

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

IN RE: **PLN-MAR-21-00006: URBAN COUNTY PLANNING COMMISSION (FKA MAR 2008-16)** - a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Highway Service Business (B-3) zone, for 0.99 net (1.46 gross) acre, from a Light Industrial (I-1) zone to a Neighborhood Residential (R-3) zone, for 5.72 net (6.72 gross) acres, and from a Light Industrial (I-1) zone to Mixed Use (MU-2) zone, for 3.10 net (4.50 gross) acres, for properties located at 508-619 De Roode Street, 564 & 568 McKinley Street, 555-565 Merino Street, 800 & 833 Neville Street, 565-637 Patterson Street (portions of odd addresses only), and 813 & 816 Pine Street. (Council District 3)


Having considered the above matter on **May 27, 2021**, 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 **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The proposed Planned Neighborhood Residential (R-3) zone, Mixed-Use 2: Neighborhood Corridor (MU-2) zone, and a restricted Highway Service Business (B-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning expands housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types, prioritizing higher density housing types (Theme A, Goal #1.b).
 - b. The proposed development provides a variety of affordable dwelling units, including single family attached, and multi-family dwelling units (Theme A, Goal #1.d)..
 - c. The rezoning will support infill and redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2), while allowing redevelopment of an existing parcel, which is currently vacant.
 - d. The proposed redevelopment will respect the context and design features of the area's surrounding development projects and work within the established guidelines and plans to ensure compatibility with existing urban form (Theme A, Goal #2.b).
 - e. The proposed rezoning will provide a well-designed neighborhood and community (Theme A, Goal #3) by focusing on pedestrian mobility to the nearby amenities, make connections to the nearby uses and to transit routes, and the public park (Theme A, Design Policy #5), which will create a pedestrian-first design (Theme A, Goal #3.b, Theme D, Goal #1.a).
 - f. The proposed development has been planned for redevelopment and will cause minimal disruption of natural features (Theme A, Goal #3.c).
 - g. The proposed development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses, and will prioritize multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d).
 - h. The proposed rezoning will uphold the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (Oliver Lewis Way) (Objective E, Goal #1.c), and allow development of an underutilized parcel on a major corridor (Objective E, Goal #1.d).

2. The proposed rezoning is in agreement with the Newtown Pike Corridor Extension Study and the Southend Park Urban Village Plan.
3. This recommendation is made subject to approval and certification of PLN-MJDP-21-00021: Southend Park, Unit 2 (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. The following uses shall be prohibited:
 1. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
 2. Automobile service stations.
 3. Car washing establishments.
 4. Drive in restaurants.
 5. Minor automobile and truck repair.
 6. Circuses and carnivals, even on a temporary basis.
 7. Taxidermy establishments.
 8. Pawnshops.
 9. Liquor stores.
 10. Parking lots and structures, as a principal use.
 11. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
 12. Drive through facilities for sale of goods or products or provision of services otherwise permitted herein.
 13. Advertising signs and billboards, as defined by Article 17 of the Zoning Ordinance.
 - b. No free-standing business signs taller than eight (8) feet in height, or larger than thirty-two (32) square feet in size

These use restrictions are appropriate and necessary for land at the corner of the intersection of Oliver Lewis Way and West High Street in order to protect the gateway entrance to the Southend Park Neighborhood from the most intrusive and intensive commercial land uses, and to help implement the Comprehensive Plan's vision for Oliver Lewis Way.

ATTEST: This 11th day of June, 2021.



Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, PLN-MJDP-21-00021: SOUTHEND PARK (AMD) was approved by the Planning Commission on May 27, 2021 and certified on June 10, 2021.

K.R.S. 100.211(7) requires that the Council take action on this request by August 25, 2021.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Andrew Grunwald PE, Senior Engineer, Division of Engineering.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (9) Barksdale, Bell, Davis, de Movellan, Meyer, Nicol, Penn, Plumlee, and Wilson

NAYS: (0)

ABSENT: (2) Forester and Pohl

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-21-00006** carried.

Enclosures: Application
Initiation Minutes
Plat
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: URBAN COUNTY PLANNING COMMISSION, 200 E MAIN STREET, LEXINGTON, KY 40507
Owner(s): LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT, 200 E MAIN STREET, LEXINGTON, KY 40507
Attorney: LFUCG DEPARTMENT OF LAW, 200 E MAIN STREET, LEXINGTON, KY 40507

2. ADDRESS OF APPLICANT'S PROPERTY

508 – 619 DE ROODE STREET, LEXINGTON, KY 40508 564 & 568 MCKINLEY STREET, LEXINGTON, KY 40508 555 – 565 MERINO STREET, LEXINGTON, KY 40508 800 & 833 NEVILLE STREET, LEXINGTON, KY 40508 565 – 637 PATTERSON STREET (PORTIONS OF THE ODD ADDRESSES ONLY), LEXINGTON, KY 40508 812 & 816 PINE STREET, LEXINGTON, KY 40508 ALL PROPERTIES TO BE CONSOLIDATED TO 757 DE ROODE STREET FOR FUTURE SUBDIVISION.
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3. ZONING, USE & ACREAGE OF APPLICANT'S PROPER

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
R-3	VACANT	B-3	COMMERCIAL	0.99	1.46
I-1	VACANT	R-3	RESIDENTIAL & INSTITUTIONAL	5.72	6.72
I-1	VACANT	MU-2	MIXED-USE	3.10	4.50

4. COMPREHENSIVE PLAN

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

5 EXISTING CONDITION

a. Are there any existing dwelling units on this property that will be removed if t 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 p 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of 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 provide

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



I DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL APPLICATION MATERIALS ARE HEREWITH SUBMITTED, AND THE INFORMATION THEY CONTAIN IS TRUE AND ACCURATE.

LFUCG Employee/Officer, if applicable _____

Jim Duncan

DATE

4-27-21



- B. INITIATION OF ZONE CHANGE FOR SOUTHEND PARK – NEWTOWN PIKE EXTENSION PROJECT** - The staff will request that the Planning Commission initiate a zone change and amend an existing indefinitely postponed zone change for property within the Newtown Pike Extension project area. The proposed rezoning will impact parcels along DeRoode Street, Oliver Lewis Way, Freedom Lane and Scott Street. Additional information will be presented by the staff.

Staff Zoning Presentation – Ms. Wade said that the staff has received a request from the Division of Engineering to initiate a zone change for this area. She displayed maps from the Newtown Pike Extension Corridor Plan, which depicted the existing land use in 2003. She gave a brief history of the past zone change of the Southend Park area, which only the northern part of the neighborhood was changed, leaving the southern portion indefinitely postponed. The intent is for the remaining portion of this land, besides the parks, to be under the control of the Community Land Trust. She said that in order for the Community Land Trust to move forward they need the rest of the land rezoned.

Action – A motion was made by Mr. Bell, seconded by Mr. Wilson, and carried 6-0 (Barksdale, de Movellan, Forester, Meyer and Plumlee absent) to approve the INITIATION OF ZONE CHANGE FOR SOUTHEND PARK – NEWTOWN PIKE EXTENSION PROJECT.

URBAN COUNTY PLANNING COMMISSION (PLN-MAR-21-00006)

SEE APPLICATION FOR ADDRESSES

Rezoning to implement the Southend Park Redevelopment Plan.

Applicant/Owner

LEXINGTON FAYETTE URBAN COUNTY GOVERNMENT
200 E. Main St., Lexington, KY 40508
planningmailbox@lexingtonky.gov



Application Details

Acreage:

Parcel 1: 0.99 net (1.46 gross) acres
Parcel 2: 5.72 net (6.72 gross) acres
Parcel 3: 3.10 net (4.50 gross) acres

Current Zoning:

Parcel 1: Planned Neighborhood Residential (R-3) zone
Parcel 2: Light Industrial (I-1) zone
Parcel 3: Light Industrial (I-1) zone

Proposed Zoning:

Parcel 1: Highway Service Business (B-3) zone
Parcel 2: Planned Neighborhood Residential (R-3) zone
Parcel 3: Mixed Use 2: Neighborhood Corridor (MU-2) zone

Place-type / Development Type:

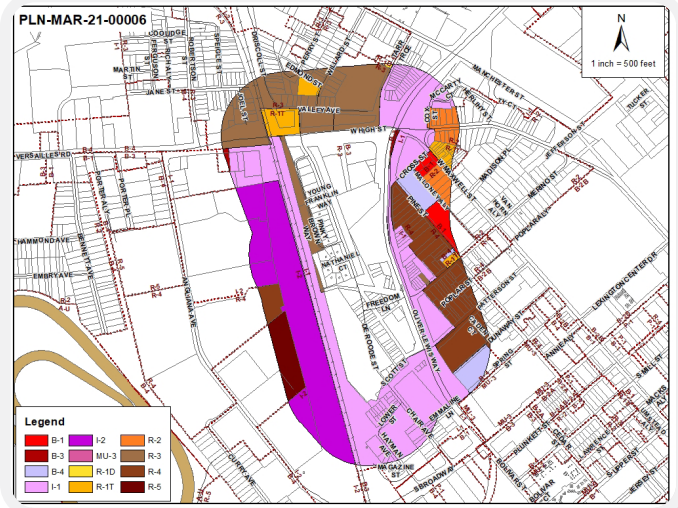
Corridor
Medium Density Non-Residential/ Mixed Use
For more information about the Corridor Place-Type see Imagine Lexington pages 337-339. For more information about the Medium Density Non-Residential / Mixed Use Development Type see page 272.

Description:

The purpose of the rezoning is to implement the Southend Park Redevelopment Plan, which was approved by the LFUCG Planning Commission November 2003.

Public Engagement

- The Lexington Community Land Trust has conducted several public meetings to create a comprehensive and inclusive vision for the area.

