

Coldstream Research Campus ZOTA Justification Document

Coldstream Research Campus Vision - create the region's most dynamic research and development environment; one that creates economic opportunities for UK graduates and creates new products and jobs that improve the lives of Kentuckians and people around the world.

P-2 Zoning Definition Change - Summary

The Coldstream Research Campus is the only P-2 zoned land in Fayette County. In 2009, a new definition of the zone was negotiated with LFUCG Division of Planning staff and it was used to develop Coldstream's current master plan. Division of Planning staff was actively involved in the master planning process.

Major Themes of the New Zoning Ordinance Text Amendments (ZOTA) Definition

1. Building density increases which result in greater land utilization. The campus becomes more pedestrian friendly by bringing buildings closer to the sidewalks.
2. Green space requirements will change from large yards surrounding all buildings and long setbacks from roads to massing large green spaces in various areas of the campus. Minimum lot size no longer needs to be 5 acres.
3. Allows for the creation of a dynamic Live-Work-Play-Learn environment to provide the social infrastructure necessary to drive the development of office and R&D facilities.

Why the new ZOTA definition is needed now

1. There are current development opportunities that require the new zoning definition.
2. Very few proposed buildings on the master plan are allowed under the existing zoning definition creating a challenge when siting a new facility.
3. In the 2011 legislative session, the mixed-use TIF statute was expanded to allow the inclusion of public university research parks. A Coldstream TIF district could help fund public infrastructure including laboratory buildings.

Why Add Mixed-Use Facilities to a Research Campus

1. Battelle Technology's 2012 survey of North American University Research Parks finds that both new and established university research parks are creating live-work-play environments. *These new developments attract high-skilled and entrepreneurial technology professionals to a region. Access to such talent is the key driver of research campus development.*
2. Sales tax producing development becomes a funding source through a TIF for new Research and Development Buildings and other public infrastructure.

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8-24 OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE

8-24(a) Intent - This zoning category is created to provide for a mixture of compatible office, research, warehouse and industrial uses in a park-like setting with high quality standards of development. This zone shall be located as recommended by the Comprehensive Plan.

While it is recognized that actual development of property zoned P-2 may occur in increments smaller than the total acreage shown on the Comprehensive Plan, the terms "P-2 area" and "P-2 development park" as used herein are intended to mean the entire contiguous area of ORP as designated on the Comprehensive Plan. Residential, retail and hotel/motel uses are intended to be secondary and supportive of the established development, thus they are limited in location and size. The limitations on retail and hotel/motel uses stated herein have been drafted with the expectation that a P-2 project will include all such property as shown on the plan.

8-24(b) Principal Uses (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
2. Offices for business, professional, governmental, civic, social, fraternal, political, religious, and charitable organizations.
3. Research development and testing laboratories or centers.
4. Colleges, universities, business colleges, technical or trade schools, and other schools and institutions for academic instruction, including dormitory facilities.
5. Libraries, museums, art galleries, and reading rooms.
6. Hospitals, Medical and dental offices, clinics, and laboratories.
7. Telephone exchanges, radio, and television studios.
8. Studios for work or teaching of fine arts, such as photography; music; drama; dance; and theater.
9. Community centers and private clubs.
10. Computer and data processing centers.
11. Ticket and travel agencies.
12. Television system signal distribution centers and studios.
13. Meeting and conference centers.
14. Storage and warehousing, when conducted in a completely enclosed building.
15. Parking lots and structures.
16. Offices of purchasers, processors, and handlers of agricultural products, limited to administrative uses only.
17. The manufacturing, compounding, assembling, processing, packaging, or similar treatment of articles of merchandise from the following previously prepared materials: bone, canvas, cellophane, cellulose, cloth, cork, feather, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious and semi-precious metals, precious and semi-precious stones, rubber, sheet metal (excluding large stampings), shell, textiles, tobacco, wax, wire, wood (excluding sawmills, planing mills), and yarn.
18. The manufacturing, compounding, assembling, processing, packaging, or similar treatment of such products as: bakery goods; billboards; candy; ceramics; cosmetics; drafting instruments; electrical parts; appliances; electric or neon signs; electronic instruments; food products; meat packaging; ice cream; medical and dental instruments; musical instruments; pharmaceuticals; pottery, china, or figurines; radios; record players; rubber and metal stamps; rubber products; scientific instruments and equipment; shoes; television receivers; toiletries, soaps and detergents; toys; and watches and clocks.
19. Other industrial and manufacturing uses, such as beverage manufacturing; dairy and non-dairy, and food and non-food product bottling plants; box and crate assembly; cabinet shop; cannery; caterers; cooperage; crematory; dextrine and starch manufacturing; enameling, lacquering and japanning; furniture manufacturing; heating equipment manufacturing; inflammable underground liquid storage; iron works (ornamental), and wire drawing; parcel delivery stations; phonograph record manufacturing; public utility service yard; and tool manufacturing.
20. Recycling, sorting, baling and processing of glass, nonferrous metals (not including automobile wrecking yard), paper scrap and storage of waste paper, when wholly conducted in a completely enclosed building.
21. Hotels and motels, as specifically regulated under Article 8-24(o)(4213) herein below.
22. Indoor and outdoor athletic facilities, such as field houses; gymnasiums; soccer; polo; and baseball fields.
23. Outdoor recreational facilities, including swimming pools; tennis courts; golf courses and golf driving ranges, and similar uses.
24. Agricultural research and experimentation facilities.
25. Kindergartens, nursery schools, and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five square feet per child.
26. Veterinarian clinics and laboratories.
27. Multi-family dwellings, as specifically regulated

