

ORDINANCE NO. 031 - 2023

AN ORDINANCE CHANGING THE ZONE FROM A NEIGHBORHOOD BUSINESS (B-1) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE FOR 1.80 NET (2.22 GROSS) ACRES, FOR PROPERTY LOCATED AT 1301 WINCHESTER ROAD. (EASTLAND LEGACY CENTER, INC.; COUNCIL DISTRICT 1).

WHEREAS, at a Public Hearing held on February 23, 2023, a petition for a zoning ordinance map amendment for property located at 1301 Winchester Road from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone for 1.80 net (2.22 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-0; and

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

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

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

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 1301 Winchester Road from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone for 1.80 net (2.22 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are imposed via conditional zoning:

a. Prohibited Uses:

- i. Self-storage warehousing.
- ii. Fencing in the front yard along Industry Road shall be limited to four (4) feet and barbed wire or razor wire are prohibited.

These restrictions are appropriate and necessary for the following reasons:

1. To maintain agreement with the 2018 Comprehensive Plan by limiting those uses which have low employment opportunities.
2. To maintain the context of the Eastland Shopping Center.

Section 3 – That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 4 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: March 23, 2023



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: March 30, 2023-1t

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Rec'd by _____

Date: _____

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

IN RE: PLN-MAR-22-00024: EASTLAND LEGACY CENTER, INC - a petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone, for 1.80 net (2.22 gross) acres, for property located at 1301 Winchester Road (a portion of). (Council District 1)

Having considered the above matter on February 23, 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 CONDITONAL APPROVAL of this matter for the following reasons:

1. A restricted Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed amendment will help to eliminate the vacant and underutilized employment space of the subject property by providing job opportunities to Lexington residents in general and particularly for residents who live near the subject property along the Winchester Road corridor (Theme A, Goal # 2.a; Theme E, Goal #1.c).
 - b. The proposed building design and character will be in keeping with the context of the surrounding business structures (Theme A, Goal #2.b).
 - c. The proposed rezoning will strengthen efforts to develop a variety of job opportunities that can lead to upward prosperity and impact individuals from various economic and educational backgrounds (Theme C, Goal #1.a).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the development will create an industrial development that provides connectivity for bike and pedestrian mobility through the site, and infills an area of parking to provide a wider range of employment opportunities, which are compatible within the area.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian access throughout the site and better delineate the internal vehicular circulation for this portion of the site.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage, and reduce impermeable surface.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Self-storage warehousing shall be prohibited.
 - b. Fencing in the front yard along Industry Road shall be limited to four (4) feet and barbed wire or razor wire are prohibited.

These restrictions are appropriate and necessary for the following reasons:

1. To maintain agreement with the 2018 Comprehensive Plan by limiting those uses which have low employment opportunities.
2. To maintain the context of the Eastland Shopping Center.

4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00076: Eastland Shopping Center (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.

ATTEST: This 10th day of March, 2023.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, PLN-MJDP-22-00076: EASTLAND SHOPPING CENTER was approved by the Planning Commission on February 23, 2023 and was certified on March 9, 2023.

K.R.S. 100.211(7) requires that the Council take action on this request by May 24, 2023.

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

OBJECTORS

OBJECTIONS

VOTES WERE AS FOLLOWS:

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

Motion for **APPROVAL** of **PLN-MAR-22-00024** carried.

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

MAP AMENDMENT REQUEST (MAR) APPLICATION

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

Applicant: EASTLAND LEGACY CENTER LLC, 321 HENRY ST, LEXINGTON, KY 40508
Owner(s): EASTLAND LEGACY CENTER LLC 321 HENRY ST LEXINGTON KY 40508
Attorney: BRUCE SIMPSON, 326 SOUTH BROADWAY, LEXINGTON, KY 40508

2. ADDRESS OF APPLICANT'S PROPERTY

1301 WINCHESTER RD LEXINGTON KY 40505

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
B-1	SHOPPING CENTER	I-1	SHOPS OF SPECIALTY TRADE	1.80	2.22

4. COMPREHENSIVE PLAN

a. Utilizing Placebuilder, what Place-Type is proposed for the subject site?	INDUSTRY AND PRODUCTION CENTER
b. Utilizing Placebuilder, what Development Type is proposed for the subject site? If residential, provide the proposed density	INDUSTRIAL AND PRODUCTION NON-RESIDENTIAL

5. EXISTING CONDITIONS

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

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

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



R O S E
G R A S C H
C A M E N I S C H
M A I N S

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Cell: 859-721-2862

January 3, 2023

Mr. Larry Forester, Chairperson
Lexington Fayette Urban County Planning Commission
c/o Mr. Hal Baillie, Planning Services
101 East Vine Street, 7th Floor
Lexington, Kentucky 40507

Re: *Zone Map Amendment (B-1 Neighborhood Business to I-1 Light Industrial)
For A Portion Of The Property (1.8 acres) Fronting Industry Road With An
Address of 1301 Winchester Rd (Eastland Shopping Center)*

Dear Chairperson Forester,

I am pleased to submit this zone map amendment application on behalf of Eastland Legacy Center, LLC, for a portion of the property it owns, 1.8 acres, which fronts and is oriented towards Industry Road, as more specifically reflected on the accompanying preliminary development plan with an address of 1301 Winchester Road. The subject property has been a part of the Eastland Shopping Center for many years with a current zoning of B-1 (Neighborhood Business). However, the subject property proposed for rezoning is adjacent to 1.08 acres of property zoned I-1 (Light Industrial) owned by the Kentucky American Water Company and which has been used as a large water tower for a number of years. There is also a significant amount of property across Industry Road from the subject property zoned I-1. Additionally, there is a substantial amount of property located nearby and to the north zoned B-4 (Wholesale and Warehouse Business). This B-4 property is located directly across Eastland Drive from the Eastland Shopping Center. The dominant character of the proposed rezoning site is more oriented towards employers which operate in the I-1 and B-4 zones. As a result, it has historically been difficult to market and lease space on the subject property for uses in the current B-1 zone. The more compatible uses for the subject and ones which will allow the subject property to successfully perform in terms of job creations are found in the Light Industrial zone. The preliminary Development Plan associated with the zone change proposes 32,500 square feet of flex warehouse space with 53 parking spaces and 5 bike parking spaces. The anticipated users of the flex warehouse space are "Specialty Trade Contractors". Submitted contemporaneously with this zone map amendment application is a Parking Demand Mitigation Study prepared by Barrett Partners, Inc. The proposed place type is Industry and Production Center. The proposed development type is Industrial and Production Non-Residential, and the proposed zoning is I-1 Light Industrial.

This zone map amendment application complies with the following relevant goals and objectives of the 2018 Comprehensive Plan:

I. GOALS AND OBJECTIVES

THEME A GROWING SUCCESSFUL NEIGHBORHOODS

GOAL 2: SUPPORT INFILL & 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 & design features of areas surrounding development projects & develop design standards & guidelines to ensure compatibility with existing urban form.

The proposed amendment will help to eliminate the vacant and underutilized employment space of the subject property by providing job opportunities to Lexington residents in general and particularly for residents who live near the subject property along the Winchester Road corridor. The proposed building design and character will be context sensitive to the surrounding business structures.

THEME C CREATING JOBS & PROSPERITY

GOAL 1: SUPPORT & SHOWCASE LOCAL ASSETS TO FURTHER THE CREATION OF A VARIETY OF JOBS.

Objectives:

- a. Strengthen efforts to develop a variety of job opportunities that lead to prosperity for all.

GOAL 2: ATTRACT THE WORLD'S FINEST JOBS, ENCOURAGE AN ENTREPRENEURIAL SPIRIT, & ENHANCE OUR ABILITY TO RECRUIT & RETAIN A TALENTED, CREATIVE WORKFORCE BY ESTABLISHING OPPORTUNITIES THAT EMBRACE DIVERSITY WITH INCLUSION IN OUR COMMUNITY.

Objectives:

- b. Improve opportunities for small business development and workers who rely on personal technology.

THEME E URBAN & RURAL BALANCE

GOAL 1: UPHOLD THE URBAN SERVICE AREA CONCEPT.

Objectives:

- a. Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.
- b. Emphasize redevelopment of underutilized corridors.
- c. 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.

THEME F IMPLEMENTING THE PLAN

GOAL 1: ENGAGE & EDUCATE THE RESIDENTS OF LEXINGTON-FAYETTE COUNTY IN THE PLANNING PROCESS.

Objectives:

- a. Pursue all venues of communication, including, but not limited to, electronic and social media to involve residents.
- b. Establish early and continuous communication with residents.

DISCUSSION

Approval of this zone map amendment will further the implementation of the above referenced goals and objectives by revitalizing underutilized land within the Urban Services Boundary to create more employment opportunities. The current B-1 zoning is out of character with the dominant employment uses along this section of Industry Road which are oriented and zoned for Light Industrial and Wholesale and Warehouse Business employment opportunities. Employment in the I-1 zone generally provides a higher wage than does retail jobs. The Catholic Action Center located at 1055 Industry Road is a service attracting a substantial homeless population which could benefit by the new employment opportunities created by approving this zone map amendment request. The proposed rezoning is compatible with the nearby business uses. This kind of infill and redevelopment helps to create employment opportunities within the existing Urban Services Boundary which helps preserve the existing boundary for urban uses and protects unnecessary expansion into the Rural Services Area of Fayette County. Due to the holidays, meetings with the surrounding property owners has been deferred to the month of January in order to facilitate maximum attendance and participation. A supplemental report on this outreach engagement will be tendered to the Planning Commission by the end of January.

II. COMPLIANCE WITH PLACEBUILDER

PLACE TYPE: INDUSTRY AND PRODUCTION CENTER

DEVELOPMENT TYPE: INDUSTRY AND PRODUCTION NON RESIDENTIAL

This application addresses the applicable development criteria for this place type and development type as set out below:

SITE DESIGN, BUILDING FORM, & LOCATION

B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.

Response: There are no environmentally sensitive areas on the subject property.

B-SU11-1 Green infrastructure should be implemented in new development. (E-GR3)

Response: This is not a new development but a redevelopment of an existing site. Nevertheless, considerations of green infrastructure will be evaluated and considered.

C-DI1-1 Consider flexible zoning options that will allow for a wide range of jobs.

Response: The I-1 zone allows for specified permitted uses as well as those uses set out in the B-4 zone. This flexibility will allow for a wider range of employment opportunities that are also compatible with the existing nearby land uses.

C-DI5-1 In Opportunity Zones with a clearly defined local context, consider adaptive reuse to enhance the existing context.

Response: The subject property is not within an opportunity zone.

C-PS3-1 Development potential in the Rural Activity Centers should be maximized. (E-ST5)

Response: This development criteria does not apply since this subject property is not within a Rural Activity Center

C-PS8-1 Opportunities for industry and special trade employment should be increased.

Response: This application seeks to advance the creation of such employment opportunities.

C-PS10-2 Developments should explore options for shared and flexible parking arrangements for currently underutilized parking lots.

Response: There will be shared parking with the existing Eastland Shopping Center parking lot.

C-PS10-3 Over-parking of new developments should be avoided. (B-SU5)

Response: This is avoided as provided on the associated preliminary development plan.

D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.

Response: Due to the holidays, our stakeholders meeting has been deferred to January and will be held at least 6 weeks prior to the Planning Commission hearing.

D-PL9-1 Historically significant structures should be preserved.

Response: There are no historically significant structures on the subject property.

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.

Response: This is a redevelopment of an underperforming job site but it will be fitted with up to date wireless communications networked into existing facilities.

D-SP3-2 Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping should be used to improve the visual impact from the roadway and residential areas.