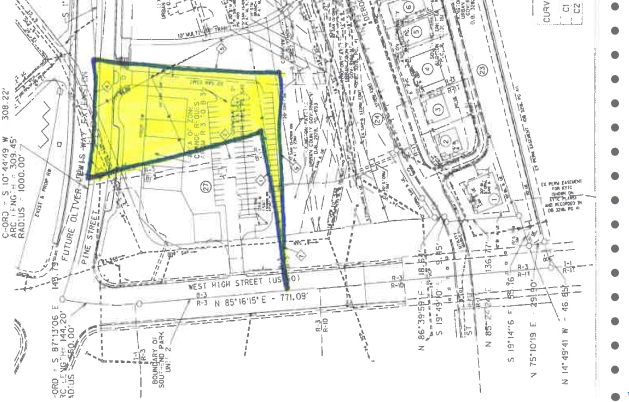
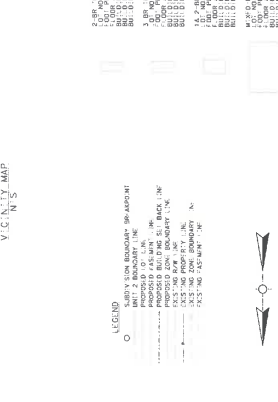


Status

- 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



LEGEND

○ UNIT 1 BOUNDARY LINE

□ PROPOSED LOT

□ PROPOSED ZONE BOUNDARY LINE

□ PROPOSED PROPERTY LINE

□ 2020 ZONING MAP

BUILDING SCHEDULE

1. 16,000 S.F. BUILDING	2. 8,000 S.F. BUILDING	3. 4,000 S.F. BUILDING
4. 2,000 S.F. BUILDING	5. 1,000 S.F. BUILDING	6. 500 S.F. BUILDING
7. 250 S.F. BUILDING	8. 125 S.F. BUILDING	9. 62.5 S.F. BUILDING

NOTES:

1. THE PROPOSED LOT LAYOUT IS BASED ON THE 2020 ZONING MAP OF THE CITY OF LEXINGTON, VIRGINIA.
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SECTION BOUNDARY

SECTION A

SECTION B

SECTION C

SECTION D

SECTION E

SECTION F

SECTION G

SECTION H

SECTION I

SECTION J

SECTION K

SECTION L

SECTION M

SECTION N

SECTION O

SECTION P

SECTION Q

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SECTION S

SECTION T

SECTION U

SECTION V

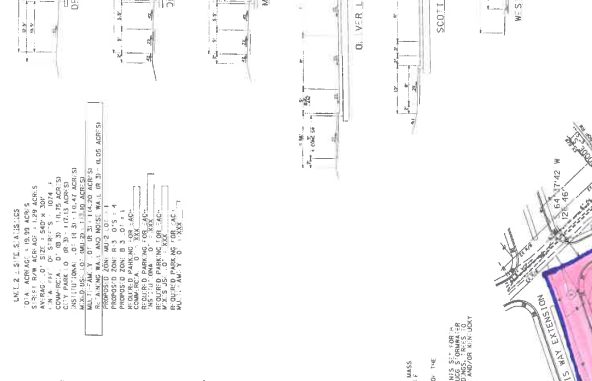
SECTION W

SECTION X

SECTION Y

SECTION Z

- 1. 16,000 S.F. BUILDING
- 2. 8,000 S.F. BUILDING
- 3. 4,000 S.F. BUILDING
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- 5. 1,000 S.F. BUILDING
- 6. 500 S.F. BUILDING
- 7. 250 S.F. BUILDING
- 8. 125 S.F. BUILDING
- 9. 62.5 S.F. BUILDING
- 10. 31.25 S.F. BUILDING
- 11. 15.625 S.F. BUILDING
- 12. 7.8125 S.F. BUILDING
- 13. 3.90625 S.F. BUILDING
- 14. 1.953125 S.F. BUILDING
- 15. 976.5625 S.F. BUILDING
- 16. 488.28125 S.F. BUILDING
- 17. 244.140625 S.F. BUILDING
- 18. 122.0703125 S.F. BUILDING
- 19. 61.03515625 S.F. BUILDING
- 20. 30.517578125 S.F. BUILDING



Zone Change	Gross	Net
R3 to B3	1.48ac	0.99ac
U1 to R3	6.72ac	5.72ac
U1 to MU2	4.50ac	3.10ac

DEVELOPER: RAYMOND W. GIBSON, JR., PRESIDENT
 7008 BROADWAY, SUITE 100, LEXINGTON, VA 24465
ENGINEER: JAMES M. GIBSON, JR., PE
 7008 BROADWAY, SUITE 100, LEXINGTON, VA 24465
DATE: 04/30/2021

HHE
 HARRIS HARRIS & HARRIS ENGINEERS, PLLC
 1800 E. MAIN STREET, SUITE 100
 LEXINGTON, VA 24465
 TEL: (703) 485-9990
 FAX: (703) 485-9991

imagine
LEXINGTON
 Planning



VICINITY MAP
N.T.S.

- LEGEND**
- SUBDIVISION BOUNDARY BREAKPOINT
 - UNIT 2 BOUNDARY LINE
 - PROPOSED LOT LINE
 - PROPOSED CASHEM LINE
 - PROPOSED BUILDING SET BACK LINE
 - PROPOSED ZONE BOUNDARY LINE
 - EXISTING R/W LINE
 - EXISTING PROPERTY LINE
 - EXISTING ZONE BOUNDARY LINE
 - EXISTING CASHEM LINE

- NOTES**
- THIS PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY, ANY SALE OF AND SHALL BE BASED UPON A RECORDED SUBDIVISION PLAN.
 - NO BUILDING PERMITS SHALL BE ISSUED UNLESS AND UNTIL A FINAL DEVELOPMENT PLAN IS APPROVED BY THE PLANNING COMMISSION.
 - THIS PLAN MAY BE AMENDED WITH THE APPROVAL OF THE URBAN COUNTY PLANNING COMMISSION.
 - THE LEXINGTON COMMUNITY AND TRUST (COT) WILL OWN AND MANAGE ALL LOTS ASSOCIATED WITH THIS DEVELOPMENT PLAN EXCEPT FOR THE CITY PARK LOT 28 AND RETAINING WALL LOT 32. SEE THE RECORD OF DECISION NEWOWN PIKE EXTENSION KYTC FILE NO. 7-593.00 PAGES 26-28 FOR A DESCRIPTION OF THE COT'S RESPONSIBILITIES. THIS HAS BEEN SUBMITTED WITH THIS PLAN. THE PARK LOT AND RETAINING WALL WILL BE OWN BY THE COT.
 - STORMWATER MANAGEMENT, SANITARY SEWERS, STREETS, UTILITY INFORMATION, ETC. ARE SUBJECT TO THE DESIGN AND CONSTRUCTION STANDARDS DEFINED IN THE DIVISION OF ENGINEERING, TECHNICAL, AND PROFESSIONAL MANUALS, AND ARE SUBJECT TO THE APPROVAL OF THE URBAN-COUNTY ENGINEERS.
 - PAYMENT DESIGN SUBJECT TO THE ACCEPTANCE OF THE URBAN COUNTY ENGINEER AT THE TIME OF IMPROVEMENT PLAN CONSIDERATION.
 - ROADWAY GEOMETRICS, ENTRANCE DETAILS, PARKING, CIRCULATION, ACCESS AND STREET CROSS SECTIONS ARE SUBJECT TO THE APPROVAL OF THE URBAN-COUNTY TRAFFIC ENGINEER.
 - LANDSCAPING SHALL CONFORM TO ARTICLE 18 OF THE ZONING ORDINANCE, ARTICLE 6-10 OF THE LAND SUBDIVISION REGULATIONS, AND THE TREE PROTECTION ORDINANCE.
 - THE AREAS IDENTIFIED AS EXISTING STEEP SLOPES CONSIST OF BOTH NATURAL AND MAN-MADE SLOPES. ALL LAND-WORK ON THIS PROJECT SHALL BE CONSTRUCTED ACCORDING TO THE KENTUCKY TRANSPORTATION CABINET STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION. CURRENT EDITION. AFTER THE GRADING IS COMPLETE, THERE WILL BE NO STEEP SLOPES IN THE BUILDING ENVELOPES OF THE PROPOSED LOTS. ANY REMAINING STEEP SLOPES ARE NON-BUILDABLE.
 - THE EROSION CONTROL PLAN AND BEST MANAGEMENT PLAN ASSOCIATED WITH THIS PLAN IS PART OF A CURRENT EROSION CONTROL PROJECT. A LETTER FROM THE EROSION CONTROL ENGINEER IS SUBMITTED IN ACCORDANCE WITH CHAPTER 18 OF THE CODE OF ORDINANCES.
 - ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY PROTECTIVE COVER PROVIDED. SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRASSES. SLOPES EXCEEDING 4:1 WILL HAVE ADDITIONAL PROTECTIVE COVER. MULCHING OR SODDING IN ORDER TO PREVENT EROSION.
 - NO GRADING, STRIPPING, EXCAVATION, FILLING OR OTHER DISTURBANCE OF THE NATURAL GROUND COVER SHALL TAKE PLACE PRIOR TO THE APPROVAL OF AN EROSION CONTROL PLAN. SUCH PLAN MUST BE SUBMITTED IN ACCORDANCE WITH CHAPTER 18 OF THE CODE OF ORDINANCES.

BUILDING SCHEDULE

2-BR TOWNHOMES	MIXED-USE BUILDING
LOT NO. 31	LOT NO. 30
FOOT PRINT = 11,000 SF	FOOT PRINT = 11,000 SF
FLOOR AREA = 11,000 SF	FLOOR AREA = 11,000 SF
BUILDING HEIGHT = 42'-0"	BUILDING HEIGHT = 50'-0"
BUILDING DEPTH = 42'-0"	BUILDING DEPTH = 30'-0"
BUILDING WIDTH = 16'-0"	BUILDING WIDTH = 38'-0"

3 BR TOWNHOMES	MIXED-USE BUILDING
LOT NO. 31	LOT NO. 30
FOOT PRINT = 11,000 SF	FOOT PRINT = 11,000 SF
FLOOR AREA = 11,000 SF	FLOOR AREA = 11,000 SF
BUILDING HEIGHT = 42'-0"	BUILDING HEIGHT = 50'-0"
BUILDING DEPTH = 42'-0"	BUILDING DEPTH = 30'-0"
BUILDING WIDTH = 16'-0"	BUILDING WIDTH = 38'-0"

