A-EQ9-2 Shared open spaces should be easily accessible and clearly delineated from private open spaces. This development is a mixed-use development providing a large interior useable open space that is restricted to pedestrians and bicyclists with additional private amenity areas contained within the building.
- C-LI8-1 Development should enhance a well-connected and activated public realm. This development is a mixed-use development adjacent to an existing transit line and in front of a planned transit infrastructure improvement that is providing a large interior useable open space that is restricted to pedestrians and bicyclists, and increasing the pedestrian infrastructure along S. Limestone along an activated streetscape.
- C-PS10-2 Over-parking of new developments should be avoided. This development is appropriately parked for a student housing development as documented in the parking study.
- D-PL4-1 Enhance open space through the provision of programmatic elements and amenities. This development is providing substantial amenity areas for public and private use.
- D-SP3-1 Adequate right-of-way, lease areas and easements for infrastructure, with emphasis on wireless communication networks should be provided to create reliable service throughout Lexington. This is being done.

#### BUILDING FORM

- A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix A. This is being done as documented below.
- 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. This development is at an appropriate scale for the Form Based B-1 zone. The Project is a mixed-use development proposed in a compact, walkable, and sustainment manner on a major corridor that complements existing and future public transit.
- A-DS5-3 Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere. This is being done.
- A-DN2-2 Development should minimize significant contrasts in scale, massing and design,

- particularly along the edges of historic areas and neighborhoods. This development is at an appropriate scale for the Form Based B-1 zone. The Project is a mixed-use development proposed in a compact, walkable, and sustainment manner on a major corridor that complements existing and future public transit.
- A-EQ5-1 Development should create context sensitive transitions between intense corridor development and existing neighborhoods. This development is at an appropriate scale for the Form Based B-1 zone. The Project is a mixed-use development proposed in a compact, walkable, and sustainment manner on a major corridor that complements existing and future public transit.
- D-PL2-1 Development should provide active first floor uses whenever adjacent to a street, pedestrian facility, or community focused open space. This development is a mixed-use development adjacent to an existing transit line and in front of a planned transit infrastructure improvement that is providing a large interior useable open space that is restricted to pedestrians and bicyclists, increasing the pedestrian infrastructure along S. Limestone along an activated streetscape, while providing separate access for vehicles.

### **Standards Not Applicable**

#### LAND USE

- C-PS9-1 Where possible, developments should modify current office space to include complementary uses, with a specific focus on the inclusion of residential. This is a full redevelopment of residential and retail uses.
- C-PS15-2 Improve options for affordable and nutritious food where not currently available. There is an abundance of affordable and nutritious food options in close proximity.
- E-GR3-1 Development should meet recreational needs by following the recommendations of the Parks Master Plan. The Parks Master Plan does not address this site and there is a public park within short walking distance.

#### TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

- A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. There are two transit stops in close proximity to the development with potential major revisions to the transit stop system serving the area. We are fully cooperating with LexTran to best implement the long-term vision for transit.
- A-DS13-1 Stub streets should be connected. There are no stub streets into the properties.
- C-PS10-1 Flexible parking and shared parking arrangements should be utilized. This development is sufficiently parked and is providing for public parking to service the retail component.
- D-CO5-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. There are no proposed streets.

#### ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

- B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site. There are no environmentally sensitive areas on the site.
- B-RE2-1 Lexington's green infrastructure network, including parks, trails, greenways, or natural areas should be highly visible and accessible. This is an infill development site that is not proposing a park, trail, greenway, or natural area.
- B-RE5-1 Dividing floodplains into privately owned parcels with flood insurance should be

- avoided. There is no floodplain on the properties.
- B-RE5-2 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. There is no floodplain on the properties.
- B-RE5-3 Developments within the Royal Springs Aquifer should consult with the Royal Springs Water Supply Protection Committee. This is not within the Royal Springs Aquifer.