Response: No cellular towers are proposed. There is an existing water tower located next to the subject property but owned by Kentucky American Water company which could be used for cellular type service.

E-GR4-1 Developments should incorporate reuse of viable existing structures.

Response: This will be done to the extent feasible. However, in order to attract new businesses, there will need to be substantial changes made to the existing structure.

E-GR5-1 Structures with demonstrated historic significance should be preserved or adapted.

Response: There are no existing structures with historical significance

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

C-PS10-1 Flexible parking and shared parking arrangements should be utilized.

Response: This is part of the application to use parking spaces within Eastland Shopping Center which is also owned by the applicant.

D-CO1-1 Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.

Response. The subject property is located on existing bus lines and there will be bicycle racks installed. The subject property is also within a 10-minute walk via sidewalks to existing residential neighborhoods and across the street from the Catholic Action Center.

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

Response: The subject property has been safely accessed for many years via bus transportation, walking and motor vehicles.

D-CO2-2 Development should create and/or expand a safe, connected multimodal Transportation

Response: Bicycle racks will be added to the existing multimodal transportation system.

D-CO4-1 Dead-end streets and Cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.

Response: No dead-end street or cul de sacs are being added

D-CO4-2 Roadway capacity should be increased by providing multiple parallel streets, which alleviate traffic and provide multiple route options, in lieu of additional lanes.

Response: Since this is a redevelopment of an existing site which will likely generate less traffic than B-1 uses, there is no need to increase roadway capacity. The existing roadway capacity is more than adequate to serve the proposed uses and no traffic study is warranted.

D-CO4-3 Street pattern and design should consider site topography and minimize grading where possible.

Response: No new streets are proposed.

D-CO5-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.

Response: No new streets are proposed.

E-ST3-1 Development along major corridors should provide for ride sharing pick up and drop off locations along with considerations for any needed or proposed park and ride functions of the area. (E-GR10, E-GR7)

Response: There will be amply available parking in Eastland Shopping Center to accommodate ride sharing for future employees employed on the subject property.

GREENSPACE & ENVIRONMENTAL HEALTH

A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.

Response: Existing landscape features will be preserved, and new landscaping added to provide an attractive work location and attract future employers.

A-EQ7-3 Community open spaces should be easily accessible and clearly delineated from private open spaces.

Response: There are no community open spaces on the subject property. It is a redeveloped site.

B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.

There are no environmentally sensitive features on the site or adjacent to it.

B-PR2-2 Dividing floodplains into privately owned parcels with flood insurance should be avoided.

Response: There are no floodplains on the subject property.

B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.

Response: There are no floodplains on the property or adjacent to it.

B-PR7-1 Connections to greenways, tree stands, and stream corridors should be provided.

Response: There are no greenways, tree stands or stream corridors for which a connection could be provided.

B-PR7-2 Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.

Response: Any required trees will be added per the zoning ordinance.

B-PR7-3 Developments should improve the tree canopy.

Response: This is an infill and redevelopment project for the primary purpose of creating jobs. Any tree canopy addition will be added per zoning requirements.

B-RE1-1 Developments should incorporate street trees to create a walkable streetscape.

Response: To the extent street trees are required they will be added. The site is already quite walkable to and from nearby properties.

B-RE2-1 Green infrastructure should be used to connect the greenspace network.

Response: Green infrastructure will be considered but there is no nearby greenspace network upon which to connect.

E-ST5-1 Increased intensity in the Rural Activity Centers should not negatively impact surrounding rural areas.

Response: This development criteria does not apply since the subject property is not located within a Rural Activity Center.

E-GR3-1 Physical and visual connections should be provided to existing greenway networks.

Response: There are no nearby greenway networks. However existing sidewalks are available.

E-GR3-2 New focal points should emphasize geographic features unique to the site.

Response: No new focal points are being added to the subject property.

Based on the above, we believe this application is in compliance with the 2018 Comprehensive Plan and justifies approval. However, to the extent your staff wishes further amplification or justification for this application please have them contact us so that the Planning Commission will have the benefit of all the relevant evidence at the time of the hearing of this application. I look forward to presenting this application to the full Commission during its February meeting.



November 28, 2022

EASTLAND SHOPPING CENTER – I-1 ZONE
PARKING DEMAND MITIGATION STUDY

This Parking Demand Mitigation Study is provided in association with the proposed zone change for a portion of the Eastland Shopping Center from Neighborhood Business (B-1) Zone to Light Industrial (I-1) Zone consisting of 1.8 acres. The shopping center is located at 1301 Winchester Road in the northeast quadrant of New Circle Road. The portion of the property subject to the zone change fronts on Industry Road adjacent to the KAWC water tower. This parking study has been prepared to provide guidance to determine the necessary parking facilities for the project in accordance with Article 16-14 Parking Demand Mitigation Studies of the Zoning Ordinance.

The preliminary Development Plan associated with the zone change proposes 32,500 square feet of flex warehouse space with 53 parking spaces and 5 bike parking spaces. The anticipated users of the flex warehouse space are “Specialty Trade Contractors”.

The study follows the format outlined in the Zoning Ordinance.

16-14 (a)

- 1) The *Parking Generation Manual*, 5th Edition, from the Institute of Transportation Engineers (ITE) was reviewed to provide a basis for anticipated parking for the use.

The *Parking Generation Manual* provides the following description of a specialty trade contractor.

“A specialty trade contractor is a business primarily involved in providing contract repairs and services to meet industrial or residential needs. This land use includes businesses that provide the following services: plumbing, heating and cooling, machine repair, electrical and mechanical repair, industrial supply, roofing, locksmith, weed and pest control, and cleaning.”

The Manual provides parking rates for Specialty Contractors based on 1,000 square feet of gross floor area (GFA) and number of employees. For purposes of this study the GFA rates will be utilized.

Average Rate	Range of Rates	33 rd / 85 th Percentile
1.76	0.68 – 6.25	0.96 / 4.06



Based on the proposed 32,500 square feet of flex warehouse proposed for the project the suggested parking rates indicated are as follows

Average Rate	Range of Rates	33 rd / 85 th Percentile
1.76	0.68 – 6.25	0.96 / 4.06
57 spaces	22 – 203 Spaces	31 / 132 Spaces

The Manual defines the 33rd / 85th percentiles as follows:

33rd Percentile— the point at which 33 percent of the values fall at or below and 67 percent of the values are above.

85th Percentile— the point at which 85 percent of the values fall at or below and 15 percent of the values are above.

This number is not intended to recommend a policy about the level of parking that should be supplied. It is provided solely as qualitative reference for the analyst.

The Manual indicates parking demand for specialty trade contractors to be largely during typical business hours from 8:00 a.m. to 4:00 p.m. with peak time being 11:00 a.m.

The full land use description and data points for specialty trade contractors from the Manual are included at the end of this study.

- 2) Parking demand for the project is anticipated to be consistent with the average rate indicated per the *Parking Generation Manual* with a need for approximately 57 parking spaces.
- 3) The Preliminary Development Plan proposes 53 parking spaces and 5 bike parking spaces on site. The 53 parking spaces include 9 spaces provided inside the individual warehouse buildings for business vehicles and 3 handicap parking spaces. The 5 bike parking spaces are provided for short term parking near the front doors of the businesses between the 2 buildings. Long term bike parking can be provided by the individual businesses inside the warehouse building based on business personnel needs.



Additional shared parking is available within the shopping center for peak parking demand that may arise from time to time.

- 4) Reduction of vehicle trips will be enabled by provision of on-site bike parking spaces and sidewalk improvements along Industry Road. A bus stop is provided within the Eastland Shopping Center parking lot and several other bus stop locations are provided nearby offering two different routes.
- 5) Transportation options will be evident through the provision of on-site bike parking spaces, sidewalk improvements, and on-site and near site bus stop locations.
- 6) Projected mode share options for site users other than individual private vehicles include bus, bike, walking, carpooling, and direct to off-site job location.

Site users may benefit from use of two LexTran Routes that serve the property. The Eastland Route has three stops in the area and the Northside Connector provides one stop. All four transit stops are within .25 mile of the project.

Eastland Route

- Eastland @ Industry Outbound – Stop 1492
- Eastland @ Eastland Shopping Center – Stop 1493
- Eastland Shopping Center – Stop 24

Northside Connector

- Eastland Drive @ Commercial – Stop 5004

Designated bike routes are located along Eastland Drive to the north of the site and Winchester Road to the south. Both routes are within 0.1 mile of the project site.

Several residential neighborhoods are located within 1 mile of the property enabling users to walk to the job site. The Lexington Manor neighborhood including the Ashton Drive area and the Hillcrest Avenue area are located within a half mile of the site. The Henry Clay neighborhood to Liberty Road is also only a half mile away. The Eastland Park and the Meadows neighborhoods are only 1 mile away.

Specialty trade contractors are frequent carpool participants for both personal and job efficiency purposes. Additionally, it is not unusual for specialty trade contractors to go directly to the job site and not frequent the shop/warehouse on a daily basis.



Summary

The proposed project consisting of 32,500 square feet for specialty trade contractors and provides 53 vehicle parking spaces and 5 bike parking spaces. The location allows for shared parking spaces within the Eastland Shopping Center. The proposed parking is consistent with the average rate of parking suggested by the ITE Parking Generation Manual. Although the provided parking is on the lower end of the parking demand ranges of the Manual the opportunities for alternate transportation options available to the users, including bike, bus, walking, and carpooling along with shared parking available will supplement or fulfill any additional need for the project.



ATTACHMENTS

1. *The Parking Generation Manual*, 5th Edition, Institute of Transportation Engineers.
Excerpts for Land Use: 180 Specialty Trade Contractor
2. Bus Stops Map
3. Lextran Northside Connector Route 17 brochure
4. Lextran Eastland Route 9 brochure
5. Bike Route Map
6. Neighborhoods Within Walking Distance Map



Parking Generation Manual

5th Edition



INSTITUTE OF TRANSPORTATION ENGINEERS

Parking Generation Manual, 5th Edition

The Institute of Transportation Engineers (ITE) is an international membership association of transportation professionals who work to improve safety and mobility for all transportation system users and help build smart and livable communities. Through its products and services, ITE promotes professional development and career advancement for its members, supports and encourages education, identifies necessary research, develops technical resources including standards and recommended practices, develops public awareness programs, and serves as a conduit for the exchange of professional information. ITE develops the next generation of transportation professionals through its K–12 STEM program and its more than 150 student chapters.

Founded in 1930, ITE is a community of transportation professionals including, transportation engineers, transportation planners, consultants, educators, technologists, and researchers. Through meetings, seminars, publications, and a network of more than 15,500 members working in more than 90 countries, ITE connects you to a world of ideas, people, and resources.



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Land Use: 180 Specialty Trade Contractor

Description

A specialty trade contractor is a business primarily involved in providing contract repairs and services to meet industrial or residential needs. This land use includes businesses that provide the following services: plumbing, heating and cooling, machine repair, electrical and mechanical repair, industrial supply, roofing, locksmith, weed and pest control, and cleaning.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 18 general urban/suburban study sites.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00–4:00 a.m.	0
5:00 a.m.	0
6:00 a.m.	5
7:00 a.m.	39
8:00 a.m.	83
9:00 a.m.	97
10:00 a.m.	99
11:00 a.m.	100
12:00 p.m.	91
1:00 p.m.	94
2:00 p.m.	90
3:00 p.m.	92
4:00 p.m.	88
5:00 p.m.	64
6:00 p.m.	1
7:00 p.m.	0
8:00 p.m.	0
9:00 p.m.	0
10:00 p.m.	0
11:00 p.m.	0

Additional Data

The sites were surveyed in the 2010s in Texas.