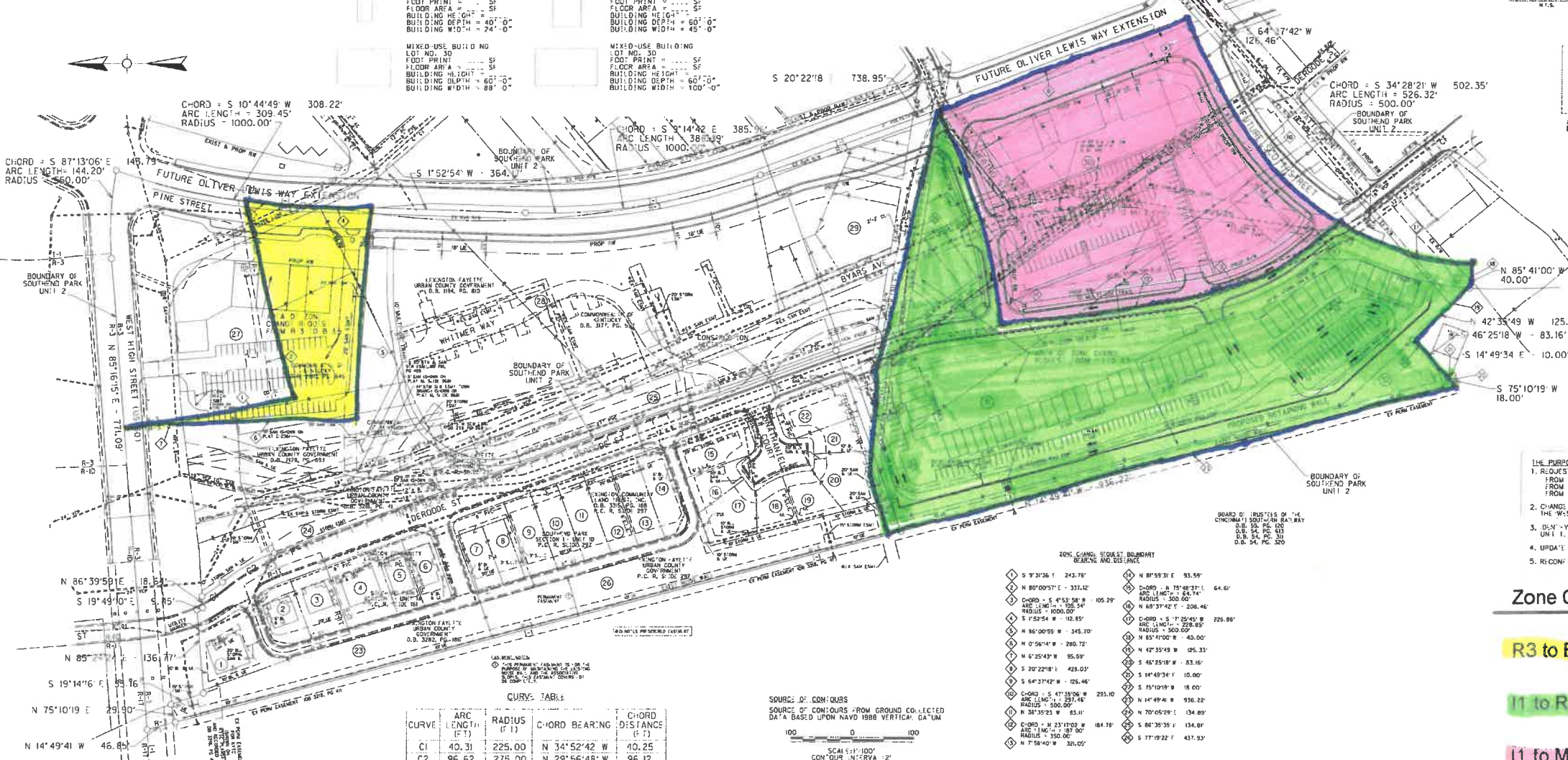
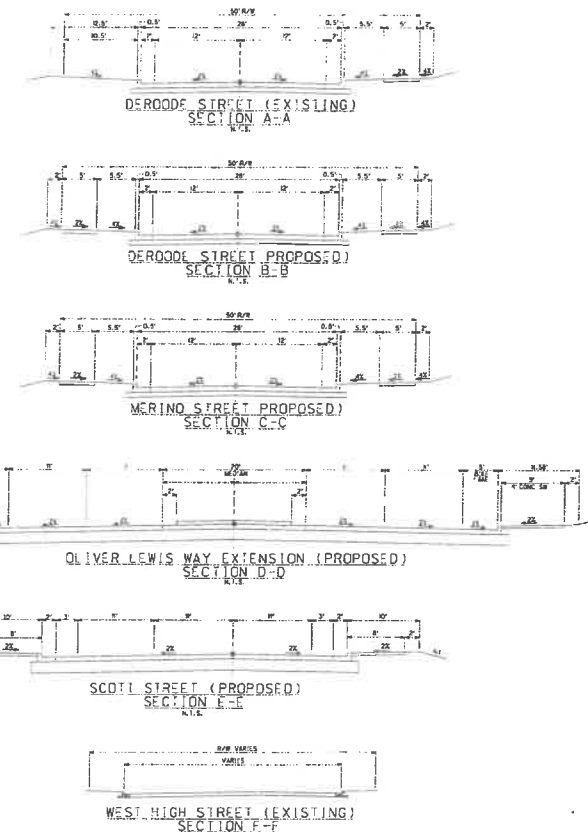
1 & 2-BR APARTMENTS	MIXED-USE BUILDING
LOT NO. 31	LOT NO. 30
FOOT PRINT = 11,000 SF	FOOT PRINT = 11,000 SF
FLOOR AREA = 11,000 SF	FLOOR AREA = 11,000 SF
BUILDING HEIGHT = 42'-0"	BUILDING HEIGHT = 50'-0"
BUILDING DEPTH = 40'-0"	BUILDING DEPTH = 30'-0"
BUILDING WIDTH = 74'-0"	BUILDING WIDTH = 45'-0"

MIXED-USE BUILDING	MIXED-USE BUILDING
LOT NO. 30	LOT NO. 30
FOOT PRINT = 11,000 SF	FOOT PRINT = 11,000 SF
FLOOR AREA = 11,000 SF	FLOOR AREA = 11,000 SF
BUILDING HEIGHT = 50'-0"	BUILDING HEIGHT = 50'-0"
BUILDING DEPTH = 60'-0"	BUILDING DEPTH = 60'-0"
BUILDING WIDTH = 88'-0"	BUILDING WIDTH = 100'-0"

- CONDITIONAL ZONING NOTES**
- UNDER THE PROVISIONS OF ARTICLE 6.7 OF THE ZONING ORDINANCE, THE FOLLOWING USES SHALL BE PROHIBITED FOR THE R-3 ZONE VIA CONDITIONAL ZONING:
 - ESTABLISHMENTS AND LOTS FOR THE DISPLAY, RENTAL, SALES, SERVICE AND MAINTENANCE OF FARM EQUIPMENT, CONTRACTOR EQUIPMENT, AUTOMOBILES, MOTORCYCLES, TRUCKS, BOATS, TRAVEL TRAILERS, MOBILE HOMES, OR SUPPLIES FOR SUCH ITEMS.
 - AUTOMOBILE SERVICE STATIONS.
 - CAR WASHING ESTABLISHMENTS.
 - DRIVE IN RESTAURANTS.
 - MINOR AUTOMOBILE AND TRUCK REPAIR.
 - CIRCUSES AND CARNIVALS, EVEN ON A TEMPORARY BASIS.
 - TAXIDERMIST ESTABLISHMENTS.
 - PANTRY OPS.
 - THEATRE OPERAS.
 - PARKING LOTS AND STRUCTURES, AS A PRINCIPAL USE.
 - ADULT ARCADES, MASSAGE PARLORS, ADULT BOOKSTORES, ADULT VIDEO STORES, ADULT CABARETS, ADULT DANCING ESTABLISHMENTS, ADULT ENTERTAINMENT ESTABLISHMENTS, AND SEXUAL ENTERTAINMENT CENTERS.
 - DRIVE-THROUGH FACILITIES FOR SALE OF GOODS OR PRODUCTS OR PROVISION OF SERVICES OTHERWISE PERMITTED HEREIN.
 - ADVERTISING SIGNS AND BILLBOARDS, AS DEFINED BY ARTICLE 17.3(B) OF THE ZONING ORDINANCE.
 - ADULT ARCADES, MASSAGE PARLORS, ADULT BOOKSTORES, ADULT VIDEO STORES, ADULT CABARETS, ADULT DANCING ESTABLISHMENTS, ADULT ENTERTAINMENT ESTABLISHMENTS, AND SEXUAL ENTERTAINMENT CENTERS.
 - DRIVE-THROUGH FACILITIES FOR SALE OF GOODS OR PRODUCTS OR PROVISION OF SERVICES OTHERWISE PERMITTED HEREIN.
 - ADVERTISING SIGNS AND BILLBOARDS, AS DEFINED BY ARTICLE 17.3(B) OF THE ZONING ORDINANCE.
 - NO FREE STANDING BUSINESS SIGNS TALLER THAN 8' IN HEIGHT, OR LARGER THAN 32 SQUARE FEET IN SIZE.
 - THESE USE RESTRICTIONS ARE APPROPRIATE AND NECESSARY FOR LAND AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NEWOWN PIKE AND PINE STREET IN ORDER TO PROTECT THE GATEWAY ENTRANCE TO THE SOUTHWEST PARK NEIGHBORHOOD FROM THE MOST INTRUSIVE AND INTENSIVE COMMERCIAL LAND USES, AND TO HELP IMPROVE THE COMPREHENSIVE PAVEMENT VISION FOR THE NEWOWN PIKE CORRIDOR.
- TREE PRESERVATION PLAN (TPP) FOR SECTION 1 UNIT 2 ONLY**
- SOIL: 19% MAURY Silt LOAM
- EXISTING TREE CANOPY = NONE
- CAUTION OF TREE CANOPY COVER:
- MU-2, B-3 AND R-3: XXX ACRES X XXX XXX ACRES - XXXXX SF PRESERVED EXISTING CANOPY REQUIRED CANOPY XXXXX SF
- XXXXX SF / XXX SF/TREE = XXX LARGE TREES = REQUIRED
- A 10% REDUCTION OF THE REQUIRED TREE CANOPY SHALL BE APPLIED FOR MASS OR GROUP PLANTINGS OF TREES IN A COMMON OR PUBLIC AREA PER ARTICLE 26-56(2) OF THE ZONING ORDINANCE.
- == MEDIUM AND SMALL TREES MAY BE USED AS PER PER ARTICLE 26-56(2) OF THE ZONING ORDINANCE.
- TREES SHALL BE PLANTED IN ACCORDANCE WITH THE LANDSCAPING REQUIREMENTS SET FORTH IN ARTICLE 18 OF THE ZONING ORDINANCE. THE LFUGG PLANTING MANUAL AND LFUGG SLOWWATER MANUAL. ALL TREES SHALL BE PLANTED A MINIMUM OF 10 FEET FROM BUILDINGS, TREES TO BE LOCATED WITHIN UTILITY EASEMENTS MUST FIRST CALL UTILITY OWNERS AND/OR KENTUCKY UNDERGROUND PROTECTION, INC. (CALL BEFORE YOU DIG) AT 1 800 752 6007.

UNIT 2 SITE STATISTICS

TOTAL ACREAGE = 19.99 ACRES
 STREET R/W ACREAGE = 1.29 ACRES
 AVERAGE LOT SIZE = 540 X 30'
 1.362 FEET OF STRIPS = 1074 SF
 COMMERCIAL: 0.133 (0.75 ACRES)
 CITY PARK LOT (R-3) = 113.13 ACRES
 INSTITUTIONAL: 0.631 (10.47 ACRES)
 MIXED USE LOT (MU-2) = 113.10 ACRES
 MULTI-FAMILY OF (R-3) = 114.20 ACRES
 RETAINING WALL AND NOISE WALL (R-3) = 11.05 ACRES



EXISTING PROPERTY ADDRESSES ASSOCIATED WITH THIS ZONE CHANGE:

508 619 DERODE STREET (A PORTION OF 525 DERODE ON YL
 554 & 556 MERINO STREET
 555 565 MERINO STREET AND
 655 637 PATTERSON STREET (PORTIONS OF ODD ADDRESSES ONLY)
 612 616 & 618-632 PINE STREET
 LEXINGTON, FAYETTE COUNTY, KENTUCKY

A: EXISTING RW (SECTION 1 UNIT 2) INSIDE THE PROJECT LIMITS WILL BE ABANDONED AND CLOSED IN ACCORDANCE WITH LFUGG REGULATIONS.