#### SITE DESIGN

- A-DS9-1 Development should provide active and engaging amenities within neighborhood focused open spaces. This is a private development, but it is proposing an interior courtyard space that the public can access.
- A-DS9-2 Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities. There is a public park in close proximity.
- A-EQ9-1 School sites should be appropriately sized. This is not a school site.
- C-LI2-1 The design should not obstruct the view of the gateway features of the three existing gateways mapped in the Rural Land Management Plan (RLMP). This development is not on a gateway.
- C-LI2-2 Non-agricultural uses at or near potential and existing gateways, as mapped in the Rural Land Management Plan, should be buffered. This development is not on a gateway.
- C-LI2-3 Design should create a positive gateway character at existing and proposed gateways as identified in the Rural Land Management Plan. This development is not on a gateway.
- C-LI2-4 Setbacks, signage, and screening should complement the iconic Bluegrass landscape along Historic Turnpikes, Scenic Byways, Turnpikes, and other scenic roads listed in the RLMP. This development is not on a scenic road listed in the RLMP.
- D-PL10-1 Activate the streetscape or publicly visible areas by designating public art easements in prominent locations. The development is activating the streetscape in other manners.
- D-SP3-2 Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping used to improve the visual impact from the roadway and residential areas. There is no cell tower proposed.

#### BUILDING FORM

- E-GR4-1 Developments should incorporate reuse of viable existing structures. There are no viable existing structure capable of meeting the proposed density.
- E-GR5-1 Structures with demonstrated historic significance should be preserved or adapted. There is no historic structure on the properties.

### **Multi-Family Design Standards**

#### SITE PLANNING

- SP-1 This Corridor project is still in the early design phase. However, this is being done.
- SP-2 This is being done where feasible. However, the Applicant provides apartment buildings with access to individual units through a center corridor for the safety of our tenants and building occupants.
- SP-3 This is being done where feasible.

- SP-4 This development is enhancing the pedestrian infrastructure on S. Limestone in a safer manner than existing conditions while respecting this concept.
- SP-5 This development is enhancing the pedestrian infrastructure on S. Limestone in a safer manner than existing conditions.
- SP-6 This is being done where feasible.
- SP-7 This Corridor project is still in the early design phase. However, this is being done where feasible.
- SP-8 The parking occurs interior to the proposed residential development through a parking structure.
- SP-9 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of design issue.
- SP- 10 The site is well connected for vehicular and pedestrian access to the surrounding area, amenities, and open space.
- SP-11 This is an infill project with an established block size.
- SP-12 This is an infill project on an established roadway that is adding appropriate lighting and landscaping.
- SP-13 The site is well connected for vehicular and pedestrian access to the surrounding area, amenities, and open space.
- SP-14 This is an infill project on an established roadway that is adding appropriate lighting and landscaping.
- SP-15 This is being done where feasible.
- SP-16 This project will be built to code requirements.
- SP-17 This is being done.

#### OPEN SPACE & LANDSCAPING

- OS-1 This is being done where feasible with the open space areas being easily accessible by its tenants and the public.
- OS-2 This is being done with centralized open space and easily accessible amenities.
- OS-3 This is being done.
- OS-4 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- OS-5 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- OS-6 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- OS-7 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- OS-8 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on any stormwater detention plans.
- OS-9 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on the design of the sidewalks.
- OS-10 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of design issue.
- OS-11 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- OS-12 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of lighting and design issue.

OS-13 This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of lighting and design issue.

ARCHITECTURAL DESIGN

AD-1 This is a single structure that is appropriately sized. This project complies with all zoning and building code requirements regarding building mass, form, and roof shapes.

AD-2 This Corridor project is appropriately sized. This project complies with all zoning and building code requirements regarding height, size, and character.

AD-3 This is being done. This project complies with all zoning and building code requirements regarding building mass, roof shapes, exterior wall setback, materials, colors, building height, and landscaping.

AD-4 This is being done. This project complies with all zoning and building code requirements regarding windows.

AD-5 This is being done. This project complies with all zoning and building code requirements regarding wall faces.

AD-6 This is being done. This project complies with all zoning and building code requirements regarding porches, stairs, railings, walls, and roofs.

AD-7 This is being done. This project complies with all zoning and building code requirements regarding materials and colors for facades and roofing.

AD-8 This is being done. This project complies with all zoning and building code requirements regarding side and rear facades.

AD-9 This is being done. This project complies with all zoning and building code requirements regarding building spacing, landscaping, setbacks, building mass, building height, and building design.

We will be at the December public hearing in order to make a complete presentation of this early rehearing request in hopes that we'll be able to resume the opportunity to implement the Comprehensive Plan and go through the zone change process once again.

Sincerely,

Stoll Keenon Ogden PLLC



Nick Nicholson