Source Numbers

570, 571

Specialty Trade Contractor (180)

Peak Period Parking Demand vs: 1000 Sq. Ft. GFA

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 9:00 a.m. - 4:00 p.m.

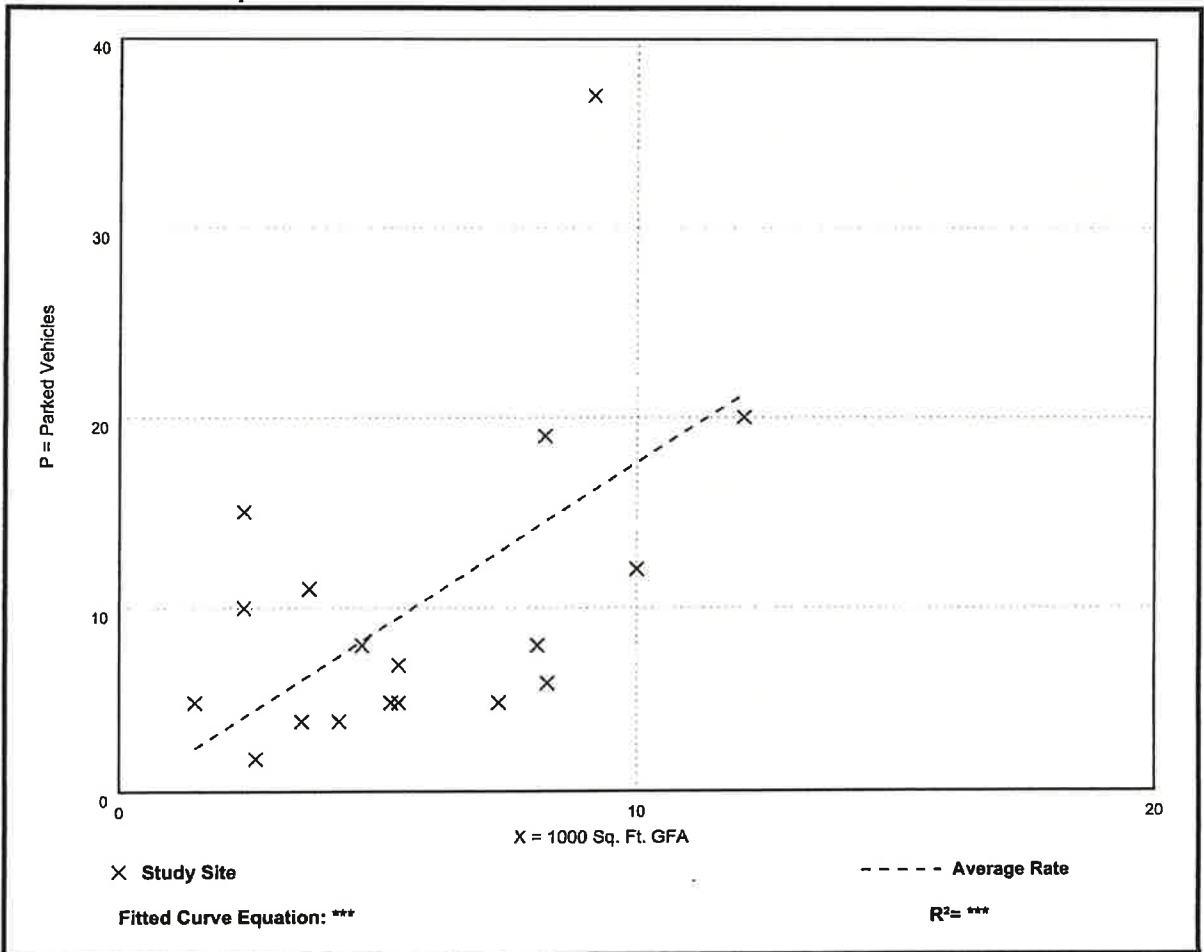
Number of Studies: 18

Avg. 1000 Sq. Ft. GFA: 5.8

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.76	0.68 - 6.25	0.96 / 4.06	***	1.29 (73%)

Data Plot and Equation



Specialty Trade Contractor (180)

Peak Period Parking Demand vs: Employees

On a: Weekday (Monday - Friday)

Setting/Location: General Urban/Suburban

Peak Period of Parking Demand: 9:00 a.m. - 4:00 p.m.

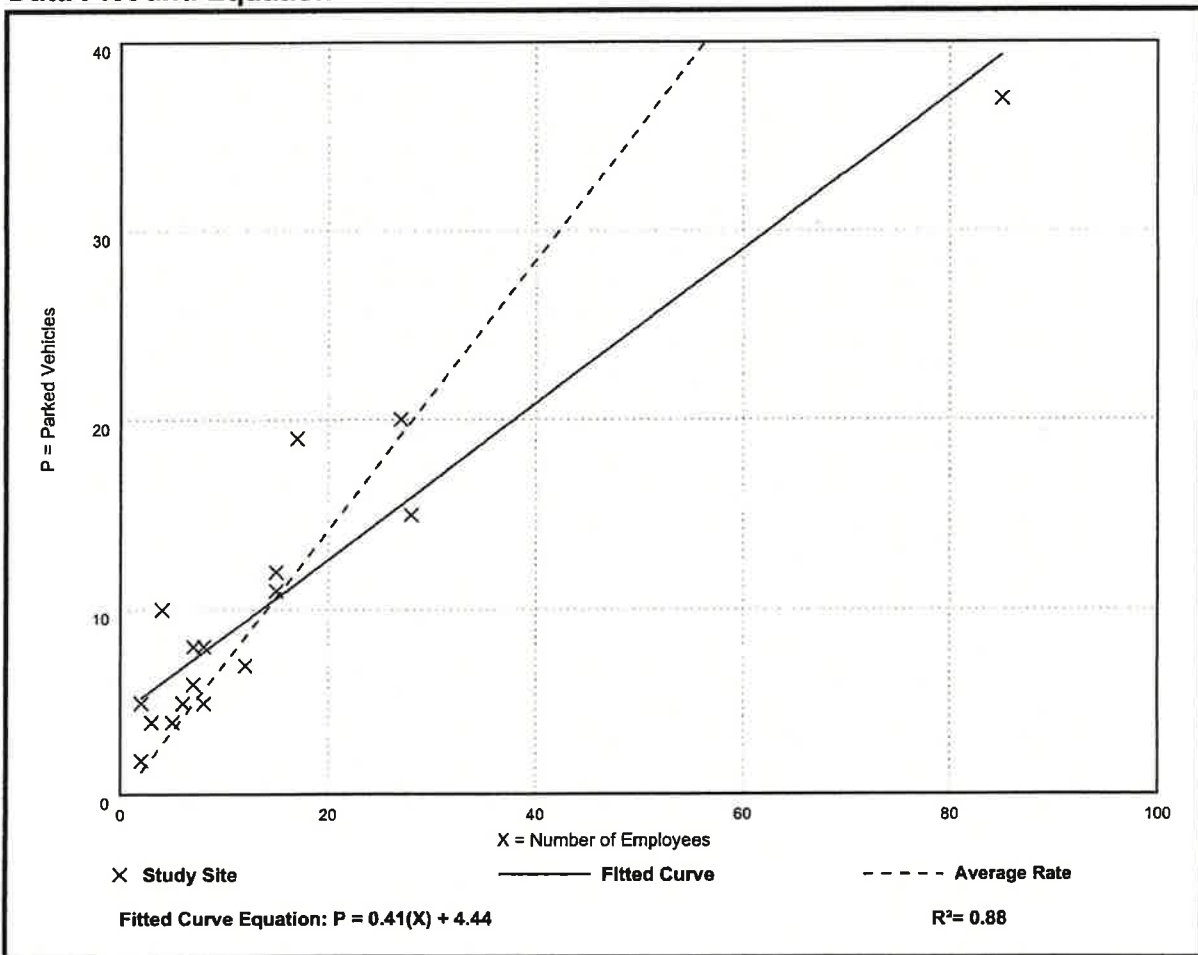
Number of Studies: 17

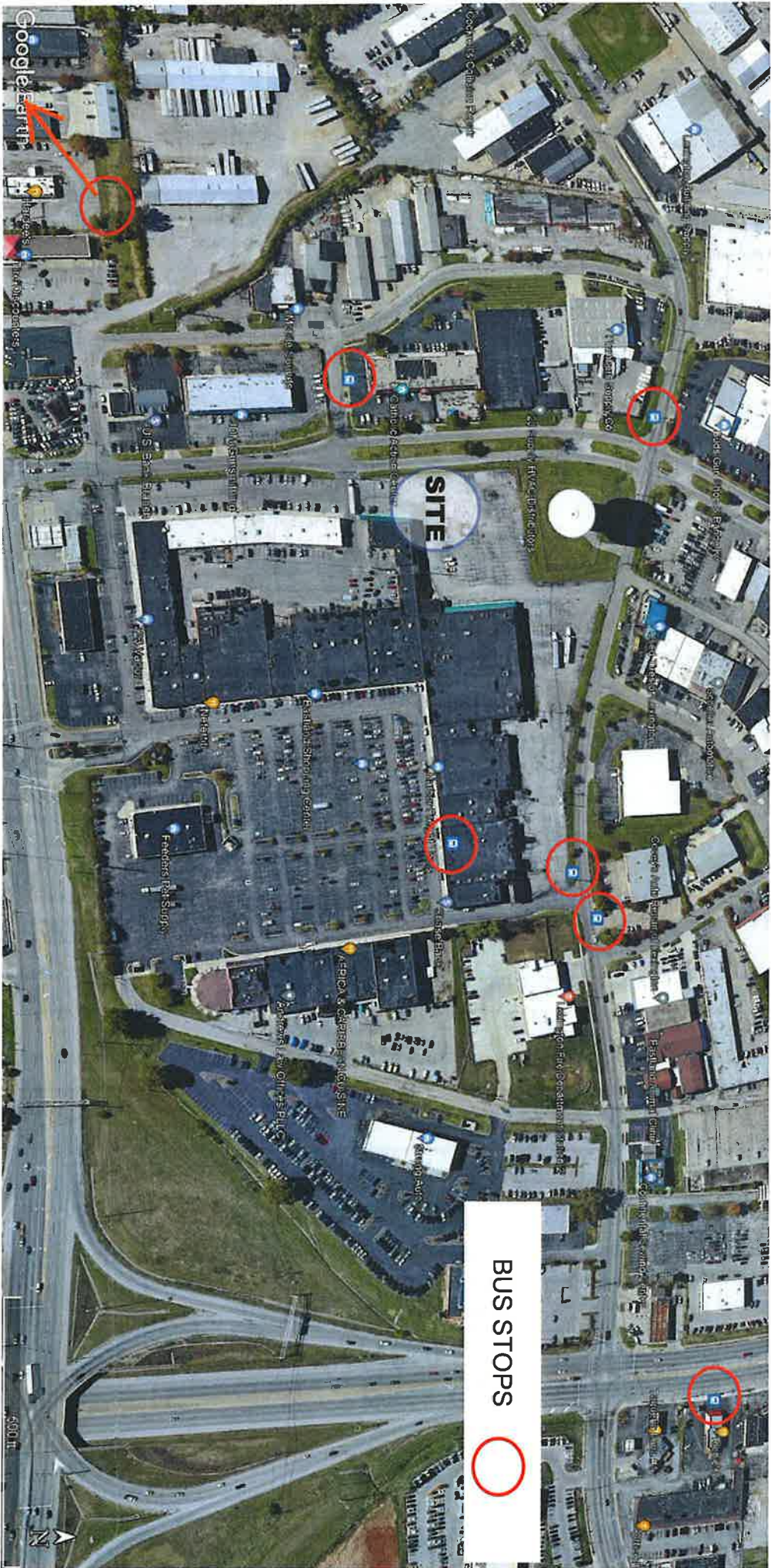
Avg. Num. of Employees: 15

Peak Period Parking Demand per Employee

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.71	0.44 - 2.50	0.74 / 1.68	***	0.38 (54%)