ZONING CHANGE SITE STATISTICS

EXISTING ZONES	GROSS ACRES	NET ACRES
R-3	XXXX	XXXX
B-3	XXXX	XXXX
TOTAL	XXXX	XXXX

PROPOSED ZONES	GROSS ACRES	NET ACRES
MU-2	XXX	4.50
R-3	XXX	6.72
B-3	XXX	1.46
TOTAL	XXXX	12.68

NOTE:
 XXX AC IN EXISTING RW
 1.29 AC IN PROPOSED RW

SECTION 2 SITE STATISTICS

20.68 GROSS ACRES ON PREVIOUS PRELIMINARY DEVELOPMENT PLAN
 31.82 GROSS ACRES ON THIS PRELIMINARY DEVELOPMENT PLAN
 11.14 ACRE INCREASE

- THE PURPOSE OF THE AMENDMENTS TO THIS PLAN
- REQUEST ZONE CHANGE:
 FROM R-3 TO B3
 FROM I-1 TO R-3
 FROM I-1 TO MU-2
 - CHANGE THE OVERALL BOUNDARY TO INCLUDE RECENTLY ACQUIRED AND A LONG THE WEST BOUNDARY.
 - DEVELOP UNIT 2 CURRENT DEVELOPMENT FROM R-3 TO MU-2.
 - UPDATE THE EXISTING ZONING
 - RECONSTRUCT ROADWAY AND O AYCUI

Zone Change	Gross	Net
R3 to B3	1.46ac	0.99ac
I1 to R3	6.72ac	5.72ac
I1 to MU2	4.50ac	3.10ac

CURVE TABLE

CURVE	ARC LENGTH (F)	RADIUS (F)	CHORD BEARING	CHORD DISTANCE (F)
C1	40.31	225.00	N 34°52'42" W	40.25
C2	96.62	275.00	N 29°56'48" W	96.12

SOURCE OF CURVES

SOURCE OF CURVES FROM GROUND COLLECTED DATA BASED UPON NAVD 1988 VERTICAL DATUM

SCALE: 1"=100'
 CONTOUR INTERVAL: 2'

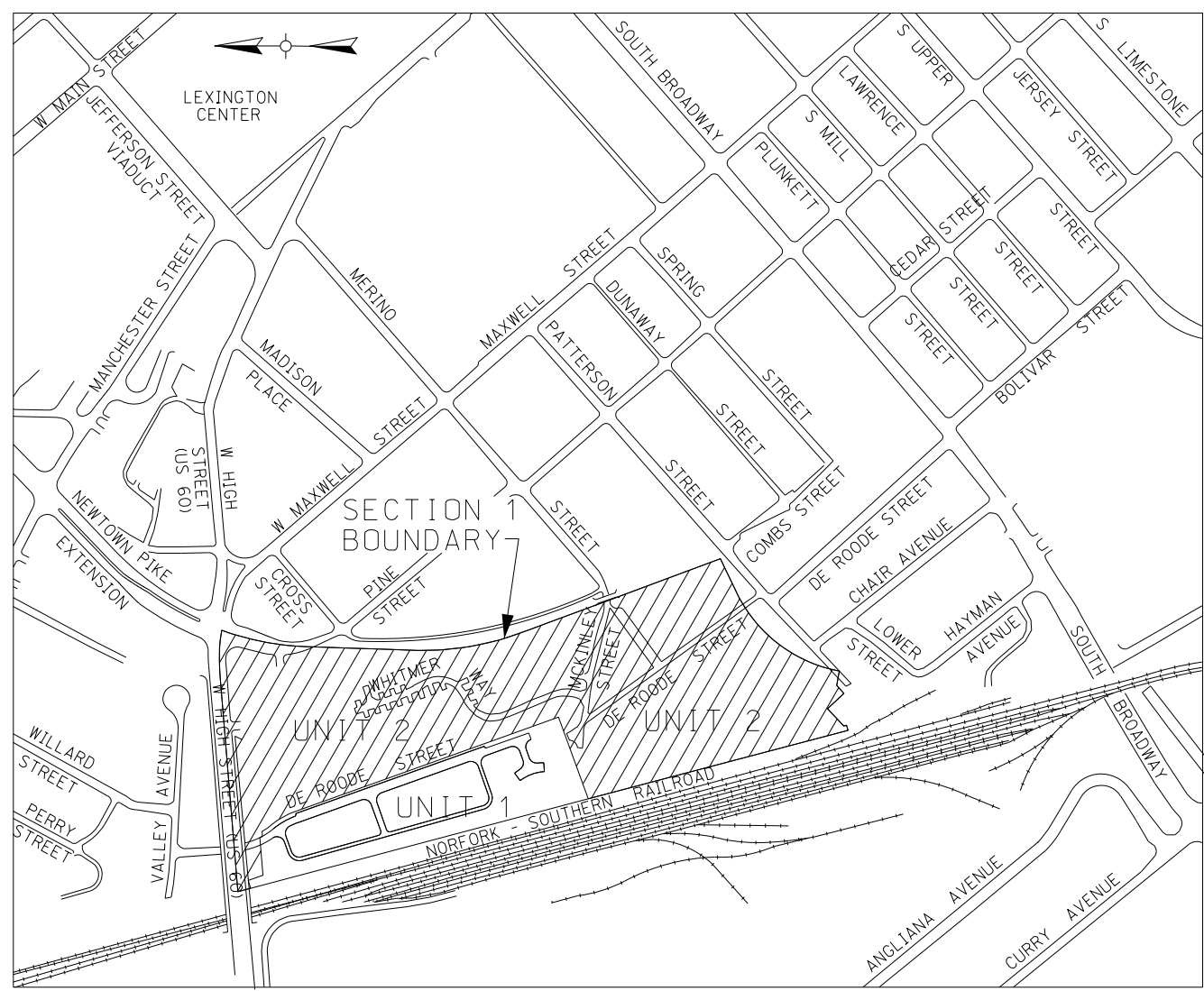
HHS HHS ENGINEERING & ARCHITECTURE, INC.
 1000 EAST MAIN STREET, SUITE 200
 LEXINGTON, KY 40502
 TEL: 606-253-1111 FAX: 606-253-1112

DAVISTOWN REDEVELOPMENT
 LEXINGTON-FAYETTE URBAN
 COUNTY GOVERNMENT

PRELIMINARY DEVELOPMENT PLAN AND
 PRELIMINARY SUBDIVISION PLAN
 OF SOUTHWEST PARK UNIT 2
 LEXINGTON, FAYETTE COUNTY, KENTUCKY
 OWNER: LEXINGTON-FAYETTE URBAN
 COUNTY GOVERNMENT
 200 EAST MAIN STREET
 LEXINGTON, KENTUCKY 40507
 DEVELOPERS: KYTC, FHWA & LFUGG

2016

PROJECT NO.:
 SUBMIT D:
 REVISED:
 SHEET
 1
 5-1-01



VICINITY MAP
NTS

- NOTES:**
- THIS PLAN SHALL NOT BE USED AS A BASIS FOR SALE OF THIS PROPERTY. ANY SALE OF LAND SHALL BE BASED UPON A RECORDED SUBDIVISION PLAN.
 - NO BUILDING PERMITS SHALL BE ISSUED UNLESS AND UNTIL A FINAL DEVELOPMENT PLAN IS APPROVED BY THE PLANNING COMMISSION.
 - THIS PLAN MAY BE AMENDED WITH THE APPROVAL OF THE URBAN-COUNTY PLANNING COMMISSION.
 - THE LEXINGTON COMMUNITY LAND TRUST (CLT) WILL OWN AND MANAGE ALL LOTS ASSOCIATED WITH THIS DEVELOPMENT PLAN EXCEPT FOR THE CITY PARK LOT 28 AND "RETAINING WALL" LOT 32. SEE THE RECORD OF DECISION - NEWTOWN PIKE EXTENSION KYTC ITEM NO 7-593.00 PAGES 26-28 FOR A DESCRIPTION OF THE CLT'S RESPONSIBILITIES WHICH HAS BEEN SUBMITTED WITH THIS PLAN. THE "PARK" LOT AND "RETAINING WALL" LOT WILL BE OWN BY THE LFUGC.
 - STORMWATER MANAGEMENT, SANITARY SEWERS, STREETS, FLOODPLAIN INFORMATION, ETC., ARE SUBJECT TO THE DESIGN AND CONSTRUCTION STANDARDS DEFINED IN THE DIVISION OF ENGINEERING TECHNICAL AND PROCEDURES MANUALS, AND ARE SUBJECT TO THE ACCEPTANCE OF THE URBAN-COUNTY ENGINEERS.
 - PAVEMENT DESIGN SUBJECT TO THE ACCEPTANCE OF THE URBAN-COUNTY ENGINEER AT THE TIME OF IMPROVEMENT PLAN CONSIDERATION.
 - ROADWAY GEOMETRICS, ENTRANCE DETAILS, PARKING, CIRCULATION, ACCESS AND STREET CROSS SECTIONS ARE SUBJECT TO THE APPROVAL OF THE URBAN-COUNTY TRAFFIC ENGINEER.
 - LANDSCAPING SHALL CONFORM TO ARTICLE 18 OF THE ZONING ORDINANCE, ARTICLE 6-10 OF THE LAND SUBDIVISION REGULATIONS, AND THE TREE PROTECTION ORDINANCE.
 - THE AREAS IDENTIFIED AS EXISTING "STEEP SLOPES" CONSIST OF BOTH NATURAL AND MAN-MADE SLOPES. ALL EARTHWORK ON THIS PROJECT SHALL BE CONSTRUCTED ACCORDING TO THE KENTUCKY TRANSPORTATION CABINET "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, CURRENT EDITION, AFTER THE GRADING IS COMPLETE, THERE WILL BE NO "STEEP SLOPES" IN THE BUILDING ENVELOPES OF THE PROPOSED LOTS. ANY REMAINING STEEP SLOPES ARE NON-BUILDABLE.
 - THE EROSION CONTROL PLAN AND BEST MANAGEMENT PLAN ASSOCIATED WITH THIS PLAN IS PART OF A CURRENT KYTC CONSTRUCTION PROJECT. A LETTER FROM KYTC EXPLAINING THE JURISDICTION AND OVERSIGHT OF THE BMP/NECP WAS SUBMITTED WITH THIS PLAN.
 - ALL AREAS THAT HAVE BEEN DISTURBED BY GRADING SHALL HAVE TEMPORARY VEGETATIVE COVER PROVIDED. SUCH COVER WILL CONSIST OF ANNUAL GRASSES OR SMALL GRAINS. SLOPES EXCEEDING 4:1 WILL HAVE ADDITIONAL PROTECTION OF ADEQUATE MULCHING OR SODDING IN ORDER TO PREVENT EROSION.
 - NO GRADING, STRIPPING, EXCAVATION, FILLING OR OTHER DISTURBANCE OF THE NATURAL GROUND COVER SHALL TAKE PLACE PRIOR TO THE APPROVAL OF AN EROSION CONTROL PLAN. SUCH PLAN MUST BE SUBMITTED IN ACCORDANCE WITH CHAPTER 16 OF THE CODE OF ORDINANCES.

