

AN ORDINANCE AMENDING ARTICLE 8-24 OF THE ZONING ORDINANCE TO ALLOW ADDITIONAL USES IN THE OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE (UNIVERSITY OF KENTUCKY).

WHEREAS, the Lexington-Fayette Urban County Planning Commission has considered a text amendment to Article 8-24 of the Zoning Ordinance to allow additional uses in the Office, Industry and Research Park (P-2) zone. Planning Commission did recommend APPROVAL of the alternative text by a vote of 8-0; and

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

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

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

Section 1 – That Article 8-24 of the Zoning Ordinance of the Lexington-Fayette Urban County Government is hereby amended as follows:

8-24 UNIVERSITY RESEARCH CAMPUS

8-24(a) Intent - This zoning category is created to provide for a mixture of compatible office, and research uses in a campus setting that adheres to high quality standards residential, retail, restaurants, and hotel/motel uses are intended to be supportive uses for the organizations located on the research campus.

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. Indoor and outdoor athletic facilities, such as field houses; gymnasiums; soccer; polo; and baseball fields.
 22. Outdoor recreational facilities, including swimming pools; tennis courts; golf courses and golf driving ranges, and similar uses.
 23. Agricultural research and experimentation facilities.
 24. 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.
 25. Veterinarian clinics and laboratories.
 26. Supportive uses, limited to the following uses:
 - a. Multi-family dwellings.
 - b. Townhouses, except that not more than twelve (12) units shall be attached.
 - c. Restaurants, brew-pubs, and banquet facilities with indoor live entertainment. Such facilities utilizing live entertainment shall be located at least one-hundred (100) feet from any non-mixed use residential structure.
 - d. Hotels and motels, as specifically regulated under Article 8-24(o)(13) herein.
 - e. Designated retail sales or mixed-use areas, which shall be limited to the following uses:
 - i. Offices for business, professional, governmental, civic, social, fraternal, political, religious, and charitable organizations.
 - ii. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
 - iii. Establishments for the retail sale of food products, as per Article 8-16(b)(17).
 - iv. Medical and dental offices, clinics, and laboratories.
 - v. Ticket and travel agencies.
 - vi. Restaurants, brew-pubs and banquet facilities; with live entertainment, dancing, and/or sale of alcoholic beverages.
 - vii. Establishments for the retail sale of merchandise, as per Article 8-16(b)(19).
 - viii. Beauty shops, barber shops, and shoe repair.
 - ix. Quick copy services utilizing xerographic or similar processes, but not including offset printing methods.
 - x. Laundry and laundry pick-up stations, but not including self-service laundry.
 - xi. 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 25 square feet per child.
 - xii. Athletic club facilities.
 - xiii. Market gardens.
 - xiv. Multi-family dwellings.
 - xv. Townhouses, except that not more than twelve (12) units shall be attached.
 27. Temporary cellular telephone transmitting facility; not to exceed 70' in height and with a 1:1 height-to-yard ratio.
 28. Adult day care centers.
 29. Day Shelters.

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 area, the following accessory uses shall be permitted:
 - a. Parking areas and structures.
 - 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.

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. Outdoor live entertainment and/or dancing, when accessory to a restaurant, brew-pub or banquet facility. Such uses shall be located at least one-hundred (100) feet from any structure devoted solely to residential use. The Board may also impose time restrictions to minimize nuisance to the surrounding neighborhood.
4. Temporary structures designed for use or occupancy for 61 to 180 days per 12-month period on a single property, calculating said period by cumulative consideration of the use of any and all such structures on a single property.

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. 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. Ecotourism activities.
7. Establishments for the storage, display, rental, or sales of any type of vehicles.
8. Automobile and vehicle refueling and/or service stations.

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

8-24(f) Minimum Lot Size - No limitation, as specifically regulated under 8-24(o)-herein.

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; 5' on collector and local streets.

8-24(i) Minimum Side Yard - 15'.

8-24(j) Minimum Rear Yard - 25'.