Data Plot and Equation





BUS STOPS



Monday - Friday Schedule

OUTBOUND						INBOUND						
A	B	C	D	E		E	C	F	B	A		
Walmart North	Radcliffe @	Parkside @	Bryan Station	Eastland @		Commercial @	Bryan Station	High School	Allen @	Radcliffe @	Bishop	Walmart North
6:40A	6:46A	6:53A	6:59A	7:07A		7:07A	7:15A	7:22A	6:22A	6:29A	6:35A	
7:45A	7:51A	7:58A	8:04A	8:12A		8:12A	8:20A	8:27A	8:34A	8:40A		
8:55A	9:01A	9:08A	9:14A	9:22A		9:22A	9:30A	9:37A	9:44A	9:50A		
1:35P	1:41P	1:48P	1:54P	2:02P		2:02P	2:10P	2:17P	2:24P	2:30P		
2:45P	2:51P	2:58P	3:04P	3:12P		3:12P	3:20P	3:27P	3:34P	3:40P		
3:55P	4:01P	4:08P	4:14P	4:22P		4:22P	4:30P	4:37P	4:44P	4:50P		
5:05P	5:11P	5:18P	5:24P	5:32P		5:32P	5:40P	5:47P	5:54P	6:00P		

General Information

Fare & Pass Menu Menu de Tarifas y Pases de Autobús

Stimulac Rile-Fire Tarifa E-Móvil de Viaje	Adult (Ages 7-18)	Senior Citizens**, People with Disabilities*, Medicare Cardholders* and Veterans* <
Day Pass Pase de un Día	\$1.00	\$0.50
20 Ride Pass Pase de 20 Viajes	\$3.00	\$1.50
30 Day Pass Pase de 30 Días	\$15.00	\$15.00
Class Pass Pase de Clase (Estudiante)	\$30.00	\$20.00
		One Semester - \$50.00 Un Semestre - \$50.00

* - Requires ID or Other Verification
 ** - Requieren Identificación Válida o Otra Verificación
 * - Age 62 and Above
 ** - Edad 62 y Mayor

*** - Age 6 and Under Free
 *** - Edad 6 y Menos Gratis

Transfers are free and valid for 90 minutes.
 Transferencias son gratis y válidas por 90 minutos.

Photo ID Cards / Tarjeta de Identificación
 Photo ID Cards may be obtained at the Transit Center on Vine Street,
 Monday - Friday 8:30 a.m. - 4:00 p.m. for a \$5.00 charge.

Puede obtener una tarjeta de identificación con foto en el Centro de
 Transito ubicado en Vine St. Lunes a Viernes 8:30 a.m. - 4:00 p.m.
 para una carga de \$5.00.

Transit Center Customer Service
 150 E. Vine Street
 Monday - Friday: 8:00 a.m. - 6:00 p.m.
 Saturday: 8:00 a.m. - 4:00 p.m.
 Sunday: Closed
 (859) 253-4636

Administrative Office
 200 W. Loudon Avenue
 Monday - Friday: 8:00 a.m. - 5:00 p.m.
 Saturday - Sunday: Closed
 (859) 255-7756

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 Text "LX" plus your stop number
 (Example: LX123) to 321-123 for the
 next departure times for your stop.

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 Lextran.com. 如您致电或当面询问工作人员, 我们将为您提供翻译服务。



Effective December 23, 2018

Northside Connector

17



Serving

- Walmart North Park
- Northside Library
- Bryan Station High School
- Bryan Station Middle School
- Kroger Bryan Station
- Eastland Shopping Center
- Catholic Action Center

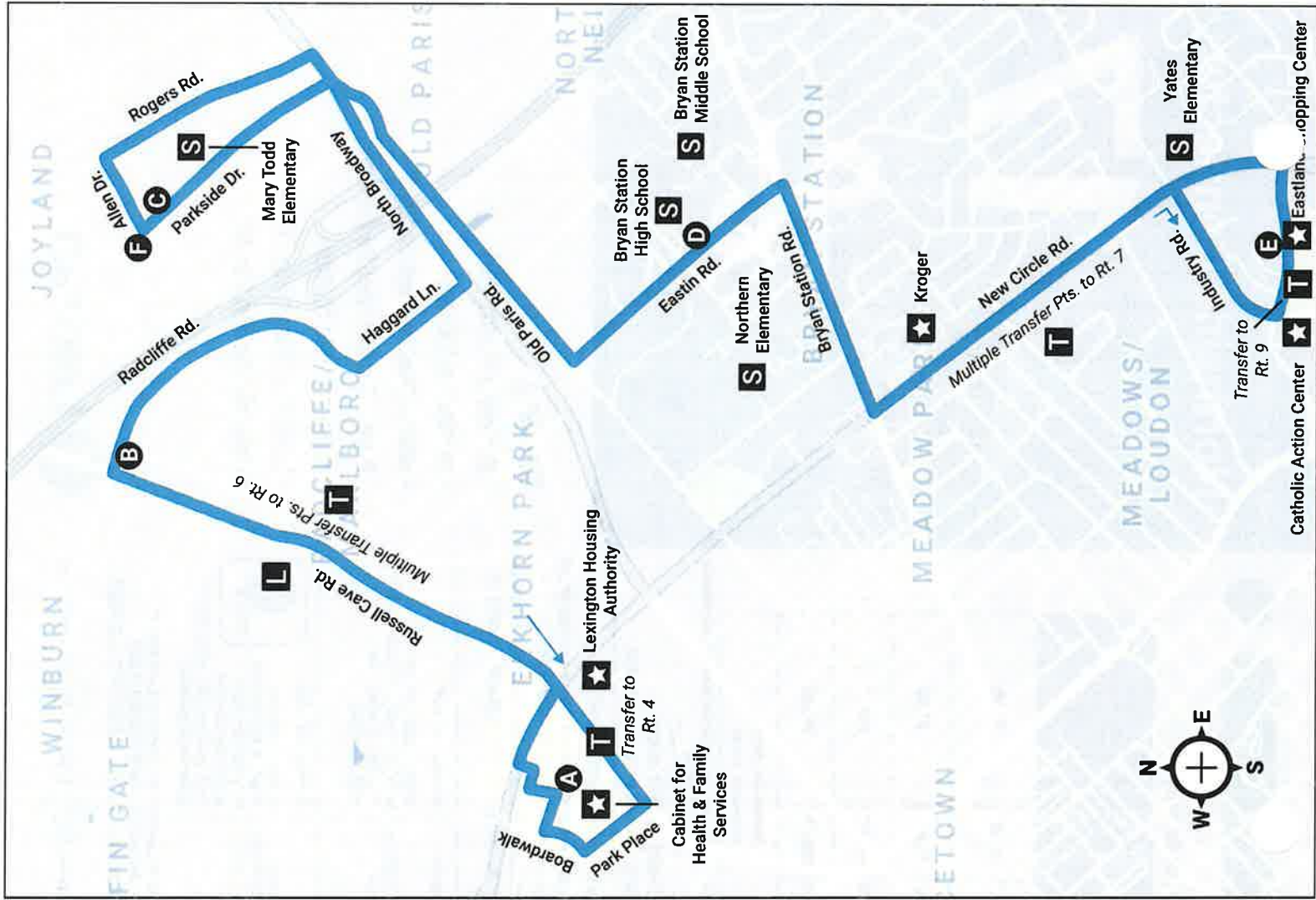




LEGEND

Timepoints	Points of Interest
A Walmart North Park	H Hospital
B Radcliffe @ Bishop	L Library
C Parkside @ Allen	S School
D Bryan Station High School	P Post Office
E Eastland @ Commercial	T Transfer Point
F Allen @ Parkside	★ Point of Interest

Route 17 Serves the Loudon Bus Stop		
DAY	OUTBOUND	INBOUND
Monday - Friday	6:12 AM 1:30 PM	9:55 AM 6:05 PM
Customers may board the bus in route to the end of the line.		



Monday - Friday Schedule

OUTBOUND				INBOUND				
TC	A	B	C	D	D	B	A	TC
Transit Center (Vine St.)	--	--	--	Post Office - Creative Dr.	Post Office - Creative Dr.	Shropshire	4th @ Race	Transit Center (Vine St.)
6:20A	6:26A	6:31A	6:38A	6:46A	6:50A	6:58A	6:02A	6:10A
6:50A	6:56A	7:01A	7:10A	7:18A	7:22A	7:32A	6:32A	6:40A
7:20A	7:26A	7:31A	7:40A	7:48A	7:55A	8:05A	7:02A	7:10A
7:55A	8:01A	8:06A	8:15A	8:23A	8:30A	8:40A	8:45A	8:55A
8:30A	8:36A	8:41A	8:50A	8:58A	9:05A	9:15A	9:20A	9:30A
9:05A	9:11A	9:16A	9:25A	9:33A	9:40A	9:50A	9:55A	10:05A
9:40A	9:46A	9:51A	10:00A	10:08A	10:15A	10:25A	10:30A	10:40A
10:15A	10:21A	10:26A	10:35A	10:43A	10:50A	11:00A	11:05A	11:15A
10:50A	10:56A	11:01A	11:10A	11:18A	11:25A	11:35A	11:40A	11:50A
11:25A	11:32A	11:37A	11:46A	11:54A	12:00P	12:10P	12:15P	12:25P
12:00P	12:07P	12:12P	12:21P	12:29P	12:35P	12:45P	12:50P	1:00P
12:35P	12:42P	12:47P	12:56P	1:04P	1:10P	1:20P	1:25P	1:35P
1:10P	1:17P	1:22P	1:31P	1:39P	1:45P	1:55P	2:00P	2:10P
1:45P	1:52P	1:57P	2:06P	2:14P	2:20P	2:30P	2:35P	2:45P
2:20P	2:27P	2:33P	2:42P	2:50P	2:55P	3:05P	3:10P	3:20P
2:55P	3:02P	3:08P	3:17P	3:25P	3:30P	3:40P	3:45P	3:55P
3:30P	3:37P	3:43P	3:52P	4:00P	4:05P	4:15P	4:20P	4:30P
4:05P	4:12P	4:18P	4:27P	4:35P	4:40P	4:50P	4:55P	5:05P
4:40P	4:47P	4:53P	5:02P	5:10P	5:15P	5:25P	5:30P	5:40P
5:15P	5:22P	5:28P	5:37P	5:45P	5:51P	6:01P	6:05P	6:15P
5:50P	5:57P	6:03P	6:12P	6:20P	6:26P	6:36P	6:40P	6:50P
7:00P	7:06P	7:12P	7:21P	7:29P	7:38P	7:46P	7:50P	8:00P
8:10P	8:16P	8:22P	8:31P	8:39P	8:48P	8:56P	9:00P	9:10P

Nighttime Service for Rt. 9

For information on nighttime service (after 9:30 p.m. Monday - Saturday) for this area please refer to:

59 Night - Eastland

General Information

Fare & Pass Menu Menu de Tarifas y Pases de Autobús

	Adult Adulto	Student* Estudiante*	Youth+ (Ages 7-18) Jóvenes+ (Edad 7-18)	Senior Citizens** AND People with Disabilities** Mayores** Y Discapacitados**	Medicare Cardholders* Medicare*
Standard Ride Fare Tarifa Estándar de Viaje	\$1.00	\$0.80	\$0.80	\$0.50	\$0.50
Day Pass Pase de un Día	\$3.00	\$3.00	\$3.00	\$1.50	\$1.50
20 Ride Pass Pase de 20 Viajes	\$15.00	\$15.00	\$15.00	\$15.00	\$15.00
30 Day Pass Pase de 30 Días	\$30.00	\$20.00	\$20.00	\$15.00	\$15.00
Class Pass Pase de Clase (Estudiante)	One Semester - \$50.00 Un Semestre - \$50.00		One School Year - \$75.00 Un Año Escolar - \$75.00		

* - Requires ID or Other Verification ** - Requieren Identificación Válida o Otra Verificación
 ^ - Age 62 and Above ^ - Edad 62 y Mayor
 + - Age 6 and Under Free + - Edad 6 y Menos Gratis

Transfers are free and valid for 90 minutes.