BUILDING SCHEDULE

Building Type	Lot No.	Foot Print	Floor Area	Building Height	Building Depth	Building Width
2-BR TOWNHOMES	31	---	---	42'-0"	20'-0"	16'-0"
3-BR TOWNHOMES	31	---	---	42'-0"	20'-0"	16'-0"
1 & 2-BR APARTMENTS	31	---	---	40'-0"	20'-0"	24'-0"
MIXED-USE BUILDING	30	---	---	60'-0"	38'-0"	100'-0"

- CONDITIONAL ZONING NOTES:**
- UNDER THE PROVISIONS OF ARTICLE 6-7 OF THE ZONING ORDINANCE, THE FOLLOWING USES SHALL BE PROHIBITED FOR THE R-3 ZONE VIA CONDITIONAL ZONING:
 - A. ESTABLISHMENTS AND LOTS FOR THE DISPLAY, RENTAL SALES, SERVICE AND MINOR REPAIR OF FARM EQUIPMENT, CONTRACTOR EQUIPMENT, AUTOMOBILES, MOTORCYCLES, TRUCKS, BOATS, TRAVEL TRAILERS, MOBILE HOMES, OR SUPPLIES FOR SUCH ITEMS.
 - B. AUTOMOBILE SERVICE STATIONS.
 - C. CAR WASHING ESTABLISHMENTS.
 - D. DRIVE-IN RESTAURANTS.
 - E. MINOR AUTOMOBILE AND TRUCK REPAIR.
 - F. CIRCUSES AND CARNIVALS, EVEN ON A TEMPORARY BASIS.
 - G. TAXIDERMY ESTABLISHMENTS.
 - H. PAWNSHOPS.
 - I. LIQUOR STORES.
 - J. PARKING LOTS AND STRUCTURES, AS A PRINCIPAL USE.
 - K. ADULT ARCADES, MASSAGE PARLORS, ADULT BOOKSTORES, ADULT VIDEO STORES, ADULT CABARETS, ADULT DANCING ESTABLISHMENTS, ADULT ENTERTAINMENT ESTABLISHMENTS, AND SEXUAL ENTERTAINMENT CENTERS.
 - L. DRIVE-THROUGH FACILITIES FOR SALE OF GOODS OR PRODUCTS OR PROVISION OF SERVICES OTHERWISE PERMITTED HEREIN.
 - M. ADVERTISING SIGNS AND BILLBOARDS, AS DEFINED BY ARTICLE 17-31(B) OF THE ZONING ORDINANCE.
 - N. NO FREE-STANDING BUSINESS SIGNS TALLER THAN 8' IN HEIGHT, OR LARGER THAN 32 SQUARE FEET IN SIZE.
 - THESE USE RESTRICTIONS ARE APPROPRIATE AND NECESSARY FOR LAND AT THE SOUTHWEST CORNER OF THE INTERSECTION OF NEWTOWN PIKE AND PINE STREET IN ORDER TO PROTECT THE GATEWAY ENTRANCE TO THE SOUTHDOWN PARK NEIGHBORHOOD FROM THE MOST INTRUSIVE AND INTENSIVE COMMERCIAL LAND USES, AND TO HELP IMPLEMENT THE COMPREHENSIVE PLAN'S VISION FOR THE NEWTOWN PIKE CORRIDOR.

TREE PRESERVATION PLAN (TPP) - FOR SECTION 1 UNIT 2 ONLY

SOIL TYPE: MAURY SILT LOAM
EXISTING TREE CANOPY ~ NONE
CALCULATION OF TREE CANOPY COVER:
MU-2, B-3 AND R-3: XXX ACRES X XX% = XXXX ACRES = XXXXX SF
PRESERVED EXISTING CANOPY = 0 SF
REQUIRED CANOPY = XXXXX SF
XXXXX SF / XXX SF/TREE = XXX LARGE TREES ** REQUIRED

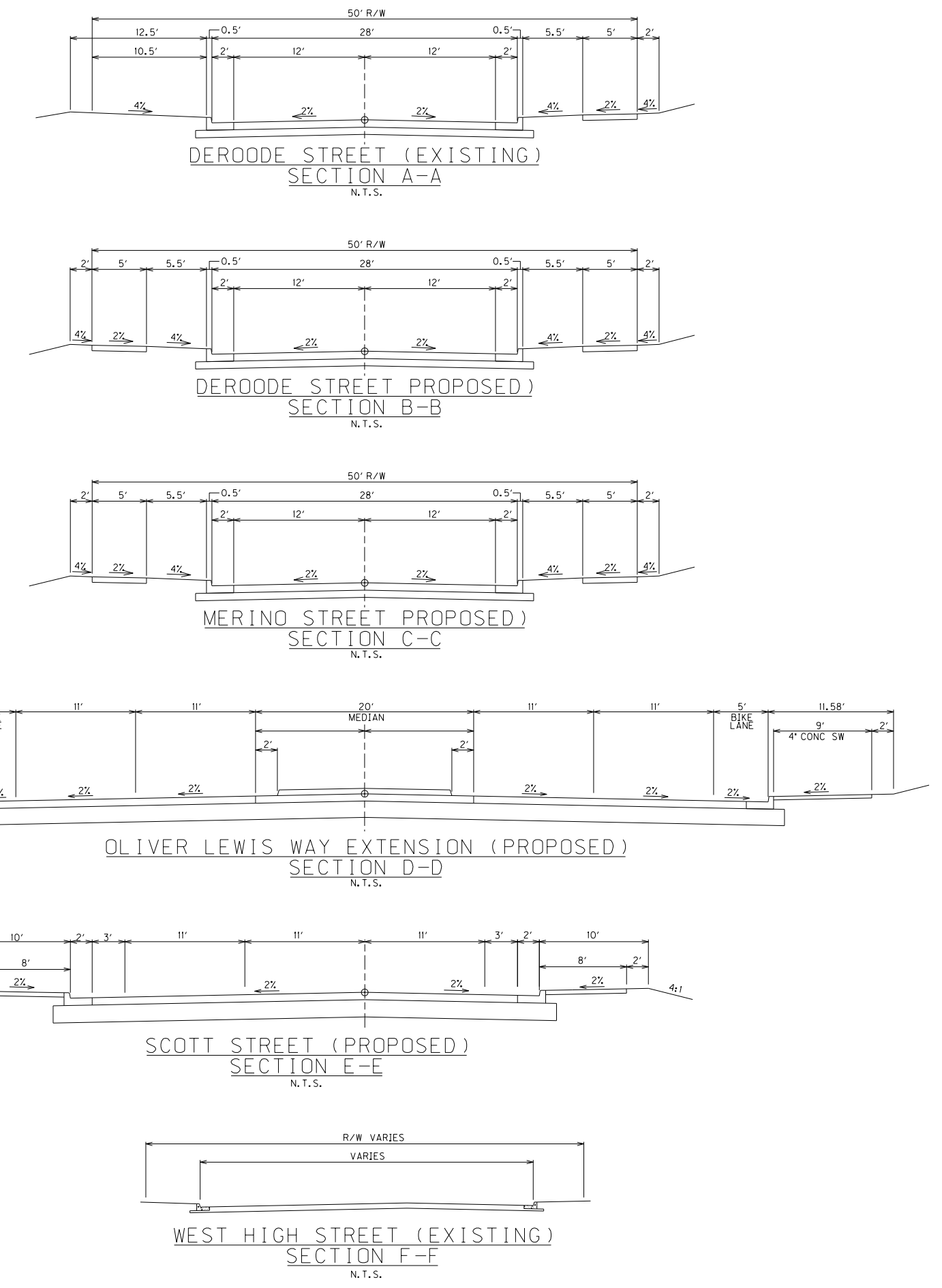
* A 10% REDUCTION OF THE REQUIRED TREE CANOPY SHALL BE APPLIED FOR MASS OR GROUP PLANTINGS OF TREES IN A COMMON OR PUBLIC AREA PER ARTICLE 26-510(2) OF THE ZONING ORDINANCE.

** MEDIUM AND SMALL TREES MAY BE USED AS PER PER ARTICLE 26-510(2) OF THE ZONING ORDINANCE.

TREE SHALL BE PLANTED IN ACCORDANCE WITH THE LANDSCAPING REQUIREMENTS SET FORTH IN ARTICLE 18 OF ZONING ORDINANCE, THE LFUGC PLANTING MANUAL AND LFUGC STORMWATER MANUAL. ALL TREES SHALL BE PLANTED A MINIMUM OF 10 FEET FROM BUILDINGS. TREES TO BE LOCATED WITHIN UTILITY EASEMENTS MUST FIRST CALL UTILITY OWNERS AND/OR KENTUCKY UNDERGROUND PROTECTION, INC. (CALL "BEFORE-YOU-DIG" AT 1-800-752-6007.

UNIT 2 - SITE STATISTICS

TOTAL ACREAGE = 19.99 ACRES
STREET R/W ACREAGE = 1.29 ACRES
AVERAGE LOT SIZE = 540' x 301'
LINEAL FEET OF STREETS = 1074 LF
COMMERCIAL LOT (B-3) = 111.75 ACRES
CITY PARK LOT (R-3) = 117.13 ACRES
INSTITUTIONAL LOT (R-3) = 110.47 ACRES
MIXED-USE LOT (MU-2) = 113.10 ACRES
MULTI-FAMILY LOT (R-3) = 114.20 ACRES
RETAINING WALL AND NOISE WALL (R-3) = 11.05 ACRES



EXISTING PROPERTY ADDRESSES ASSOCIATED WITH THIS ZONE CHANGE

508-619 DERODE STREET (A PORTION OF 525 DERODE ONLY),
564 & 568 MCKINLEY STREET,
555-565 MERINO STREET AND
565-637 PATTERSON STREET (PORTIONS OF ODD ADDRESSES ONLY),
802, 806, & 800-832 PINE STREET
LEXINGTON, FAYETTE COUNTY, KENTUCKY

ALL EXISTING RW (SECTION 1 UNIT 2) INSIDE THE PROJECT LIMITS SHALL BE ABANDONED AND CLOSED IN ACCORDANCE WITH LFUGC REGULATIONS.