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

8-24(l) Maximum Floor Area - Maximum floor area ratio of 0.75 and as further regulated by Article 8-24(o)(2).

8-24(m) Maximum Height of Building - 120'.

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

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

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

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

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

Multi-Family Dwelling Units – Three (3) spaces for every two (2) dwelling units or 0.9 spaces per bedroom in a multi-family dwelling, whichever is greater.

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.

Hotels and/or Motels – One (1) space per suite with a minimum of five (5) spaces.

Designated Retail Area for Non-Residential Uses - One (1) space for each 400 square feet of floor area for the first 10,000 square feet; one (1) space for each 200 square feet of floor area after the first 10,000 square feet.

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

Adult Day Care Center - One (1) space for every ten (10) persons being provided care, plus one (1) space per caregiver on the maximum shift.

Day Shelter - One (1) space for every ten (10) persons being provided services, plus one (1) space per staff member on the maximum shift.

Other Recreational Facilities or activities not otherwise stated herein – Five (5) spaces, plus one (1) space for each employee for each separate use.

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-percent (60%) 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 100 square feet, or fraction thereof, of vehicular use area shall be required within the development. Street trees shall be required as outlined in the Land Subdivision Regulations. 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 area in order to meet the open space requirements for the P-2 development. Structures devoted solely to residential use shall be screened from adjacent industrial, office, or business use as required by the Property Perimeter Requirements provided in Article 18-3(a)(1)(C & D)(3).
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. Prior to filing a final development plan with the

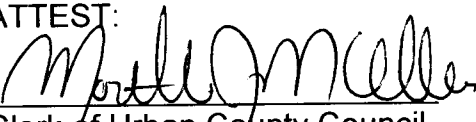
Planning Commission, the site developer shall seek the approval of the design committee, as established under Article 8-24(0)(3)(a) herein.

7. 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 recommendation 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.
8. 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.
9. Parking areas shall not be permitted to encroach into required front yards. However, no more than 10 visitor parking spaces may be permitted within such required yards.
10. 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.
11. Except to the extent otherwise permitted herein, all uses shall be conducted in a completely enclosed building.
12. 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. Supportive uses are subject to the following requirements:
 - a. The total acreage of supportive uses shall not exceed fifteen percent (15%) of the area of the P-2 development.
 - b. Supportive uses shall only be developed and constructed either concurrently with or after construction and occupancy of at least 250,000 square feet of floor area for other principal permitted uses. Development shall be phased as follows:
 - i. Until 250,000 square feet of other principal permitted uses are approved and constructed for the P-2 development, the permitted floor area of supportive uses shall not exceed a maximum of twenty percent (20%) of the total floor area of all approved and constructed structures.
 - ii. Once the P-2 development has 250,000 square feet of existing floor area of other principal permitted uses, the phasing restriction in Article 8-24(o)(13)(b)(i) shall no longer apply.
 - c. Designated retail or mixed-use areas can be included within the supportive uses. Such designated retail and mixed-use areas shall be defined on a preliminary development plan for the P-2 zone. The designated retail or mixed-use areas shall be designated and located to primarily serve the needs of employees, residents, and visitors to the university research campus. Entrance to designated retail or mixed-use areas shall be located on collector or local streets and not major or minor arterial streets.
 - d. Entrance to restaurants, brew-pubs and/or banquet facilities, with indoor live entertainment shall be located on collector or local streets, and not on major or minor arterial streets.
 - e. The number of hotels and/or motels within a P-2 development shall not exceed a total of one (1) per fifty (50) net acres of the P-2 development.

Section 2 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: May 25, 2017


MAYOR

ATTEST:

Clerk of Urban County Council
Published: June 1, 2017-1t
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Recd by Bm
Date: 4-21-17

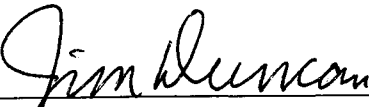
RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: ZOTA 2016-7: AMENDMENTS TO ARTICLE 8-24 FOR THE OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE – petition for a Zoning Ordinance text amendment to Article 8-24 to allow additional uses in the P-2 zone.