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Puede obtener una tarjeta de identificación con foto en el Centro de Transito ubicado en Vine St. Lunes a Viernes 8:30 a.m. - 4:00 p.m. para una carga de \$5.00.

Transit Center Customer Service

150 E. Vine Street
 Monday - Friday: 6:00 a.m. - 6:00 p.m.
 Saturday: 8:00 a.m. - 4:00 p.m.
 Sunday: Closed
 (859) 253-4636

Administrative Office

200 W. Loudon Avenue
 Monday - Friday: 8:00 a.m. - 5:00 p.m.
 Saturday - Sunday: Closed
 (859) 253-7756

Interactive Voice Response System / Text for Next

Call (859) 244-2020, follow the instructions, and either say your stop number or enter it using your keypad. Text "LX" plus your stop number to 321-123 for the next departure times.



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Effective May 29, 2022

Eastland



9

For nighttime service (after 9:30 p.m. Monday - Saturday) use Route 59 - Night - Eastland Road.

Serving:

- Lyric Theatre
- William Wells Brown Elementary & Community Center
- Habitat for Humanity
- Catholic Action Center
- Eastland Shopping Center
- Sam's Club
- U.S. Post Office

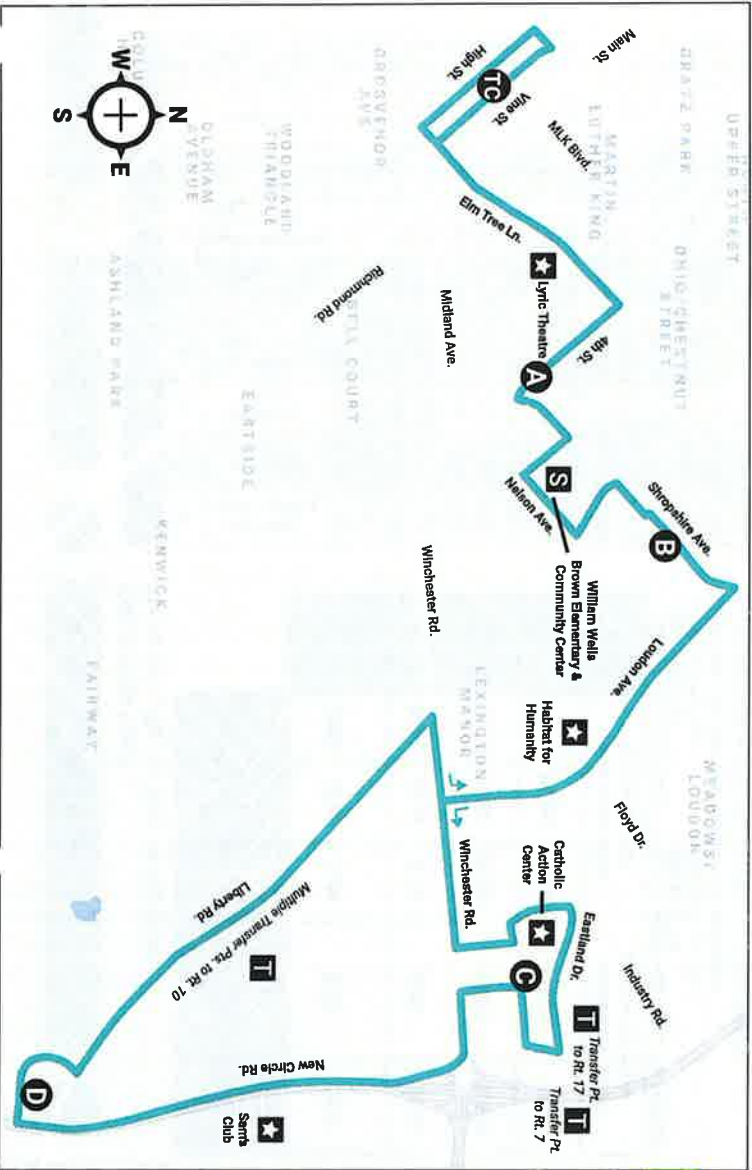




DAY	OUTBOUND	INBOUND
Monday - Friday	5:35 AM 6:05 AM	6:25 PM
Saturday	5:38 AM	--
Sunday	5:38 AM	9:25 PM

Customers may board the bus in route to the end of the line.

LEGEND	
Timepoints	Points of Interest
TC Transit Center	H Hospital
A Race @ 4th	L Library
B 7th @ Shropshire	S School
C Eastland Shopping Center	P Post Office
D Post Office - Creative Dr.	T Transfer Point
★ Point of Interest	



Saturday Schedule

OUTBOUND				INBOUND				
TC	A	B	C	D	D	B	A	TC
Transit Center (Vine St.)	Race @ 4th	7th @ Shropshire	Eastland Shopping Center	Post Office - Creative Dr.	Post Office - Creative Dr.	7th @ Shropshire	4th @ Race	Transit Center (Vine St.)
--	--	--	--	--	5:53A	5:59A	6:03A	6:10A
6:20A	6:25A	6:29A	6:35A	6:43A	6:48A	6:54A	6:58A	7:05A
7:20A	7:25A	7:29A	7:35A	7:43A	7:52A	7:58A	8:03A	8:10A
8:30A	8:35A	8:39A	8:45A	8:53A	8:59A	9:05A	9:10A	9:20A
9:40A	9:45A	9:49A	9:55A	10:03A	10:09A	10:15A	10:20A	10:30A
10:50A	10:56A	11:00A	11:07A	11:15A	11:21A	11:30A	11:35A	11:45A
12:00P	12:06P	12:10P	12:17P	12:25P	12:31P	12:40P	12:45P	12:55P
1:10P	1:16P	1:20P	1:27P	1:35P	1:41P	1:50P	1:55P	2:10P
2:20P	2:26P	2:30P	2:37P	2:45P	2:51P	3:00P	3:05P	3:15P
3:30P	3:36P	3:40P	3:47P	3:55P	4:01P	4:10P	4:15P	4:25P
4:40P	4:46P	4:50P	4:57P	5:05P	5:11P	5:20P	5:25P	5:35P
5:50P	5:56P	6:00P	6:06P	6:14P	6:17P	6:26P	6:30P	6:40P
7:00P	7:06P	7:10P	7:16P	7:24P	7:27P	7:36P	7:40P	7:50P
8:10P	8:16P	8:20P	8:26P	8:34P	8:37P	8:46P	8:50P	9:00P

Sunday Schedule

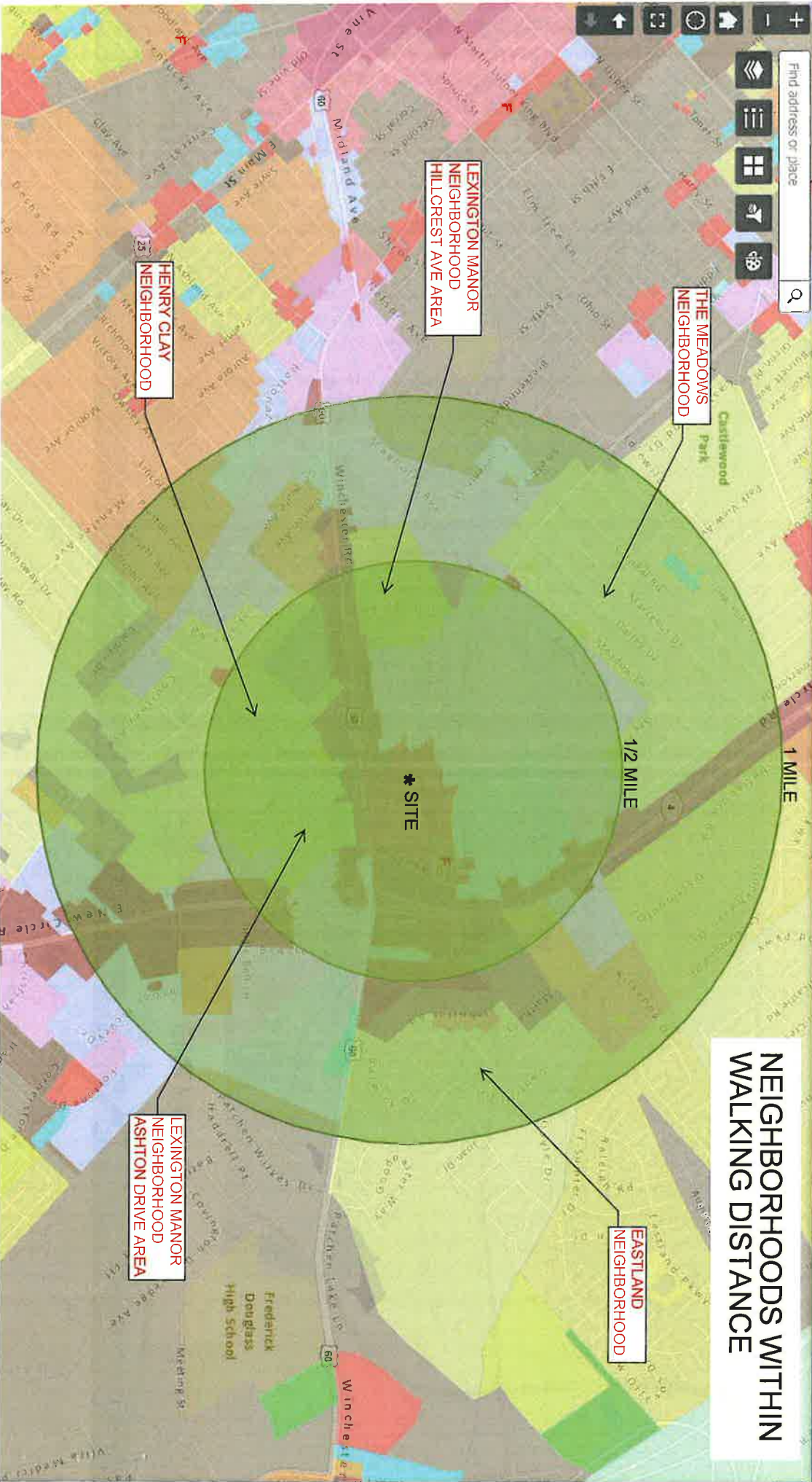
OUTBOUND				INBOUND				
TC	A	B	C	D	D	B	A	TC
Transit Center (Vine St.)	Race @ 4th	7th @ Shropshire	Eastland Shopping Center	Post Office - Creative Dr.	Post Office - Creative Dr.	7th @ Shropshire	4th @ Race	Transit Center (Vine St.)
--	--	--	--	--	5:53A	5:59A	6:03A	6:10A
6:20A	6:26A	6:30A	6:37A	6:43A	6:48A	6:54A	6:58A	7:05A
7:30A	7:36A	7:40A	7:47A	7:53A	7:58A	8:04A	8:08A	8:15A
8:40A	8:46A	8:50A	8:57A	9:03A	9:10A	9:16A	9:20A	9:30A
9:50A	9:56A	10:00A	10:07A	10:13A	10:18A	10:26A	10:30A	10:40A
11:00A	11:06A	11:10A	11:17A	11:23A	11:28A	11:36A	11:40A	11:50A
12:10P	12:16P	12:20P	12:27P	12:33P	12:38P	12:46P	12:50P	1:10P
1:20P	1:26P	1:30P	1:37P	1:43P	1:48P	1:56P	2:00P	2:10P
2:30P	2:36P	2:40P	2:47P	2:53P	2:58P	3:06P	3:10P	3:20P
3:40P	3:46P	3:50P	3:57P	4:03P	4:08P	4:16P	4:20P	4:30P
4:50P	4:56P	5:00P	5:07P	5:13P	5:18P	5:26P	5:30P	5:40P
6:00P	6:06P	6:10P	6:17P	6:23P	6:28P	6:36P	6:40P	6:50P
7:10P	7:16P	7:20P	7:27P	7:33P	7:38P	7:46P	7:50P	8:00P
8:30P	8:36P	8:40P	8:47P	8:53P	8:56P	9:02P	9:06P	9:15P

Find address, or place

Map navigation controls: zoom in (+), zoom out (-), home, refresh, and other standard map interface icons.