under Article 8-24(o)(14) herein below.

28. Townhouses, except that not more than twelve (12) units shall be attached, as specifically regulated under Article 8-24(o)(14) herein below.

29. 26. One dDesignated retail sales or mixed-use areas, which shall be ~~per P-2 project~~, limited to the following uses:

a. Offices for business, professional, governmental, civic, social, fraternal, political, religious, and charitable organizations.

b. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.

c. Establishments for the retail sale of food products, as per Article 8-16(b)(2).

d. Medical and dental offices, clinics, and laboratories.

e. Ticket and travel agencies.

f. Restaurants, cocktail lounges and night clubs, with entertainment, dancing, and/or sale of alcoholic beverages.

g. Establishments for the retail sale of merchandise, as per Article 8-16(b)(4).

h. Beauty shops, barber shops, and shoe repair.

~~Automobile service stations.~~

i. Quick copy services utilizing xerographic or similar processes, but not including offset printing methods.

j. Laundry and laundry pick-up stations, but not including public self-service laundry.

k. Kindergartens, nursery schools and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five square feet per child.

l. Athletic club facilities.

m. Multi-family dwellings, as specifically regulated under Article 8-24(o)(14) herein below.

n. Townhouses, except that not more than twelve (12) units shall be attached, as specifically regulated under Article 8-24(o)(14) herein below.

30. 27. Temporary cellular telephone transmitting facility; not to exceed 70' in height and with a 1:1 height-to-yard ratio.

8-24(c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental, and subordinate to permitted uses.)

1. The accessory uses permitted in the P-1, B-4, and I-1 zones, except as specifically prohibited in Article 8-24(e) below.
2. Within the designated retail or mixed-use areas, the following accessory uses shall be permitted:

a. Parking areas and structures.

~~One dwelling unit for the owners, operators, or employees of a permitted use, provided that such dwelling unit shall be a part of the building and located above or to the rear of such permitted use.~~

b. Outdoor patio areas.

c. Warehousing, wholesaling, and storage, excluding outdoor storage.

d. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein.

e. Satellite dish antennas, as further regulated by Article 15-8.

3. Residential uses ~~solely~~ for incidental use by employees of a permitted use.

8-24(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

1. Helistops and/or heliports, provided such facilities conform to the requirements of all appropriate Federal, State, and local regulations.

2. Mining of non-metallic minerals, but only when the proposal complies with the requirements of the Mining/Quarrying Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein. The Board of Adjustment shall specifically consider and be able to find:

a. That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties;

b. That a reasonable degree of reclamation and proper drainage control is feasible; and

c. That the owner and/or applicant has not had a permit revoked or bond or other security forfeited for failure to comply with any Federal, State or local laws, regulations or conditions, including land reclamation, pertaining to the proposed use.

~~3. Gasoline pumps available to the public without an employee on site, provided a plan is approved by the Board of Adjustment for periodic inspection of the site by an employee for the following purposes:~~

~~a. To check all operating equipment;~~

~~b. To check fire suppression system(s);~~

~~c. To check the condition of the fire alarm(s);~~

~~d. To check for indications of fuel leaks and spillage;~~

~~e. To remove trash from the site;~~

~~f. To monitor the general condition of the site.~~

8-24(e) Prohibited Uses (All uses other than those listed as principal, accessory, or conditional uses, or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are

provided for illustration purposes and for the purpose of limiting permitted uses and are not intended to be a total listing of all the uses that are prohibited.)

1. ~~Dwellings, except as accessory uses for watchmen or caretakers, or as permitted under 8-24(e)(2) and (3) above. Single family detached residences and two family dwellings.~~
2. ~~All outdoor storage, and display, and/or sales areas, including any vehicular sales facilities; but excluding outdoor patio areas operated in conjunction with a restaurant.~~
3. Any uses first permitted in the Heavy Industrial (I-2) zone.
4. Refuse dumps, incinerators, and landfills.
5. A facility for the storage and distribution of gas by railroad tank cars, through gas piping, or by tank trucks which each have a water capacity in excess of 4,000 gallons.
6. Establishments for the storage, display, rental, or sales of any type of vehicle.
7. Gasoline pumps available to the public.