Having considered the above matter on **March 23, 2017**, at a Public Hearing and having voted **8-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of the alternative text of this matter for the following reasons:

1. The University of Kentucky has a proven track record of economic development, with over 1.3 million square feet of space that actively supports 56 organizations and over 2,000 employees in the Coldstream Research Campus. This text amendment will allow the University to more effectively compete with similarly situated research parks across the United States.
2. The proposed text amendment will allow for a higher intensity use of the research campus and allow additional supportive uses, such as a mixed-use village and residential dwelling units, while still providing significant areas of open space.
3. The proposed text amendment will rename the zone to the “University Research Campus (P-2) Zone” to support the university in implementing their Master Plan for the Coldstream Research Campus. After 25+ years, theirs is the only are in Lexington-Fayette County with this zoning designation.

ATTEST: This 21st day of April, 2017.



Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

At the Public Hearing before the Urban County Planning Commission, this petition was represented by **Nick Nicholson, attorney for applicant.**

OBJECTIONS

- None

OBJECTORS

- None

VOTES WERE AS FOLLOWS:

AYES: (8) Berkley, Cravens, Owens, Penn, Plumlee, Richardson, Smith and Wilson

NAYS: (0)

ABSENT: (3) Brewer, Drake and Mundy

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **Approval** of **ZOTA 2016-7** carried.

Enclosures: Minutes for the initiation of this text amendment.
Staff Report
Staff Alternative Text
Applicable excerpts of minutes of above meeting.

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

8-24(a) Intent - This zoning category is created to provide for a mixture of compatible office, and research uses in a campus setting that adheres to ; ~~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 park" as used herein are intended to mean the entire contiguous area of ORP as designated on the Comprehensive Plan.~~ 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. Residential, retail, restaurants, and hotel/motel uses are intended to be supportive uses for the organizations located on the research campus.

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, ~~M~~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)(12) herein below.~~
- 21 ~~22~~—Indoor and outdoor athletic facilities, such as field houses; gymnasiums; soccer; polo; and baseball fields.
- 22 ~~23~~—Outdoor recreational facilities, including swimming pools; tennis courts; golf courses and golf driving ranges, and similar uses.
- 23 ~~24~~—Agricultural research and experimentation facilities.
- 24 ~~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.

ARTICLE 8: SCHEDULE OF ZONES

Planning Commission Public Hearing – March 23, 2017

25. Veterinarian clinics and laboratories.
26. Supportive uses, limited to the following uses:
 - a. Multi-family dwellings.
 - b. Townhouses, except that not more than twelve (12) units shall be attached.
 - c. Restaurants, brew-pubs, and banquet facilities with indoor live entertainment. Such facilities utilizing live entertainment shall be located at least one-hundred (100) feet from any non-mixed use residential structure.
 - d. Hotels and motels, as specifically regulated under Article 8-24(o)(13) herein.
 - e. One designated retail sales or mixed-use areas per P-2 project, which shall be limited to the following uses:
 - i. Offices for business, professional, governmental, civic, social, fraternal, political, religious, and charitable organizations.
 - ii. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
 - iii. Establishments for the retail sale of food products, as per Article 8-16(b)(217).
 - iv. Medical and dental offices, clinics, and laboratories.
 - v. Ticket and travel agencies.
 - vi. Restaurants, brew-pubs and banquet facilities, cocktail lounges and night clubs, with live entertainment, dancing, and/or sale of alcoholic beverages.
 - vii. Establishments for the retail sale of merchandise, as per Article 8-16(b)(419).
 - viii. Beauty shops, barber shops, and shoe repair.
 - Automobile service stations.
 - ix. Quick copy services utilizing xerographic or similar processes, but not including offset printing methods.
 - x. Laundry and laundry pick-up stations, but not including self-service laundry.
 - xi. 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 25 square feet per child.
 - xii. Athletic club facilities.
 - xiii. Market gardens.
 - xiv. Multi-family dwellings.
 - xv. Townhouses, except that not more than

twelve (12) units shall be attached.