BIKE ROUTES





Legal Description
Eastland Legacy Center, LLC (applicant)
Zone Change From B-1 to I-1
1301 Winchester Road
Lexington, Fayette County, Kentucky

ALL THAT TRACT OR PARCEL OF LAND SITUATED ON THE EAST SIDE OF INDUSTRY ROAD BETWEEN WINCHESTER ROAD AND EASTLAND DRIVE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

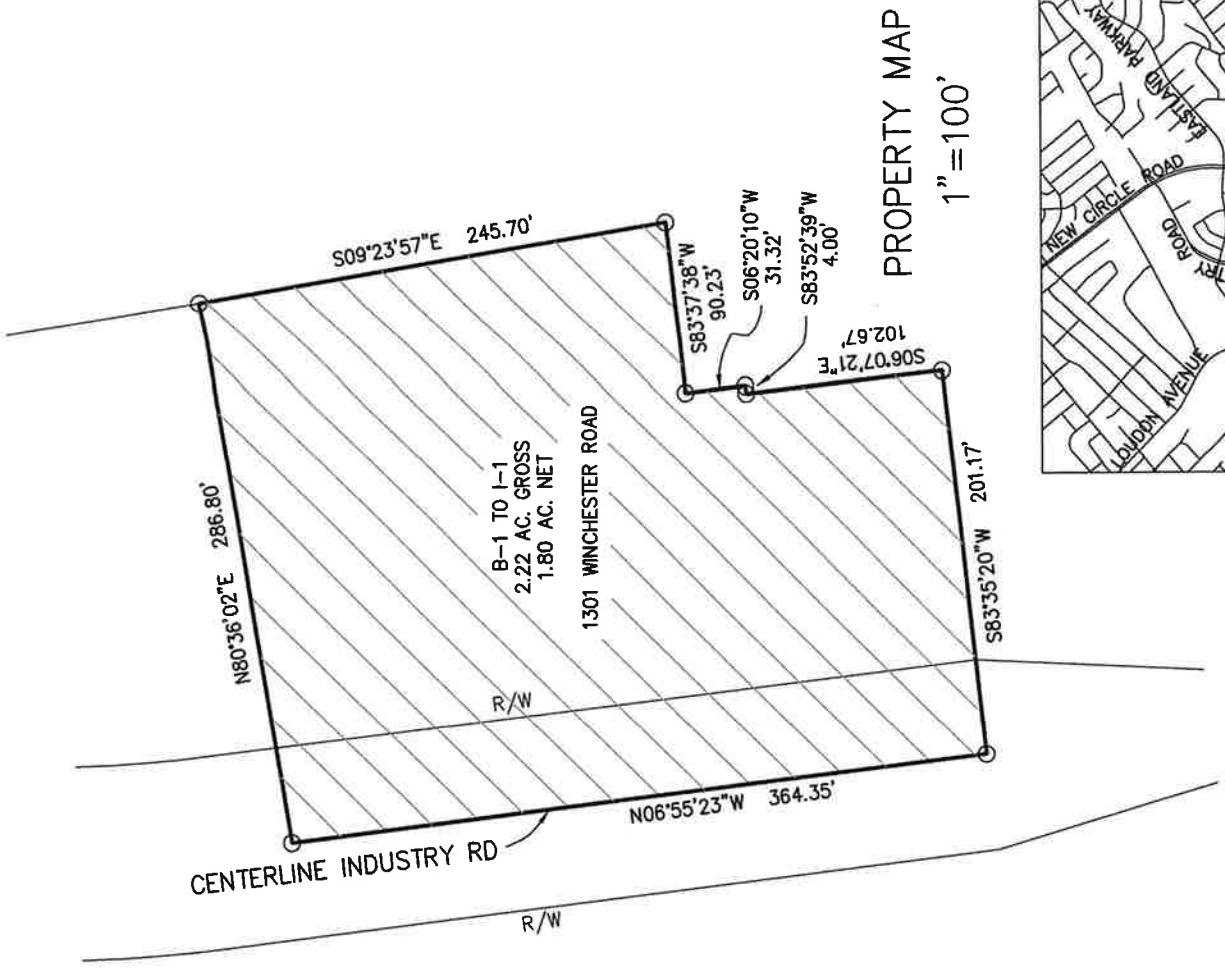
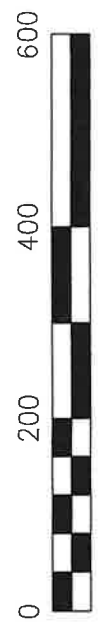
Beginning at a point in the centerline of Industry Road, said point being located approximately 660 feet north of the intersection of Industry Road and Winchester Road and having Kentucky state plane north zone coordinates of N:198330.00 feet and E:1579796.65 feet; thence with the centerline of Industry Road north 06 degrees 55 minutes 23 seconds west 364.35 feet to a point; thence leaving Industry Road north 80 degrees 36 minutes 02 seconds east 286.80 feet to a point; thence south 09 degrees 23 minutes 57 seconds east 245.70 feet to a point; thence south 83 degrees 37 minutes 38 seconds west 90.23 feet to a point; thence south 06 degrees 20 minutes 10 seconds east 31.32 feet to a point; thence south 83 degrees 52 minutes 39 seconds west 4.00 feet to a point; thence south 06 degrees 07 minutes 21 seconds east 102.67 feet to a point; thence south 83 degrees 35 minutes 20 seconds west 201.17 feet to the point of beginning and containing 2.22 gross acres and 1.80 net acres.



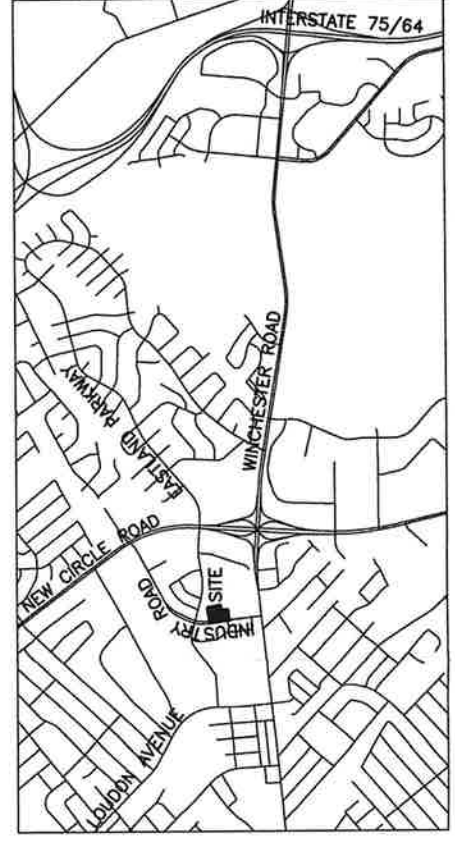
Wesley B. Witt



AREA NOTIFICATION MAP
1" = 200'



PROPERTY MAP
1" = 100'



VICINITY MAP

ZOMAR	FROM	TO	GROSS	NET
TITLE: PLN-MAR-22-00024	B-1	I-1	2.22 AC.	1.80 AC.
PROPERTY ADDRESS: 1301 WINCHESTER ROAD				
OWNER/APPLICANT: EASTLAND LEGACY CENTER, LLC 321 HENRY STREET LEXINGTON, KY 40508				
PREPARED BY: WESLEY B WITT, INC. DATE PREPARED: NOVEMBER 28, 2022				
<i>Wesley B Witt</i>				

EASTLAND LEGACY CENTER, LLC (PLN-MAR-22-00024)

Rezoning to allow for the construction shops of specialty trade.

1301 WINCHESTER ROAD (A PORTION OF)

Applicant

EASTLAND LEGACY CENTER, LLC
321 Henry Street
Lexington, KY 40508
bruce.simpson@rgcmlaw.com (Attorney)

Application Details

Acresage:

1.80 net (2.22 gross) acres

Current Zoning:

Neighborhood Business (B-1) Zone

Proposed Zoning:

Light Industrial (I-1) Zone

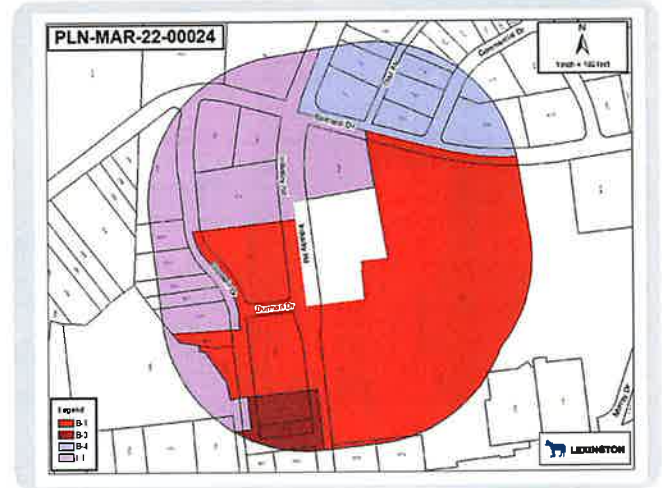
Place-type / Development Type:

Industry & Production Center
Industrial & Production

For more information about the Industrial and Production Center Place-Type see Imagine Lexington pages 337-338. For more information on Industrial & Production Development Type see page 272.

Description:

The applicant is seeking to rezone a portion of the subject property to allow for the construction of two flexible warehousing buildings. Each building is seeking to provide space for shops of specialty trade, or areas for different skilled tradespeople to work.



