

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

IN RE: PLN-MAR-23-00004: UCD MIDLAND, LLC - a petition for a zone map amendment from a Neighborhood Business (B-1) zone, a Light Industrial (I-1) zone, and a Mixed Use Community (MU-3) zone to a Downtown Frame Business (B-2A) zone, for 2.93 net (3.61 gross) acres, for property located at 262-276 Midland Avenue and 604 Winchester Road. (Council District 3)

Having considered the above matter on **April 27, 2023**, at a Public Hearing, and having voted **9-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The requested Downtown Frame Business (B-2A) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed project will encourage expanded housing choices (Theme A, Goal #1), prioritizing higher density housing by adding 182 additional residential dwelling units (Theme A, Goal #1.a).
 - b. The proposed rezoning supports infill and redevelopment by infilling an industrial area that is now more appropriate for residential or mixed-use projects (Theme A, Goal #2.a; Theme E, Goals #1.c, 1.d).
 - c. The proposed project will prioritize multi-modal options to de-emphasize single occupancy vehicle dependence (Theme B, Goal #2.d), and support the Complete Streets concept, prioritizing a pedestrian first design that also accommodates the needs of bicycle, mass transit, and other vehicles (Theme D, Goal 1.a).
2. The requested Downtown Frame Business (B-2A) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed rezoning will give this area additional flexibility in uses, allowing the applicant to create walkable neighborhood amenities that will help supplement the surrounding residential and commercial land uses (Density Policy #3 and Design Policy #12).
 - b. The proposed development creates a pedestrian-friendly street pattern and more walkable blocks to create inviting streetscapes (Design Policy #5).
 - c. The request meets Livability Policy #6 by providing the opportunities to accommodate additional residential 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 recommendations for Site Design, Building Form and Location. The applicant's proposal intensifies an underutilized site and creates a mixed-use development that prioritizes higher density residential. The proposed development provides safe pedestrian-scale connections to adjacent community facilities, greenspace, and potential employment, business, shopping, and/or entertainment uses.
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria. The proposed development provides increased access to planned trail systems, incorporates direct pedestrian linkages to the nearby transit stop, and provides safe multi-modal connections to the development.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase the amount of green open space, tree canopy coverage, and reduce the overall amount of

impervious surface on-site. Additionally, the proposed development will add street trees along the Midland Avenue frontage.

4. This recommendation is made subject to approval and certification of PLN-MJDP-23-00015: Arthur E Abshire Property (Lexington Cut Stone & Marble Tile Co.), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 12th day of May, 2023.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by July 26, 2023.

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

OBJECTORS

- Bruce Simpson
- Tyler Wilson, 628 Winchester Road
- Kristan Curry, 3608 Hartland Parkway
- Jonas Bastien

OBJECTIONS

- Has concerns with pedestrian connectivity and the property's connection to the sewers.
- Has concerns about vehicular safety at Owen Avenue.
- Has safety concerns due to the amount of traffic and the tractor-trailers.
- Has concerns about the traffic, lack of commercial space, and the buffer fence to the south.

VOTES WERE AS FOLLOWS:

AYES:	(9)	Bell, Davis, de Movellan, Forester, Meyer, Michler Nicol, Pohl, and Worth
NAYS:	(0)	
ABSENT:	(2)	Penn and Barksdale
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-23-00004** carried.

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