27. Temporary cellular telephone transmitting facility; not to exceed 70' in height and with a 1:1 height-to-yard ratio.
28. Adult day care centers.
29. Day Shelters.

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 area, the following accessory uses shall be permitted:
 - a. Parking areas and structures.
 - b. Outdoor patio areas.
~~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.~~
 - c. Warehousing, wholesaling, and storage, excluding outdoor storage.
 - d. Drive-through facilities for the sale of goods, 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. Outdoor live entertainment and/or dancing, when accessory to a restaurant, brew-pub or banquet facility. Such uses shall be located at least one-hundred (100) feet from any structure devoted solely to residential use. The Board may also impose time restrictions to minimize nuisance to the surrounding neighborhood. 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.

4. Temporary structures designed for use or occupancy for 61 to 180 days per 12-month period on a single property, calculating said period by cumulative consideration of the use of any and all such structures on a single property.

5. Automobile and vehicle refueling stations, provided such uses conform to all requirements of Article 16.

6. Ecotourism activities to include zip line trails; tree canopy tours; canoeing and kayaking launch sites; fishing clubs; and seasonal activities.

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. Single-family detached residences and two-family dwellings. Dwellings, except as accessory uses for watchmen or caretakers, or as permitted under 8-24(e)(2) and (3) above.
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. Ecotourism activities, except as permitted herein.
7. Establishments for the storage, display, rental, or sales of any type of vehicles.
8. Automobile and vehicle refueling and/or service stations.

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 a No limitation. See, as specifically regulated under 8-24(o)6 below herein.

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; 5' on collector and local streets. for all other street frontages, except cul-de-sacs, which shall have a minimum front yard of 25'. The designated retail area shall have a minimum front yard of 50'.

8-24(i) Minimum Side Yard - 15'A combined side yard of 50', with a minimum of 25'.

8-24(j) Minimum Rear Yard - 25'.

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

8-24(l) Maximum Floor Area Lot Coverage - Maximum floor area ratio of 0.75 and as further regulated by Article 8-24(o)(2).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.

8-24(m) Maximum Height of Building - 120' 1:1 height-to-yard ratio.

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

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

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

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

ARTICLE 8: SCHEDULE OF ZONES

Planning Commission Public Hearing – March 23, 2017

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

Multi-Family Dwelling Units – Three (3) spaces for every two (2) dwelling units or 0.9 spaces per bedroom in a multi-family dwelling, whichever is greater.

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.

Hotels and/or Motels – One (1) space per suite with a minimum of five (5) spaces.

Designated Retail Area for Non-Residential Uses - One (1) space for each 400 square feet of floor area for the first 10,000 square feet; one (1) space for each 200 square feet of floor area after the first 10,000 square feet.

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

Adult Day Care Center - One (1) space for every ten (10) persons being provided care, plus one (1) space per caregiver on the maximum shift.

Day Shelter - One (1) space for every ten (10) persons being provided services, plus one (1) space per staff member on the maximum shift.

Other Recreational Facilities or Ecotourism activities not otherwise stated herein – Five (5) spaces, plus one (1) space for each employee for each separate use.

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-five~~ percent (60/50%) 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 use from the adjoining rights-of-way or properties. The canopy requirements shall be met for the development in accordance with Article 26. In addition, ten (10) square feet of landscape area for each 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 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 area in order to meet the open space requirements for the P-2 development. Structures devoted solely to residential use shall be screened from adjacent industrial, office, or business use as required by the Property Perimeter Requirements provided in Article 18-3(a)(1)(C & D)(3).
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. 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 Article 8-24(0)(3)(a) herein. The minimum size project for any final development plan shall be five (5) acres.