Public Engagement

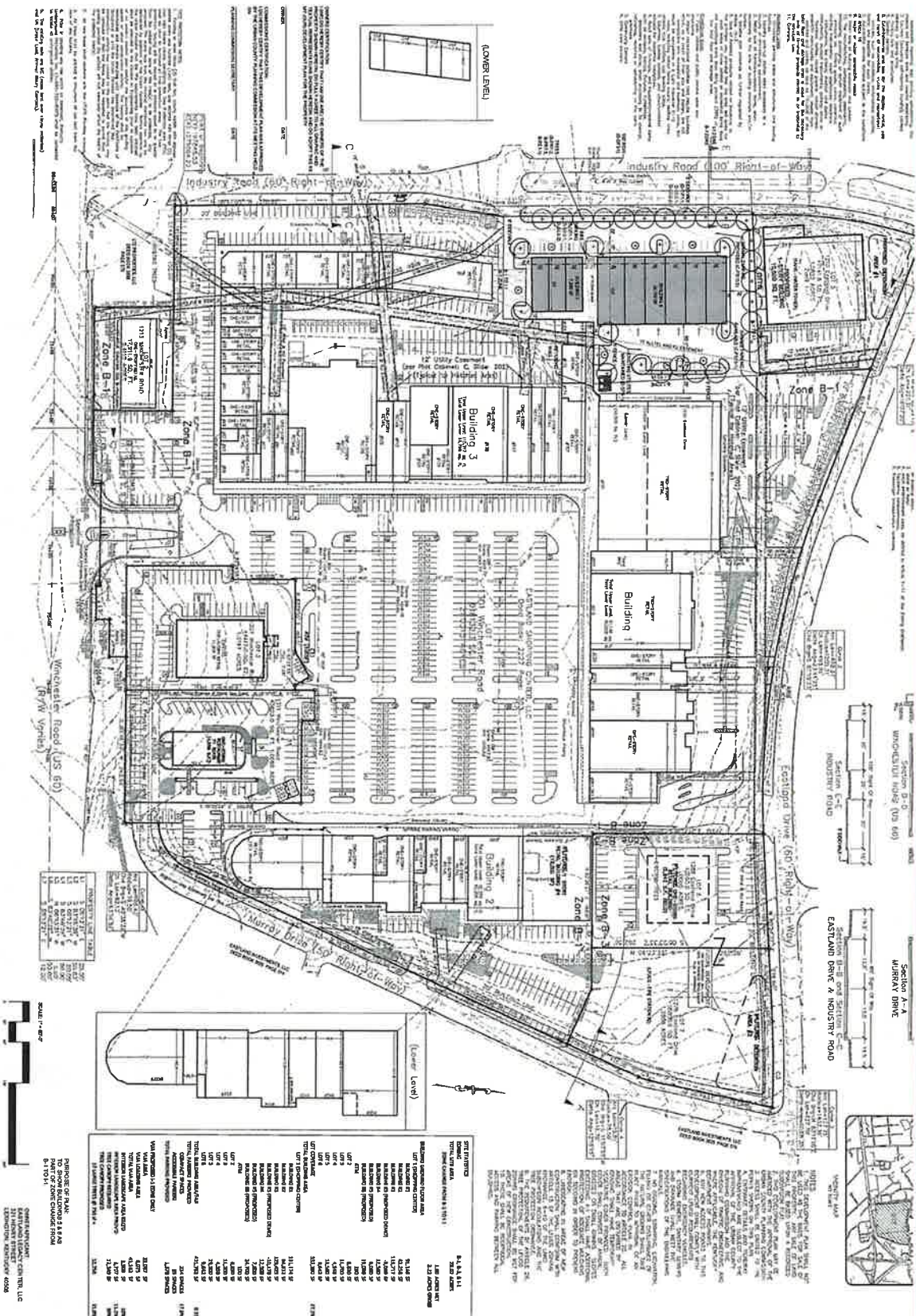
- The applicant indicates that they intend to meet with any interested stakeholders. Due to the holidays, the applicant set the date for engagement for January.

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.

Latest Plan



Preliminary Development Plan

Date: November 26, 2022

DP

Revised:

EASTLAND SHOPPING CENTER

1301 Winchester Road
Lexington, Kentucky

PLN-MDP-22-00078

Barnett Partners,
PLANNING AND LANDSCAPE ARCHITECTS
230 EAST HIGH STREET - SUITE 201 - LEXINGTON, KY
859.381.9697
www.barnettpartnersinc.com

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-22-00024: EASTLAND LEGACY CENTER, LLC

DESCRIPTION OF ZONE CHANGE

Zone	From a Neighborhood Business (B-1) zone
Change:	To a Light Industrial (I-1) zone
Acreage:	1.80 net (2.20 gross) acres
Location:	1301 Winchester Road (a portion of)



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	B-1	Shopping Center/Parking
To North	I-1	Water Tower
To East	B-1	Shopping Center
To South	B-1	Shopping Center
To West	B-1 / I-1	Community Center / Distribution Center

URBAN SERVICE REPORT

Roads - The subject site has frontage along four roadways: Winchester Road (US 60), Industry Road, Eastland Drive, and Murray Drive. The portion of the property that is proposed for rezoning fronts along Industry Road, which is a collector roadway connecting Winchester Road with New Circle Road (KY 4).

Curb/Gutter/Sidewalks - Industry Road has been constructed with curb and gutter facilities; however, sidewalk facilities are not present along the Industry Road frontage for the property. Sidewalk improvements will be required during the development of the property.

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 North Elkhorn Creek watershed, and there are no known flooding issues in the immediate area. Storm sewers have been constructed along Eastland Drive.

Sanitary Sewers - The subject property is located within the North Elkhorn sewershed. The property is served by the West Hickman sewage treatment plant, which is located in northern Jessamine County. No further improvements are necessary to accommodate the proposed use of the subject property. Sanitary sewer capacity will need to be verified by the Capacity Assurance Program (CAP) occupancy of the structure.

Refuse - The Urban County Government serves this area with refuse collection on Tuesdays.

Police - The subject property is located within the Central Sector. The Roll Call Center for the Central Sector is located on Industry Road less than 200 feet south of the area of rezoning.

Fire/Ambulance - The nearest fire station (#2) is located adjacent to the subject property at the corner of Eastland Drive and Murray Drive.

Transit - The Eastland Route (#9) runs along Winchester Road providing both outbound and inbound service.

Parks - There are no public parks within proximity to the area of rezoning.

SUMMARY OF REQUEST

The applicant is seeking a zone change from the Neighborhood Business (B-1) zone to the Light Industrial (I-1) zone in order to allow for the construction of shops of specialty trade.

PLACE-TYPE

INDUSTRY &
PRODUCTION CENTER

The Industry and Production Center Place-Type is where Lexington's most intense types of economic development and job creation occur. These places should be located near major corridors to facilitate efficient and affordable shipping and transportation of goods throughout the region while minimizing the impact on the traffic infrastructure throughout the rest of the community. Special care should be taken to address the environmental impact of these places as well as their impact on residents.

DEVELOPMENT TYPE

INDUSTRIAL & PRODUCTION
NON-RESIDENTIAL

Primary Land Use, Building Form, & Design

Primarily employment land dedicated to the most intense types of employment-centric development. This is the only category where uses are inherently incompatible and are best separated from adjacent uses.

These uses are best suited in areas where they already exist, collocating to utilize industrial-scale infrastructure to serve the needs of the users. Environmental protection measures should be taken to minimize impacts.

Transit Infrastructure & Connectivity

These uses are also heavy employers and should incorporate mass transit infrastructure, on par with that of other modes, to connect residents to their jobs.

PROPOSED ZONING



This zone is intended for manufacturing, industrial and related uses not involving a potential nuisance in terms of smoke, noise, odor, vibration, heat, light or industrial waste. In addition, the Comprehensive Plan recognizes that it is important to promote adaptive reuse of older industrial areas and to allow Industrial Mixed-Use projects and Adaptive Reuse Projects. The Comprehensive Plan should be used to determine appropriate locations for this zone and for Industrial Mixed-Use Projects. Consideration should be given to the relationship of this zone to the surrounding land uses and to the adequacy of the street system to serve the anticipated traffic needs.

PROPOSED USE



This petitioner is proposing the Light Industrial (I-1) zone in order to construct flexible warehouse space for the operation of shops of specialty trade. The proposed development would be comprised of two buildings to include nine potential areas for special trade contractors to operate. The proposed development would be situated in a portion of the property that is currently being utilized for parking, as well as a small portion of the current shopping center.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant has indicated that due to the holidays, meetings with the surrounding property owners have been deferred to the month of February in order to facilitate maximum attendance and participation. The applicant stated that a supplemental report on this outreach engagement would be tendered to the Planning Commission. The applicant should supply information regarding the engagement for the zone change.

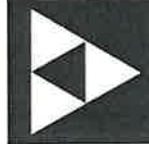
PROPERTY & ZONING HISTORY



The subject property was initially zoned Highway Service Business District (B-3) zone until 1969 when it was reclassified to the Neighborhood Business (B-1) zone during the comprehensive rezoning of the city and county. While portions of the property have been subdivided and rezoned, the primary portion of the property, including the portion of the property that is seeking to be rezoned, has remained B-1 since that time.

The Eastland Shopping Center is one of the oldest shopping centers within Lexington. The type of commercial development is representative of the late 1950s and early 1960s, with a shift to a more auto-centric shopping experience that included multiple users in one open setting.

COMPREHENSIVE PLAN COMPLIANCE



The 2018 Comprehensive Plan, *Imagine Lexington*, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The applicant opines that the proposed rezoning for the subject property is in agreement with the 2018 Comprehensive Plan.

GOALS & OBJECTIVES

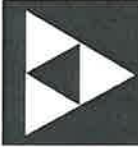
The applicant opines that the proposed rezoning is in agreement with the adopted Goals, Objectives, and Policies of the 2018 Comprehensive Plan. They state that the proposed amendment will help to eliminate the vacant and underutilized employment space of the subject property by providing job opportunities to Lexington residents in general and particularly for residents who live near the subject property along the Winchester Road corridor (Theme A, Goal # 2.a; Theme E, Goal #1.c). The applicant posits that the proposed building design and character will be in keeping with the context of the surrounding business structures (Theme A, Goal #2.b). Finally, the applicant indicates that the proposed rezoning will strengthen efforts to develop a variety of job opportunities that can lead to upward prosperity and impact individuals from various economic and educational backgrounds (Theme C, Goal #1.a).

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

PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE

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

The contends that the subject property is located within the Industry and Production Place-Type and an Industry and Production Non-Residential Development Type. Within this Place-Type and Development Type, the Comprehensive Plan states that special care should be taken to address the environmental impact of these places, as well as their impact on residents. Typically, the appropriateness of the Industry and Production Place-Type is heavily reliant, not only on the surrounding land use, but the infrastructure that is available to support such a development. The applicant indicates that the subject property abuts an area of Light Industrial (I-1) zoning and that this portion of the property is more readily associated with development along Industry Road, which is comprised primarily with industrial and warehousing land uses. They indicate that the proposed development will add tree canopy and construct in areas that were underutilized on the site. Staff agrees that the Industry and Production Place-Type and Industry and Production Non-Residential Development Type can be appropriate for the subject property with appropriate buffers and consideration



given to the context of the surrounding development.

Finally, the applicant has requested the rezoning of the property to a Light Industrial (I-1) zone for the subject property, which is a recommended zone within the Industry and Production Place-Type and Industry and Production Non-Residential Development Type.

DEVELOPMENT CRITERIA

The development criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2018 Comprehensive Plan. The development criteria represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed Industry and Production Place-Type and is seeking to create an Industry and Production Non-Residential Development Type.

1. Site Design, Building Form and Location

The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the development will create an industrial development that provides connectivity for bike and pedestrian mobility through the site, and infills an area of parking to provide a wider range of employment opportunities, which are compatible within the area.

2. Transportation and Pedestrian

The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian access throughout the site and better delineate the internal vehicular circulation for this portion of the site. Additional pedestrian connections to Winchester Road and New Circle Road beyond the subject property should be considered by the applicant.

3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage, and reduce impermeable surface.