ZONE CHANGE SITE STATISTICS

EXISTING ZONES:	GROSS ACRES	NET ACRES
I-1	XXXX	XXXX
R-3	XXXX	XXXX
TOTAL	XXXX	XXXX

PROPOSED ZONES:	GROSS ACRES	NET ACRES
MU-2	XXX	4.50
R-3	XXX	6.72
B-3	XXX	1.46
TOTAL	XXXX	12.68

NOTE:
XXX AC IN EXISTING RW
1.29 AC IN PROPOSED RW

SECTION 2 - SITE STATISTICS

20.68 GROSS ACRES ON PREVIOUS PRELIMINARY DEVELOPMENT PLAN
31.82 GROSS ACRES ON THIS PRELIMINARY DEVELOPMENT PLAN
11.14 ACRE INCREASE

- THE PURPOSE OF THE AMENDMENTS TO THIS PLAN**
- REQUEST ZONE CHANGE:
FROM R-3 TO B3
FROM I-1 TO R-3
FROM I-1 TO MU-2
 - CHANGE THE OVERALL BOUNDARY TO INCLUDE RECENTLY ACQUIRED LAND ALONG THE WEST BOUNDARY.
 - IDENTIFY UNIT 2 - CURRENT DEVELOPMENT, FROM RECENTLY DEVELOPED UNIT 1.
 - UPDATE THE EXISTING ZONING
 - RECONFIGURE ROADWAY AND LOT LAYOUT.

PLANNING COMMISSION CERTIFICATION

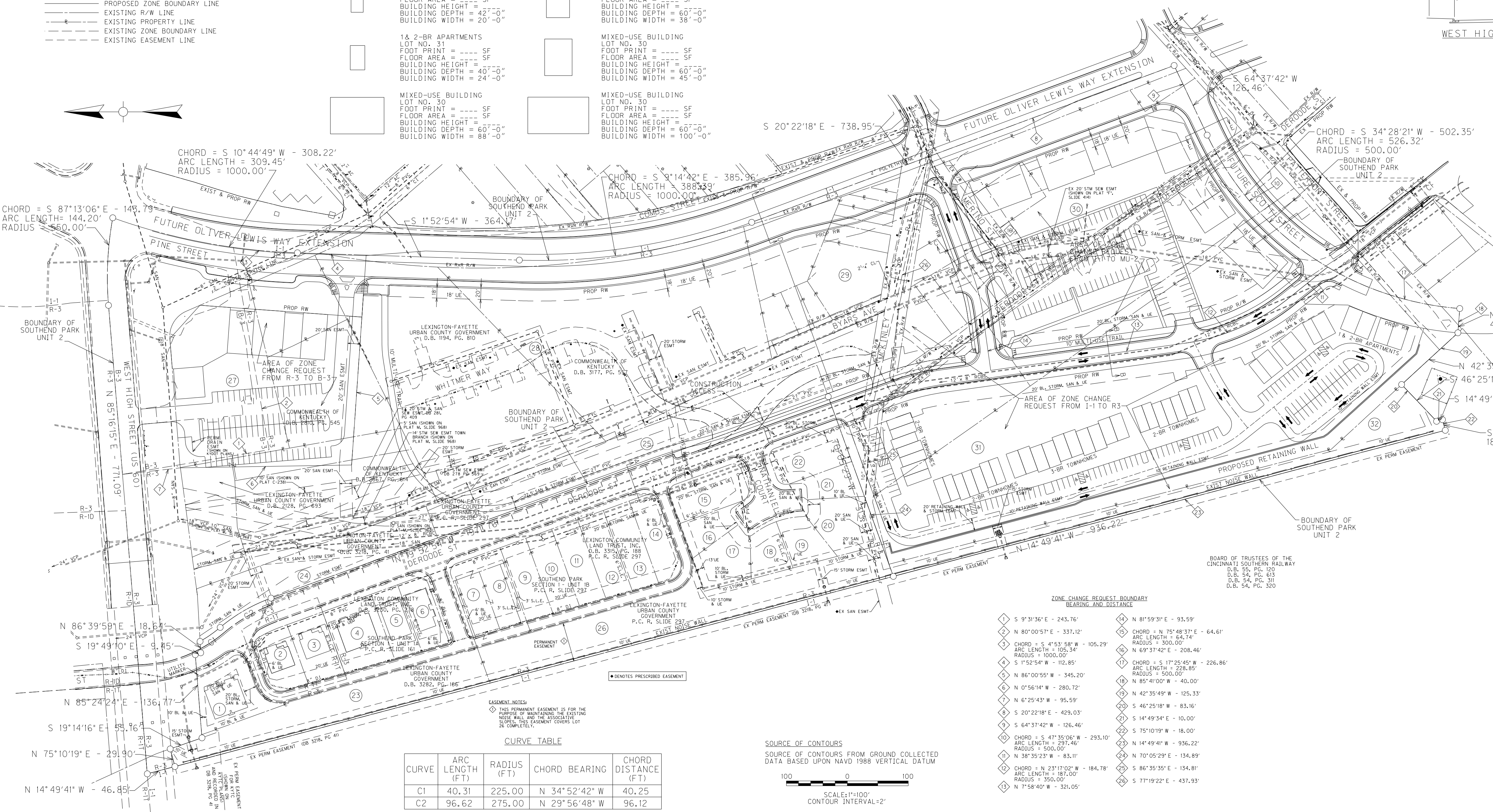
I DO HEREBY CERTIFY THAT THIS DEVELOPMENT PLAN WAS APPROVED BY THE URBAN-COUNTY PLANNING COMMISSION AT ITS MEETING HELD ON XXXXXXXX XX, 201X

SECRETARY _____ DATE _____

APPLICANT'S CERTIFICATION

IN ACCORDANCE WITH THE FINAL ENVIRONMENTAL STATEMENT (FHWA-KY-EIS-03-01-F) FOR THE NEWTOWN PIKE EXTENSION PROJECT, I (WE) DO FULLY AGREE TO ALL GRAPHIC AND TEXTURAL REPRESENTATIONS SHOWN HEREON, AND DO ADAPT THIS AS MY (OUR) DEVELOPMENT PLAN FOR THE PROPERTY.

PROJECT MANAGER _____ DATE _____
WITNESS _____ DATE _____



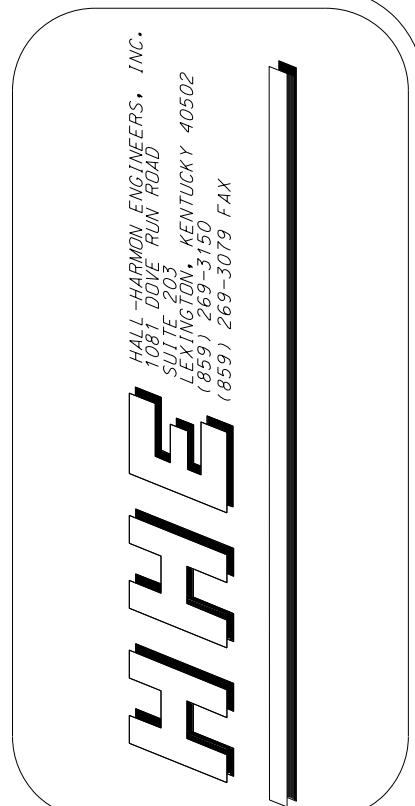
CURVE TABLE

CURVE	ARC LENGTH (FT)	RADIUS (FT)	CHORD BEARING	CHORD DISTANCE (FT)
C1	40.31	225.00	N 34°52'42" W	40.25
C2	96.62	275.00	N 29°56'48" W	96.12

SOURCE OF CONTOURS

DATA OF CONTOURS FROM GROUND COLLECTED DATA BASED UPON NAVD 1988 VERTICAL DATUM

SCALE: 1"=100'
CONTOUR INTERVAL=2'



DAVISTOWN REDEVELOPMENT
LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

PRELIMINARY DEVELOPMENT PLAN AND
PRELIMINARY SUBDIVISION PLAN
OF SOUTHDOWN PARK UNIT 2
LEXINGTON, FAYETTE COUNTY, KENTUCKY
OWNER: LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT
200 EAST MAIN STREET
LEXINGTON, KENTUCKY 40507
DEVELOPERS: KYTC, FHWA & LFUGC

PROJECT NO. _____
SUBMITTED: _____
REVISED: _____

SHEET 1 OF 1

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-21-00006: URBAN COUNTY PLANNING COMMISSION

DESCRIPTION OF ZONE CHANGE

Zone	R-3 to B-3:	0.99 net (1.46 gross) acres
Change & Acreage:	I-1 to R-3:	5.72 net (6.72 gross) acres
	I-1 to MU-2:	<u>3.10 net (4.50 gross) acres</u>
	Total:	9.81 net (12.68 gross) acres
Location:	508 - 619 De Roode Street 564 and 568 McKinley Street 555 - 565 Merino Street 800 and 833 Neville Street 565 - 637 Patterson Street (Odd Addresses Only) 812 and 816 Pine Street All properties to be consolidated to 757 De Roode street for future development	



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Properties	R-3 / I-1	Vacant Church / Cell Tower
To North	R-3	Vacant
To East	I-1 / R-4	Vacant / Single Family Residential
To South	I-1	Industrial and Warehousing
To West	I-1	Railroad

URBAN SERVICE REPORT

Roads - The Southend Park area is generally bounded by West High Street (US 60) to the north, Oliver Lewis Way to the east, Scott Street to the south, and the Norfolk-Southern Railroad to the west. West High Street is an elevated bridge over De Roode Street and the Norfolk-Southern Railroad at this location. Although West High Street is a five-lane highway that handles two-way traffic at this location, to the east of this area it divides and becomes the High Street/Maxwell Street one-way pair through downtown. As part of the Newtown Pike Extension Corridor Plan, Oliver Lewis Way was constructed, connecting Newtown Pike to Bolivar Street. Freedom Lane and Scott Street are local streets that provide access from Oliver Lewis Way into the proposed development. The future completion of Scott Street has been planned, which will provide a connection between Oliver Lewis Way and the University of Kentucky campus. The Norfolk-Southern Railroad is an active rail line near the downtown area.

Curb/Gutter/Sidewalks - In this area, West High Street and Oliver Lewis Way have curb, gutter, and sidewalks. A shared-use trail cuts through this area connecting the public to the proposed park in this area. Internal pedestrian systems will be constructed with future development.

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

Storm Sewers - The subject property is located within the Town Branch watershed. There is no designated FEMA Special Flood Hazard Area in the immediate area. Storm sewers were installed as part of the Oliver Lewis Way roadway improvements along that frontage, as well as along South Broadway.

Sanitary Sewers - The subject property is located in the Town Branch sewershed and is served by the Town Branch Wastewater Treatment Plant. There are no known problems related to the existing sanitary sewers in this area. The Capacity Assurance Program tracking indicates that the sewer bank serving this immediate area does have a positive balance, currently.