7. 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 recommendation 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. Where lots are proposed less than five (5) acres in size, the minimum lot, yard, and height requirements shall apply to the entire project, rather than to each subdivided lot.
8. 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.
9. ~~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.
10. ~~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.

11. ~~9.~~ A designated retail area can be included within the project at the option of the developer for any project containing over 100 net acres. If included, such designated retail area 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 area shall be designed and located to primarily serve the needs of employees 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 area shall not be less than one percent (1%) of the total area of the park, nor greater than five percent (5%) of the total area of the park, in any case.
10. ~~Except to the extent otherwise permitted herein Article 8-24(e) 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.
12. ~~The number of hotels and/or motels within a P-2 project shall not exceed a total of one (1) per fifty (50) net acres of the P-2 project; and the total acreage in motel/hotel uses shall not exceed ten percent (10%) of the area of the P-2 project.~~
13. Supportive uses are subject to the following requirements:
 - a. The total acreage of supportive uses shall not exceed fifteen percent (15%) of the area of the P-2 development.
 - b. Supportive uses shall only be developed and constructed either concurrently with or after construction and occupancy of at least 250,000 square feet of floor area for other principal permitted uses. Development shall be phased as follows:

ARTICLE 8: SCHEDULE OF ZONES

Planning Commission Public Hearing – March 23, 2017

- i. Until 250,000 square feet of other principal permitted uses are approved and constructed for the P-2 development, the permitted floor area of supportive uses shall not exceed a maximum of twenty percent (20%) of the total floor area of all approved and constructed structures.
- ii. Once the P-2 development has 250,000 square feet of existing floor area of other principal permitted uses, the phasing restriction in Article 8-24(o)(13)(b)(i) shall no longer apply.
- c. Designated retail or mixed-use areas can be included within the supportive uses. Such designated retail and mixed-use areas shall be defined on a preliminary development plan for the P-2 zone. The designated retail or mixed-use areas shall be designated and located to primarily serve the needs of employees, residents, and visitors to the university research campus. Entrance to designated retail or mixed-use areas shall be located on collector or local streets and not major or minor arterial streets.
- d. Entrance to restaurants, brew-pubs and/or banquet facilities, with indoor live entertainment shall be located on collector or local streets, and not on major or minor arterial streets.
- e. The number of hotels and/or motels within a P-2 development shall not exceed a total of one (1) per fifty (50) net acres of the P-2 development.

GENERAL INFORMATION - Zoning Ordinance Text Amendment Application**1. APPLICANT INFORMATION:**Name: UK Coldstream Research CampusAddress: 1500 Bull Lea Rd., Suite 100City, State, Zip Code: Lexington, KY 40502Phone Number: 859-231-8324**2. ATTORNEY (Or Other Representative) INFORMATION:**Name: George Ward and Jim Conner Coldstream AdministrationAddress: same as above

City, State, Zip Code: _____

Phone Number: _____

3. DESCRIBE YOUR REQUESTED TEXT CHANGE: Date of Pre-application Conference: 10/10/16

Zoning Ordinance Article # 8-24 _____ Specific text change proposed:

See attached blackline document_____

_____**4. DESCRIBE THE JUSTIFICATION FOR MAKING THIS CHANGE: (Use attachment if necessary.)**See attached Coldstream Research Campus justification document_____

_____**5. SIGN THIS APPLICATION:**

I do hereby certify that, to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and accurate.

APPLICANT: ATTORNEY (or other representative): 

LFUCG EMPLOYEE/OFFICER, if applicable: _____

October 31, 2016

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

RE: Proposed Text Amendment
Office, Industry, Research Park (P-2) Zone

Dear Planning Commission,

The University of Kentucky is submitting proposed Zoning Ordinance text amendments for your consideration. The University of Kentucky's Coldstream Research Campus is the only development that uses the P-2 Zoning and would like to make some adjustments to the text of the ordinance that would facilitate reasonable development while still adhering to the unique qualities of the P-2 Zone. Please see the attachment for the proposed changes to the text.