CONDITIONAL ZONING RESTRICTIONS

In an effort to maintain the cohesive nature of the current development at the Eastland Shopping Center, while also promoting the employment factors for the proposed development staff recommends the use of conditional zoning restrictions to prohibit the following uses:

1. Self-storage warehousing.
2. Outdoor storage

Staff finds that these restrictions will maintain agreement with the 2018 Comprehensive Plan by limiting those uses which have low employment opportunities.

Additionally, staff recommends that between the proposed structures and Industry Road fencing be limited to four (4) feet and that barbed wire or razor wire be prohibited. As the proposed rezoning is for a portion of the property, and it is proposed to work with the established B-1 zoned shopping center, these restrictions will maintain the context of the Eastland Shopping Center.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. A restricted Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed amendment will help to eliminate the vacant and underutilized employment space of the subject property by providing job opportunities to Lexington residents in general and particularly for residents who live near the subject property along the Winchester Road corridor (Theme A, Goal # 2.a; Theme E, Goal #1.c).
 - b. The proposed building design and character will be in keeping with the context of the surrounding business structures (Theme A, Goal #2.b).
 - c. The proposed rezoning will strengthen efforts to develop a variety of job opportunities that can lead to upward prosperity and impact individuals from various economic and educational backgrounds (Theme C, Goal #1.a).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the development will create an industrial development that provides connectivity for bike and pedestrian mobility through the site, and infills an area of parking to provide a wider range of employment opportunities, which are compatible within the area.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian access throughout the site and better delineate the internal vehicular circulation for this portion of the site
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage, and reduce impermeable surface.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Self-storage warehousing.
 - ii. Outdoor Storage.
 - b. Fencing in the front yard along Industry Road shall be limited to four (4) feet and barbed wire or razor wire are prohibited.

These restrictions are appropriate and necessary for the following reasons:

 1. To maintain agreement with the 2018 Comprehensive Plan by limiting those uses which have low employment opportunities.
 2. To maintain the context of the Eastland Shopping Center.
4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00076: Eastland Shopping Center (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.

2. EASTLAND LEGACY CENTER, INC ZONING MAP AMENDMENT & EASTLAND SHOPPING CENTER (AMD) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-22-00024: EASTLAND LEGACY CENTER, INC – a petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone, for 1.80 net (2.22 gross) acres, for property located at 1301 Winchester Road (a portion of).

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

This petitioner is proposing the Light Industrial (I-1) zone in order to construct flexible warehouse space for the operation of shops of specialty trade. The proposed development would be comprised of two buildings to include nine potential areas for special trade contractors to operate. The proposed development would be situated in a portion of the property that is currently being utilized for parking, as well as a small portion of the current shopping center.

The Zoning Committee Recommended: Approval with the addition of conditional zoning restrictions.

The Staff Recommends: Approval, for the following reasons:

1. A restricted Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed amendment will help to eliminate the vacant and underutilized employment space of the subject property by providing job opportunities to Lexington residents in general and particularly for residents who live near the subject property along the Winchester Road corridor (Theme A, Goal # 2.a; Theme E, Goal #1.c).
 - b. The proposed building design and character will be in keeping with the context of the surrounding business structures (Theme A, Goal #2.b).
 - c. The proposed rezoning will strengthen efforts to develop a variety of job opportunities that can lead to upward prosperity and impact individuals from various economic and educational backgrounds (Theme C, Goal #1.a).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the development will create an industrial development that provides connectivity for bike and pedestrian mobility through the site, and infills an area of parking to provide a wider range of employment opportunities, which are compatible within the area.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian access throughout the site and better delineate the internal vehicular circulation for this portion of the site
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage, and reduce impermeable surface.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Self-storage warehousing.
 - ii. Outdoor Storage.
 - b. Fencing in the front yard along Industry Road shall be limited to four (4) feet and barbed wire or razor wire are prohibited.

These restrictions are appropriate and necessary for the following reasons:

1. To maintain agreement with the 2018 Comprehensive Plan by limiting those uses which have low employment opportunities.
2. To maintain the context of the Eastland Shopping Center.

4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00076: Eastland Shopping Center (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.
- b. **PLN-MJDP-22-00076: EASTLAND SHOPPING CENTER (2/26/2023)*** - located at 1301 WINCHESTER ROAD, LEXINGTON, KY
Council District: 1
Project Contact: Barrett Partners Inc.

Note: The purpose of this plan is to depict redevelopment of the property and remove a conditional zoning restriction in the Neighborhood Business (B-1) zone.

The Subdivision Committee Recommended: Approval, subject to the following revised conditions:

1. Provided the Urban County Council approves the zone change to I-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
8. Dimension access points onto property.
9. Denote location for construction access.
10. Denote height of buildings in feet.
11. Denote uses on property.
12. Addition of tree inventory map.
13. Addition of record plat information.
14. Discuss proposed one-story building at intersection of Eastland Drive and Industry Road.
15. Discuss Placebuilder criteria.

Staff Presentation – Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone, for 1.80 net (2.22 gross) acres, for property located on a portion of 1301 Winchester Road. Mr. Baillie indicated that the applicant is seeking the Industrial and Production Place-Type and the Industry and Production Non-Residential Development Type to construct 2 buildings for shops of special trade. Mr. Baillie indicated that these would be an appropriate Place-Type and Development-Type. Mr. Baillie noted a portion of a building on the property that is being proposed to be demolished as a part of this application.

Mr. Baillie stated that the applicant is seeking to fill in a large portion of the parking lot on the subject property and that many of these types of shopping centers are seeing greater amounts of infill than before. Additionally, Mr. Baillie indicated that the applicant is seeking to add a different use on the property.

Mr. Baillie continued his presentation by highlighting recommended conditional zoning restrictions, which include prohibiting self-storage warehousing, outdoor storage, and limiting fencing limited to four feet in the front yard along Industry Road, with no barbed and razor wire. Mr. Baillie stated the importance of these restrictions because they help maintain agreement with the Comprehensive Plan and help maintain the context of the Eastland Shopping Center.

Mr. Baillie concluded his presentation by stating that Staff is recommending approval of the zone change, and the applicant has provided justification for the change, and the staff recommends the mentioned conditional zoning restrictions.

Commission Questions – Ms. Meyer asked about the previous case, Goodwill Industries, having conditional zoning restrictions that prohibited all above ground and underground storage tanks and on-site disposal of hazardous waste and if those same conditions were considered for this application. Mr. Baillie stated that the Goodwill Industries application was located in the Royal Springs Aquifer and those restrictions were

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

recommended for every industrial property within that area. Additionally, Mr. Baillie indicated that Staff does not have same justification for this site.

Staff Development Plan Presentation – Ms. Cheryl Gallt oriented the Planning Commission to the location of the subject property, and highlighted the access points, trees, parking lot and buildings. Ms. Gallt stated that the Subdivision Committee had recommended approval. Additionally, Ms. Gallt stated that since this was a preliminary development plan there would be a few clean-up conditions that include dimensions on the access point, the location of construction access, the height of the building, and to denote uses of the property.

Ms. Galt indicated that Staff was recommending approval and she could answer any questions or concerns.

Applicant Presentation – Wes Harned, attorney for the applicant, stated that they were pleased with the Staff's recommendation, but do not agree with Staff's restrictions to the property. Mr. Harned presented pictures of the surrounding properties highlighting fences that are above 4 feet in height, and arguing 4 feet is too restrictive and that taller than 6 feet is in line with the area and other properties with outdoor storage. Mr. Harned also indicated that they are in agreement with the no razor or barbed wire restriction, they just need more than 4 feet of fence and would like outdoor storage given it is in line with what other properties are doing in the immediate area.

Mr. Harned went over the regulations for conditional zoning and stated that restrictions should be used thoughtfully and sparingly, and that no restriction could deprive the applicant of a reasonable use. Mr. Harned asserted that the conditional restrictions do just that.

Mr. Harned reaffirmed his appreciation for the Staff and their recommendation, but asked the Planning Commission to not add the conditional zoning restrictions of a 4 foot height limits for a fence and prohibition outdoor storage on the subject property.

Commission Questions – Mr. de Movellan stated that he did not see a fence on the development plan. He asked the applicant why they don't show that on the plan and if the fencing would enclose the development. Mr. Harned indicated that there is an intent to put a fence on the property, and there is already fencing along Industry Road as of now. The fence would be for security. Mr. Barrett, project designer for the applicant, noted that they did not want to limit themselves to a use restriction on the site that may or may not come into play. Mr. Barrett stated that the lack of a fence on the development plan is to allow more flexibility to a potential tenet.

Mr. Michler noted that the context of the area was more towards building space and not outdoor space and changing that changes the whole image of the property and asked if the rear yard would be subjected to the 4 feet restriction. Mr. Barrett indicated that was the case, but the outdoor storage restriction would not be allowed in the back if it was a prohibited use.

Public Comment – Amy Clark, 628 Kastle Road, suggested that the Planning Commission consider compatibility for the subject property with adjoining uses and development.

Staff Rebuttal – Mr. Baillie clarified a few of Mr. Harned's points about the fencing he showed at the various properties. Mr. Baillie stated that the fences that Mr. Harned displayed were side-yard and rear-yard fences, which are allowed to have higher fences. Mr. Baillie reiterated that there needed to be adequate transitions from one land use to another, and that the restrictions that Staff has recommended are thoughtfully applied and sparingly used. Additionally, Mr. Baillie pointed out that while the development plan is preliminary, the Planning Commission is acting on a zone change with the corresponding development plan and the Planning Commission can disapprove the change if a final development plan is drastically different.

Commission Questions – Ms. Worth stated that Mr. Baillie addressed the fencing, but asked for Mr. Baillie to clarify the reasons for the restrictions on outdoor storage. Mr. Baillie indicated that the applicant has not stated where they want the outdoor storage, specifically in the front yard or the rear yard of the property. Mr. Baillie also stated that the applicant's development plan does not allow any space for outdoor storage, and if the outdoor storage was towards the rear, there would be an issue with transition from an industrial zone to a neighborhood business zone.

Mr. Nicol asked for Mr. Baillie to explain how the Planning Commission could strike the outdoor storage restriction from the prohibited uses and if they could make it a condition of the final development plan. Mr. Baillie indicated that the Planning Commission could make that a development plan note if they wished.

Mr. Bell asked if this was one of the newer infill projects in this area and if this would set a precedent for attracting and upgrading in this area. Mr. Baillie indicated yes to both, and stated that the precedent question is why there was not a bevy of conditional zoning restrictions.

Mr. Bell asked the owner of the property to give a history of his business. Mr. Brian Wood, owner of the property, stated that he had owned the shopping since 9/11/2001. Mr. Wood listed all the types of businesses that were in the shopping center, as well as his cooperation with LFUCG.

Mr. Bell asked how they can be flexible and allow for outdoor storage. Mr. Baillie indicated that the Planning Commission could keep the Staff recommended language on the 4 foot fences, but could allow for outdoor storage in the back.

Mr. Davis asked Mr. Wood if that was acceptable to him or if they needed taller fencing in the front yard. After further explanation, Mr. Wood indicated he would agree the fencing height restriction.

Action – A motion was made by Mr. Nicol and seconded by Mr. de Movellan and carried 9-0 (Penn and Pohl absent) to approve PLN-MAR-22-00024: EASTLAND LEGACY CENTER, INC with the Staff's justifications, but deleting the restriction on outdoor storage.

Action – A motion was made by Mr. Nicol and seconded by Ms. Worth and carried 8-1 (Penn and Pohl absent) to approve PLN-MJDP-22-00076: EASTLAND SHOPPING CENTER with Staff's recommendation of 14 revised conditions, and the removal of condition #15.