Lot, Yard, and Height Requirements (See Articles 3 and 15 for additional regulations)

8-24(f) Minimum Lot Size - ~~Five (5) acres, except in the designated retail area and areas which have been approved for a final development plan, then no limitation. See 8-24(o)6 below. No limitation, as specifically regulated under Article 8-24(o) herein below.~~

8-24(g) Minimum Lot Frontage - No limitation.

8-24(h) Minimum Front Yard - 200' on streets classified as expressways and major arterials on the official functional classification map; 100' on streets classified as minor arterials. Collector and local streets within a park will have no minimum front yard requirement. However, in considering a development plan, the Planning Commission may establish a front yard requirement to allow for adequate sight distance, utility installation, design compatibility or as otherwise necessary. for all other street frontages, except cul-de-sacs, which shall have a minimum front yard of 50'.

8-24(i) Minimum Side Yard - ~~A combined side yard of 50', with a minimum of 25'. No limitation.~~

8-24(j) Minimum Rear Yard - ~~25'. No limitation.~~

8-24(k) Minimum Useable Open Space - ~~See 8-24(o) below. 40% for the entire P-2 development, as specifically regulated under Article 8-24(o) herein below.~~

8-24(l) Maximum Lot Coverage - ~~30%; with a maximum floor area ratio of .4, except in the designated~~

~~retail area, which shall have a maximum lot coverage of 25%, with a maximum floor area ratio of .5. Maximum floor area ratio of 0.75, exclusive of residential uses, which shall have no maximum floor area ratio. See 8-24(o)(2) below.~~

8-24(m) Maximum Height of Building - ~~1:1 height to yard ratio. 110'.~~

8-24(n) Off-Street Parking (See Article 16 for additional parking regulations.)

Office Uses - One (1) space for each four hundred (400) square feet of floor area.

Hospitals - One (1) space for every three (3) beds; plus one (1) space for each employee on the maximum working shift, with a minimum of five (5) spaces.

Uses first permitted in the B-4 zone - As per B-4.

Uses first permitted in the I-1 zone - As per I-1.

Designated Retail Area - For non-residential uses, One (1) space for each four hundred (400) square feet of floor area for the first ten thousand (10,000) square feet; one (1) space for each two hundred (200) square feet of floor area after the first ten thousand (10,000) square feet.

Kindergartens, Nursery Schools, and Child Care Centers - Three (3) spaces for the first twelve (12) children, plus one (1) space for every ten (10) (or fraction thereof) additional children.

Townhouse Dwelling Units - One (1) space per dwelling unit.

Multi-Family Dwellings (other than Elderly Housing) - Three (3) spaces for every two (2) dwelling units, or 0.9 spaces per bedroom in a multi-family dwelling, whichever is greater.

Elderly Housing - Three (3) spaces for every four (4) dwelling units.

Combinations - Combined uses shall provide parking equal to the sum of individual requirements.

8-24(o) Special Provisions

1. Any site to be zoned in a P-2 zoning category shall be a minimum of fifty (50) net acres in size.
2. No more than sixty fifty-percent (650%) of any P-2 project shall be covered with buildings and parking lots or other paved surfaces designed for vehicular use. All open space areas shall be permitted,

however, to contain outdoor recreational/athletic facilities, such as ball fields; jogging trails; tennis courts; picnic areas; golf courses; or similar outdoor activities for the use of the employees of the principal use of the property or the public at large. Land owned by the developer at the time of rezoning, which is subsequently dedicated at no cost to the public as recreational or open spaces (not streets), shall be included in such open space requirement.

3. The developer shall be required to provide proof of at least the following private covenants having been created prior to the approval of any final development plan:
 - a. A design committee of at least three registered architects and landscape architects (mixed 2 to 1 in either combination) shall be required to review and approve all site and architectural designs within the development.
 - b. An owners' association or other mechanism which provides for uniform maintenance of all open space areas and common areas.
4. Landscaping shall be required as per Article 18 of ~~the Zoning Ordinance~~, except as modified herein. Perimeter landscaping around the exterior boundary of the project shall be as provided under Article 18 for the I-1 zone; however, the Commission may permit such portions of required perimeter planting to be reallocated to areas interior to the site, where it finds that solid screening is not needed to screen the uses from the adjoining rights-of-way or properties. Tree canopy requirements shall be met for the development in accordance with Article 26. In addition, ten (10) square feet of landscape area for each one hundred (100) square feet, or fraction thereof, of vehicular use area shall be required within the ~~development park~~. Street trees shall be required as outlined in the Land Subdivision Regulations. ~~Each lot shall be required to provide on site tree planting at a standard of twenty five (25) trees per acre, which shall include any street trees and trees planted within vehicular use areas. Existing trees may be substituted for such required new trees as outlined in Article 18-3(a)(7). Open space shall be defined on the preliminary development plan, and designated to protect and/or formally recognize existing natural and man-made features with a particular emphasis on any environmentally sensitive areas, geologic hazard areas, cemeteries, floodplains, or other areas in order to meet the open space requirement for the P-2 development.~~
5. Signage within the P-2 zone shall be specifically regulated under Article 17-7(m) of the Zoning Ordinance.
6. A preliminary development plan shall be required to be filed in conjunction with any zoning map