The proposed changes will increase the building density which will result in greater land utilization; create a more pedestrian friendly campus by bringing the buildings closer to the sidewalks; create large green spaces to be used for parks and casual recreation instead of large yards surrounding each building by eliminating the 5 acre lot requirement. Multi-family housing will allow 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.

Please feel free to contact me with any questions or suggestions concerning these changes.

Sincerely,



George Ward
Executive Director

see blue.

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.

see blue.

**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, govern- mental, 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)(~~12~~13) 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 designated 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(e)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(e) 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 - ~~4:1 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 (50%) 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, s~~Such 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.



STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

**ZOTA 2016-7: AMENDMENT TO ARTICLE 8-24 FOR THE
OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE**

REQUESTED BY: University of Kentucky

PROPOSED TEXT: See attachment
(Text underlined indicates an addition to the existing Zoning Ordinance;
text ~~dashed through~~ indicates a deletion.)

STAFF REVIEW:

The University of Kentucky has filed a Zoning Ordinance text amendment to make modifications to the allowable uses and development standards in the Office, Industry and Research Park (P-2) zone. The University of Kentucky Coldstream Research Park is wholly located within a P-2 zone, and no other land in Fayette County is currently encumbered with the P-2 zoning category. The P-2 zone is considered one of several zones in the Urban County that is categorized as employment land, along with the ED, P-1, I-1 and I-2 land.

The Office, Industry and Research Park (ORP) future land use designation was first introduced through the 1988 Comprehensive Plan, when multiple sites were identified for this new land use. At that time, the Land Use Element did not designate Coldstream Research Park for the ORP future land use; it wasn't until the 1990 Coldstream Small Area Plan that the University of Kentucky property was recommended for ORP future land use. The Office, Industry and Research (P-2) zone was drafted and adopted as a Zoning Ordinance text amendment in 1990. The P-2 zone has been tweaked several times over its 27 year life to provide more flexibility in lot sizes and setbacks, and to address signage needs. However, the proposal now before the Planning Commission is the first major text amendment to the zone.

The University of Kentucky conducted a master plan redesign process in 2009, which included participation by both the Divisions of Planning and Parks and Recreation. The proposed master plan intensifies the density of research and jobs-creating uses, and introduces residential and mixed-use land use to the Coldstream Research Park. The University of Kentucky intended to follow through with their plan recommendations immediately, so they sought counsel and assistance from the Division of Planning staff in 2009. At that time, the staff met with the Coldstream Research Park staff and identified the changes necessary to the P-2 zone in order to implement the master plan. After seven years, the University of Kentucky now wishes to move forward with the text amendment.

Since the Division of Planning staff and the Coldstream Research Park staff first began their discussions, a new director has been hired for the Park; the national economy has experienced a recession. Also, more recently, the Planning Commission has given significant consideration to a similar zoning category, the Economic Development (ED) zone, which is the major employment land use category in the Expansion Area portion of Fayette County. The major points of discussion about the recent ED zone text amendment centered around "supportive uses" – specifically the percentage of allowable supportive and residential uses – and relaxing the development standards and open space requirements for the zone.

The proposal to modify the P-2 zone is directly a result of the UK Master Plan completed in 2009. The proposed changes are as follows:

- Add hospitals; veterinary/animal clinics and laboratories; townhouses; multi-family residential and are principal permitted uses;
- Add townhouses, and multi-family residential, and delete automobile service stations as uses allowed in the designated retail sales and mixed-use area;