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

Police - The nearest police station is located less than one mile northeast of the subject property at the East Main Street headquarters location.

Fire/Ambulance - The nearest fire station (#6) is located about 1/2 mile south of the subject property, at the corner of South Upper Street

and Scott Street.

Transit - LexTran transit route service is available along West High Street (#8) and Oliver Lewis Way (#22). The subject property does not have transit seating or a planned shelter.

Parks - The Artworks at the Carver School is directly across Oliver Lewis Way from the subject properties. Additionally, in association with the development of the properties, a public park is planned. Davis Park (FKA Southend Park) will serve the future residents and the broader community.

SUMMARY OF REQUEST

The Urban County Planning Commission is seeking to rezone portions of the property from Planned Neighborhood Residential (R-3) zone to a Highway Service Business (B-3) zone, and from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone and Mixed Use 2: Neighborhood Corridor (MU-2) zone to allow a mixed-use development to be constructed and or managed by the Lexington Community Land Trust.

PLACE-TYPE

CORRIDOR

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

DEVELOPMENT TYPE

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.

Quality of Life Components

The buildings should be oriented to the street, and developments should avoid over-parking, with provided parking located internally.

PROPOSED ZONING

R-3

This zone is primarily for multi-family dwellings and other residential uses. This zone should be at locations and at the density (units/acre) recommended by the Comprehensive Plan, and in areas of the community where necessary services and facilities will be adequate to serve the anticipated population.

B-3

This zone is intended to provide for retail and other uses, which are necessary to the economic vitality of the community but may be inappropriate in other zones. The Comprehensive Plan should be used to determine the locations for this zone. Special consideration should be given to the relationship of the uses in the zone to the surrounding land uses and to the adequacy of the street system to serve the traffic needs.



The intent of the mixed-use zones is to permit the development of zoning categories which promote the proper locations and regulation of development which inherently permits the mixing of residential and nonresidential uses. Such mixing of uses in appropriate location and subject to appropriate restrictions can create a combination of functions compatible with abutting residential neighborhoods. This Article is intended to provide neighborhood-based employment opportunities; provide support services that enhance livability of neighborhoods; enhance the use of public transit and alternative modes of transportation; revitalize established neighborhood commercial centers; and promote quality infill and redevelopment potential in accordance with the adopted Comprehensive Plan.

PROPOSED USE



The purpose of the rezoning is to implement the Newtown Pike Extension Corridor Plan and the Southend Park Urban Village Plan, which were approved by the LFUCG Planning Commission in 2003.

APPLICANT & COMMUNITY ENGAGEMENT



The proposed redevelopment is the result of the Newtown Pike Extension Corridor Plan and the Southend Park Urban Village Plan, which included substantial neighborhood engagement. Since the adoption of the plan, the Lexington Community Land Trust has conducted several public meetings to create a comprehensive and inclusive vision for the area.

PROPERTY & ZONING HISTORY



The subject properties are located within the Southend Park Neighborhood. In 2003, the Southend Park Urban Village Plan was published and adopted by the Urban County Planning Commission. The purposes of the Southend Park Urban Village Plan are to mitigate the social, economic and environmental impacts of the Newtown Pike Extension on residents living and working in the Southend Park Neighborhood and to guide the successful redevelopment of this area. The area was historically an isolated, mixed-use area located at the western edge of Downtown Lexington with scattered, modest wood-frame houses, intrusive commercial/industrial uses and a decaying urban infrastructure.

In 2008, the Urban County Planning Commission, at the request of the staff, initiated a zone change (MAR 2008-16) for the area described within the Southend Park Urban Village Plan. This application sought to rezone properties from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone for 21.13 net acres, to a Mixed-Use 2: "Neighborhood Corridor" (MU-2) zone for 4.40 net acres, and to a restricted Highway Service Business (B-3) zone for 0.87 net acre. While portions of the property were rezoned, the southern portion of the rezoning was indefinitely postponed. Due to that postponement, the B-3 zone and a portion of the R-3 zone were approved, but approximately 10 acres remained zoned I-1.

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.

As the Newtown Pike Extension Corridor Plan and the Southend Park Urban Village Plan are adopted elements of the 2018 Comprehensive Plan, the rezoning of the properties is in agreement with the Comprehensive Plan. Furthermore, the proposed application is in agreement with several goals, objectives, and policies of the 2018 Comprehensive Plan. The proposed rezoning expands housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types, prioritizing higher density housing types (Theme A, Goal #1.b). The proposed development provides a variety of affordable dwelling units, including single family attached, and multi-family dwelling units (Theme A, Goal #1.d). The proposed density is supported by the Comprehensive Plan in both quantity and location.



Additionally, the rezoning will support infill and redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2). The rezoning will allow for the redevelopment of an existing parcel, which is currently vacant. The proposed redevelopment will also respect the context and design features of area's surrounding development projects and work within the established guidelines and plans to ensure compatibility with existing urban form (Theme A, Goal #2.b). Compliance with the Newtown Pike Extension Commercial Design and Property Access Standards will also support this goal.

Next, the rezoning will provide a well designed neighborhood and community (Theme A, Goal #3) by focusing on pedestrian mobility to the nearby amenities. The pedestrian connections to the nearby uses and to transit routes, as well as the incorporation of a public park (Theme A, Design Policy #5) will help create a pedestrian-first design (Theme A, Goal #3.b, Theme D, Goal #1.a). Additionally, as the property has been planned for redevelopment and will cause minimal disruption of natural features (Theme A, Goal #3.c).

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

Finally, the proposed rezoning will uphold the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (Oliver Lewis Way) (Objective E, Goal #1.c), and allow development of an underutilized parcel on a major corridor (Objective E, Goal #1.d).

These Goals and Objectives of the 2018 Comprehensive can be met with the proposed rezoning and the subsequent redevelopment of the subject properties.

Due to the location of the subject properties along Oliver Lewis Way and West High Street, which are major gateways to Lexington and the proposed development, as well as the importance of keeping to the vision described within the Southend Park Urban Village Plan, staff recommends the use of conditional zoning restrictions for the proposed B-3 zone area. Staff recommends the prohibiting of the following uses: establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items; automobile service stations; car washing establishments; drive in restaurants; minor automobile and truck repair; circuses and carnivals, even on a temporary basis; taxidermy establishments; pawnshops; liquor stores; parking lots and structures, as a principal use; adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers; drive through facilities for sale of goods or products or provision of services otherwise permitted herein; advertising signs and billboards, as defined by Article 17 of the Zoning Ordinance; and that no free-standing business signs be taller than eight (8) feet in height, or larger than thirty-two (32) square feet in size. These restrictions for the B-3 zone are the same as to those established during the 2008 zone change.

The approval of this zone change will continue the implementation of the vision of the Newtown Pike Corridor Extension Plan, the Southend Park Urban Village Plan, and ultimately the Comprehensive Plan for this neighborhood.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The proposed Planned Neighborhood Residential (R-3) zone, Mixed-Use 2: Neighborhood Corridor (MU-2) zone, and a restricted Highway Service Business (B-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types, prioritizing higher density housing types (Theme A, Goal #1.b).
 - b. The proposed development provides a variety of affordable dwelling units, including single family attached, and multi-family dwelling units (Theme A, Goal #1.d).
 - c. The rezoning will support infill and redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2), while allowing redevelopment of an existing parcel, which is currently vacant.
 - d. The proposed redevelopment will respect the context and design features of area's surrounding development projects and work within the established guidelines and plans to ensure compatibility with existing urban form (Theme A, Goal #2.b).
 - e. The proposed rezoning will provide a well designed neighborhood and community (Theme A, Goal #3) by focusing on pedestrian mobility to the nearby amenities, make connections to the nearby uses and to transit routes, and the public park (Theme A, Design Policy #5), which will create a pedestrian-first design (Theme A, Goal #3.b, Theme D, Goal #1.a).
 - f. The proposed development has been planned for redevelopment and will cause minimal disruption of natural features (Theme A, Goal #3.c).
 - g. The proposed development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses, and will prioritize multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d)
 - h. The proposed rezoning will uphold the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (Oliver Lewis Way) (Objective E, Goal #1.c), and allow development of an underutilized parcel on a major corridor (Objective E, Goal #1.d).
2. The proposed rezoning is in agreement with the Newtown Pike Corridor Extension Study and the Southend Park Urban Village Plan.
3. This recommendation is made subject to approval and certification of PLN-MJDP-21-00021: Southend Park, Unit 2 (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use and buffering restrictions are recommended via conditional zoning:
 - a. The following uses shall be prohibited:
 1. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
 2. Automobile service stations.
 3. Car washing establishments.
 4. Drive in restaurants.
 5. Minor automobile and truck repair.
 6. Circuses and carnivals, even on a temporary basis.
 7. Taxidermy establishments.
 8. Pawnshops.
 9. Liquor stores
 10. Parking lots and structures, as a principal use.
 11. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
 12. Drive through facilities for sale of goods or products or provision of services otherwise

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



permitted herein.

13. Advertising signs and billboards, as defined by Article 17 of the Zoning Ordinance.
- b. No free-standing business signs taller than eight (8) feet in height, or larger than thirty-two (32) square feet in size

These use restrictions are appropriate and necessary for land at the corner of the intersection of Oliver Lewis Way and West High Street in order to protect the gateway entrance to the Southend Park Neighborhood from the most intrusive and intensive commercial land uses, and to help implement the Comprehensive Plan's vision for Oliver Lewis Way.

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- f. The proposed development has been planned for redevelopment and will cause minimal disruption of natural features (Theme A, Goal #3.c).
 - g. The proposed development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2), by providing multi-family housing serving diverse prospective tenants who can walk to employment, healthcare, education, dining and entertainment uses, and will prioritize multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d).
 - h. The proposed rezoning will uphold the Urban Service Area concept (Theme E, Goal #1) by redeveloping existing underutilized corridors (Oliver Lewis Way) (Objective E, Goal #1.c), and allow development of an underutilized parcel on a major corridor (Objective E, Goal #1.d).
2. The proposed rezoning is in agreement with the Newtown Pike Corridor Extension Study and the Southend Park Urban Village Plan.
 3. This recommendation is made subject to approval and certification of PLN-MJDP-21-00021: Southend Park, Unit 2 (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
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 1. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
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 6. Circuses and carnivals, even on a temporary basis.
 7. Taxidermy establishments.
 8. Pawnshops.
 9. Liquor stores.
 10. Parking lots and structures, as a principal use.
 11. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
 12. Drive through facilities for sale of goods or products or provision of services otherwise permitted herein.
 13. Advertising signs and billboards, as defined by Article 17 of the Zoning Ordinance.
 - b. No free-standing business signs taller than eight (8) feet in height, or larger than thirty-two (32) square feet in size

These use restrictions are appropriate and necessary for land at the corner of the intersection of Oliver Lewis Way and West High Street in order to protect the gateway entrance to the Southend Park Neighborhood from the most intrusive and intensive commercial land uses, and to help implement the Comprehensive Plan's vision for Oliver Lewis Way.