amendment to a P-2 zone. No building permits shall be issued for any lot or building within the development unless and until final development plans are approved, as provided in Article 21. ~~The minimum size project for any final development plan shall be five (5) acres.~~ Prior to filing a final development plan with the Planning Commission, the site developer shall seek the approval of the design committee, as established under Section 8-24(o)(3)(a) herein. At the time of filing of the final development plan, the site developer shall provide a summary report documenting the conceptual design review and recommendation(s) of the design committee. Such summary report shall inform the Planning Commission of the following: architectural elements included in the building(s) design, how the building(s) will be compatible in form and scale with adjacent structures, building materials, entry features, and sustainable building features. The Planning Commission shall consider the design committee's recommendations in their decision. A final development plan with two or more buildings shall be designed as a cohesive architectural statement, with all development features exhibiting compatible design elements.

7. ~~Where lots are proposed less than five (5) acres in size, the minimum useable open space lot, yard, and height requirements shall apply to the entire project, rather than to each subdivided lot. Each subdivided lot shall have access to adjacent streets or joint parking areas, as provided by appropriate easements shown on the final development plan and final record plat.~~
8. ~~7.~~ Parking areas shall not be permitted to encroach into required front, side, and rear yards. However, no more than 10 visitor parking spaces may be permitted within such required yards.
9. ~~8.~~ In addition to the required development plan, the applicant for any P-2 zoning category shall be required to file a comprehensive development statement at the time of filing. Such comprehensive development statement shall include, at a minimum:
 - a. A traffic impact analysis.
 - b. A preliminary site analysis of all significant natural and man-made features with a particular emphasis on any environmentally sensitive areas, geologic hazard areas, existing vegetation which should be given priority as use for open space areas.
 - c. Any proposed use restrictions, building requirements, architectural requirements, or similar restrictions over those required herein.
 Such studies shall be evaluated by the staff as part of the overall review of the map amendment request and development plan. Based upon such review, the Planning Commission and/or Council

may impose restrictions on uses or other development aspects, including design criteria, as a part of the approval of the P-2 project.

10. ~~9. A d~~ Designated retail areas can be included within the project at the option of the developer for any project development containing over one hundred (100) net acres. If included, sSuch designated retail areas shall be defined on the preliminary development plan ~~at the time of creation of any P-2 zone and shall be able to be expanded or relocated only with the approval of the legislative body as for a zone change.~~ The designated retail areas shall be designed and located to primarily serve the needs of employees, residents, and visitors to the Office, Industry and Research Park. It shall be located internal to the park and shall not be located on adjoining arterial streets. The retail areas shall not be less than one percent (1%) of the total ~~area of the park floor area of the development, nor greater than five percent (5%) ten percent (10%) of the total area of the park floor area of the development,~~ in any case.
11. ~~10.~~ Except to the extent otherwise permitted in ~~Article 8-24(e)~~ herein above, all uses shall be conducted in a completely enclosed building.
12. ~~11.~~ No site utilities shall be permitted to be above ground, with the exception of major electric and telephone distribution lines (which shall generally be located on lot perimeters), pad mounted transformers, and similar facilities. Service connections of such utilities to individual buildings shall be required to be underground. Any utilities to be located above ground shall be shown on required final development plans. All such overhead utilities shall be designed, located, and, where appropriate, screened, so as to preclude visibility from adjoining arterial roadways and public open space and/or greenway areas to the greatest extent feasible.
13. ~~12.~~ The number of hotels and/or motels within a P-2 ~~project development~~ shall not exceed a total of one (1) per fifty (50) net acres of the P-2 ~~project development~~; and the total ~~acreage in floor area of motel/hotel uses shall not exceed ten percent (10%) of the total floor area area of the P-2 project development.~~
14. Designated residential areas can be included within any P-2 development. Such designated residential areas shall be defined on a preliminary development plan and subsequent final development plans. The designated residential areas shall be designed and located to complement the designated useable open spaces. The residential areas shall not be greater than twenty-five percent (25%) of the total floor area of the P-2 development.