- b. PLN-MJDP-21-00021: SOUTHEND PARK (AMD) (7/4/21)* - located at 709 & 715 BYARS ST.; 508 – 619, 721, 757, 763 & 835 DE ROODE ST.; 559 - 571 MCKINLEY ST.; 555 – 565 MERINO ST.; 800 & 833 NEVILLE ST.; 565 – 637 PATTERSON ST. (PORTIONS OF ODD ADDRESSES ONLY); and 812, 816 & 820 PINE ST., LEXINGTON, KY
Project Contact: Hall-Harmon Engineers and Division of Engineering

Note: The purpose of this amendment is to rezone the property for mixed-use, commercial and residential redevelopment.

The Subdivision Committee Recommended: **Approval**, subject to the following requirements:

1. Provided the Urban County Council rezones the property to MU-2, R-3, and B-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Complete Unit 2 site statistics to comply with Article 21 of the Zoning Ordinance.
8. Dimension all proposed buildings.
9. Denote Lot 28 as proposed park, and denote proposed use of Lot 29.
10. Denote typical parking space dimensions.
11. Denote dimensions of parking aisles.
12. Denote building information, including floor area, square footage, and height in feet.
13. Denote: Final Development Plans shall comply with Ordinance 205-2009 and Newtown Pike Extension Commercial Design and Property Access Standards.
14. Complete Tree Preservation Plan (TPP) information.

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15. Delete "Future Oliver Lewis Way Extension" label.
16. Discuss timing of Scott Street extension.

Staff Zoning Presentation – Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and aerial photographs of the general area. He said that this is an application for a zone change that the Urban Planning Commission initiated on April 22, 2021, it includes properties located at 508-619 De Roode Street, 564 & 568 McKinley Street, 555-565 Merino Street, 800 & 833 Neville Street, 565-637 Patterson Street (portions of odd addresses only), and 813 & 816 Pine Street. These properties are all in the process of being consolidated to 757 De Roode Street. The purpose of the rezoning is to implement the Newtown Pike Extension Corridor Plan and the Southend Park Urban Village Plan, which were approved by the LFUCG Planning Commission in 2003, and envisioned how this area would develop over time. He said that some of this area was rezoned in 2008, but certain portions of the property were not owned by the Urban County Government and were removed from the zone change. He said the Southend Park Urban Village Plan is in association with the Newtown Pike Extension Corridor Plan, which focused on the land uses along Oliver Lewis Way, and there has been a significant amount of study and infrastructural change over time in this area.

Mr. Baillie said that a Final Development Plan may have some changes, but the proposed changes do need to match the Newtown Pike Extension Corridor Plan, the Southend Park Urban Village Plan, and the Goals & Objectives of the 2018 Comprehensive Plan. He added that the subject property is near the downtown area and the area was heavily impacted by the construction of the roadways, which necessitated a focus on the need for services, as well as open space/green space. He said that the staff is recommending approval of this zone change with conditional zoning restrictions.

Commission Questions – Ms. Plumlee asked for more information about the Community Land Trust (CLT). Mr. Baillie said that the CLT will own and operate the land while allowing the purchase of the structure on the site. This allows for the price of the land to be eliminated from the purchase price of the property, which keeps the cost of the housing at a lower rate. They do have several agreements in place with the homebuyers if the structure is sold, at a later time, it can be kept at a more affordable rate.

Development Plan Presentation – Mr. Martin presented a color rendering of the preliminary development plan associated with this zone change. He said that there are revised conditions were distributed to the Planning Commission, as follows:

1. Provided the Urban County Council rezones the property to MU-2, R-3, and B-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
- ~~7. Complete Unit 2 site statistics to comply with Article 21 of the Zoning Ordinance.~~
- ~~8. Dimension all proposed buildings.~~
- ~~9. Denote Lot 28 as proposed park, and denote proposed use of Lot 29.~~
7. 40. Denote typical parking space dimensions.
8. 44. Denote dimensions of parking aisles.
- ~~12. Denote building information, including floor area, square footage, and height in feet.~~
9. 43. Denote: Final Development Plans shall comply with Ordinance 105-2009 and Newtown Pike Extension Commercial Design and Property Access Standards.
- ~~14. Complete Tree Preservation Plan (TPP) information.~~
- ~~15. Delete "Future Oliver Lewis Way Extension" label.~~
- ~~16. Discuss timing of Scott Street extension.~~

Mr. Martin identified Oliver Lewis Way, West High Street, De Roode Street, and Scott Street, which terminates at a dead end because the extension of Scott Street has yet to be funded. He then identified the B-3 zone area along Oliver Lewis Way and West High Street and said that the proposed access will be off Oliver Lewis Way and West High Street to the parking lot. He identified the R-3 zone area (lot 29), and said that it was originally intended to be used as an institutional use, but could also be utilized as residential, which is consistent with the goals of the Community Land Trust. He also identified the Mixed-Use zone area, which includes nine (9) buildings and said that they are similar to the original Southend Park Urban Village Plan that was adopted in 2003. He then identified the R-3 zone area, which includes a mixture of apartments and townhouses and said that they are also similar to the Southend Park Urban Village Plan.

Mr. Martin said that there is a Council Ordinance that governs access and orientation to Oliver Lewis Way and he stated that the proposed development will be designed with internal parking to remain consistent with the Plan and the Council Ordinance. He said that they are proposing 19,000 square feet to be developed as commercial use in the B-3 zone area. More than 60,000 square feet will be constructed in the Mixed-Use (MU-2) zone. He added that the Final Development Plan could be very different than this preliminary development plan because there is a lot of flexibility, but a minimum of a two-story building is required per the Council Ordinance. He said that the residential area matches the development of the Southend Park Urban Village Plan. He

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added that LFUCG will retain possession of the sound wall and maintain it. He said that the staff is recommending approval of this zoning development plan.

Petitioner – Andrew Grunwald, Division of Engineering asked for the Planning Commission’s approval and stated that he was available for any questions.

Josh Fain, Community Land Trust, thanked the staff and the Planning Commission and said he looks looking forward to developing affordable housing and to revitalize this neighborhood. He stated he was also available for questions.

Commission Questions – Mr. Penn asked for clarification about how the Land Trust operates. Mr. Fain said they are a non-profit housing agency that builds permanently affordable housing. He said that they separate the dwelling of the home from the land. They will always retain ownership of the land. He said that they pursue grants and funding that further reduce the cost of the land. He said that they operate for residents that are within the 60-80% AMI range. He added that this particular project, they will be developing commercial space with the intent to revitalize this community that was displaced with the Newtown Pike Extension project.

Mr. Penn then asked if the commercial area will also be a ground lease. Mr. Fain said that the Community Land Trust will also retain ownership of that area. The fees from the commercial uses will help them achieve self-sufficiency.

Mr. de Movellan asked how the cost remains affordable upon resale of a home. Mr. Fain said they only require a one-time subsidy and have a resale formula, which is a percentage of the difference of the appraised value of the purchased home and the appraised value at the time of selling the home. He said that the subsidy that was placed on the land will grow over time and each additional purchaser will need to be approved through their agency and qualify. He added that this creates home ownership, wealth accumulation and equity for these homeowners who are likely first-time homeowners.

Shane Tucker, Kentucky Transportation Cabinet, also thanked the staff and the Planning Commission for their work to get through this process. He said that this has been a model for projects of this nature across the nation and has been published in several articles.

Zoning Action – A motion was made by Mr. Wilson, seconded by Mr. Nicol, and carried 9-0 (Forester and Pohl absent) to approve PLN-MAR-21-00006: URBAN COUNTY PLANNING COMMISSION (FKA MAR 2008-16), for the reasons provided by the staff, with findings.

Development Plan Action – A motion was made by Mr. Wilson, seconded by Mr. Bell, and carried 9-0 (Forester and Pohl absent) to approve PLN-MJDP-21-00021: SOUTHEND PARK (AMD), as presented by the staff.

Note: Ms. Barksdale left the meeting at 2:10 p.m.

B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS - Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner’s report(s) (30 minute maximum)
- Citizen Comments
 - (a) Proponents (10 minute maximum OR 3 minutes each)
 - (b) Objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) Petitioner’s comments (5 minute maximum)
 - (b) Citizen objectors (5 minute maximum)
 - (c) Staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s).

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS

1. **PLN-ZOTA 21-00001: AMENDMENT TO ARTICLE 12-3: ALLOW KENNELS IN THE B-6P ZONE** (9/1/21)* – a petition for a Zoning Ordinance text amendment to Article 12 of the Zoning Ordinance to allow kennels for the boarding and sale of dogs as a conditional use in the Commercial Center (B-6P) zone.

INITIATED BY: CHELSI, LLC

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PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Disapproval**.

The Staff Recommends: **Disapproval**, of the proposed Text Amendment to the Zoning Ordinance, for the following reasons:

1. The proposed text amendment does not meet the intent of the B-6P zone as it does not
 - a. The amendment will not enhance the investments of existing B-6P developments by providing redevelopment opportunities that unlock additional potential to better utilize existing zoned land.
 - b. Inclusion of kennels in the B-6P zone is not compatible with increasing the supply and mixture of housing types.
2. The proposed text amendment does not meet the intent of the mixed-use zones within the Zoning Ordinance as it adds potential sound and air nuisances into an area that is meant to blend commercial and residential.
3. The proposed text amendment is not in agreement with the 2018 Comprehensive Plan as it does not enable 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 (Theme A, Goal #3.a).

Staff Text Amendment Presentation – Mr. Baillie presented and summarized the staff report and recommendations for this text amendment. He said that the applicant is seeking an amendment to Article 12 of the Zoning Ordinance, to allow kenneling of dogs in the Commercial Center (B-6P) zone. He said that the applicant had originally requested a change in the principal permitted use and is now requesting a change to the conditional use within the B-6P zone. The applicant's proposed text is as follows:

- (a) Restaurants, cocktail lounges, brew-pubs, nightclubs, and discotheques offering live entertainment and/or dancing, less than one hundred (100) feet from any residential zone. Such uses shall be soundproofed to the maximum extent feasible by using existing technology, with noise emissions not creating a nuisance to the surrounding neighborhood.
- (b) Recycling drop-off centers for aluminum, steel, glass, newspapers, cardboard and other paper products, oil and other household recyclable waste, provided that such establishment shall be located at least two hundred (200) feet from any residential zone. Any appeal for a conditional use permit to operate a recycling drop-off center shall include as part of the application:
 - (1) Reasons for the location of the use at a specific site; description of equipment to be used; physical arrangement; and operation of the proposed center. The Board of Adjustment shall consider the necessity of screening, if needed.

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