- Clarify that the designated retail sales area may also be a mixed-use area;
- Add outdoor patio areas and delete caretaker dwelling units as accessory uses;
- Delete gasoline pumps as a conditional use;
- Adjust the list of prohibited uses based upon other use changes, add establishments for the storage, display, rental or sales of any type of vehicle as a prohibited use;
- Eliminate minimum lot requirements, reduce front yard requirement on collector and local streets within a park to 0', and eliminate side and rear yard requirements;
- Reduce useable open space requirement to 40% across the entire P-2 zoned park;
- Increase maximum floor area ratio from 0.5 to 0.75, with no limitation for residential uses;
- Increase maximum height of buildings to 110';
- Add parking standards for new uses;
- Provide more flexibility in landscaping requirements; eliminate requirement for 25 trees/acre;
- Require a summary report from the design committee in conjunction with any final development plan presented before the Planning Commission;
- Allow parking in required side and rear yards;
- Increasing the permitted size of the designated retail sales and/or mixed-use area from a maximum of 5% to 10% of the total floor area of the development; and
- Add an allowance for a designated residential area to be up to 25% of the total floor area of the P-2 development.

Upon reviewing the requested text amendment, seven years following its initial drafting, the staff has several concerns about the proposed text amendment. First, by permitting residential land uses within the P-2 zone, there is the possibility for a net loss of employment land for Lexington-Fayette County. This was also a major concern when the ED zone was reviewed earlier this year. If swaths of employment land were to be converted to residential land uses, or even supportive/retail/mixed-use land use, the community forever forfeits its opportunity to attract businesses or employers within a park set-up for those purposes. Second, the staff is concerned about the elimination of many of the yard and lot requirements for the zone. This appears to provide too much flexibility, even knowing there is active involvement from a design committee, which may be to the detriment of the community and any office park. Lastly, the staff believes that a different approach to the text amendment and/or rezoning merits further discussion with the applicant prior to recommending alternative text to the Planning Commission for consideration.

The Staff Recommends: Postponement for the following reasons:

1. After seven years, the staff would like re-engage discussions with the applicant about the proposed text amendment and other development options, prior to formulating a substantive recommendation to the Commission.

WLS/TLW

12/1/16

Planning Services/Staff Reports/ZOTA/2016/ZOTA 2016-7 P-2 Zone.doc

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONING ORDINANCE TEXT AMENDMENT

**ZOTA 2016-7: AMENDMENT TO ARTICLE 8-24 FOR THE
OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE**

REQUESTED BY: University of Kentucky

PROPOSED TEXT: See attachment
(Text underlined indicates an addition to the existing Zoning Ordinance;
text ~~dashed through~~ indicates a deletion.)

STAFF REVIEW:

Following the Zoning Committee meeting last December, the staff met with the University of Kentucky's representatives several times. They have clarified that there will not be a net loss of employment opportunities for Lexington-Fayette County in the Coldstream Research Park through this proposed text amendment. By increasing the floor area ratio, eliminating the 5 acre minimum lots size requirement, and reducing minimum yard setbacks for office and industrial uses, the intensity of office, research and industrial uses on the campus will better utilize the land; thus, allowing for some land to be dedicated to supportive uses. This has alleviated the staff's original concern about converting future employment land to sizable residential land uses, and the forfeiture of opportunities to attract businesses or employers. The University of Kentucky has also been very responsive in addressing the staff's concerns related to the elimination of future building setbacks.

In discussions with the University of Kentucky, the staff suggested focusing the zone more narrowly to their needs to compete on a national basis with other established university research campuses. While the P-2 zone is somewhat similar to the Economic Development (ED) zone of the Expansion Area, there are other elements that make it unique. The University has invested significant infrastructure in the Coldstream Research Campus over the past 25 years, and provided 1.3 million square feet of space, and more than 2,000 jobs (via 56 organizations) within their boundary. The University also has a Master Plan and design guidelines to regulate the look and feel of the campus. The staff believes this indicates a dedication to economic development that deserves some new flexibility in the regulatory framework of the P-2 zone.

The proposal to modify the P-2 zone is a direct result of the UK Master Plan completed in 2009. The proposed changes are now as follows:

- Modify the name of the zone to University Research Campus (P-2) Zone and update the intent of the zone accordingly;
- Add hospitals and veterinary/animal clinics and laboratories as principal permitted uses;
- Create a category of "Supportive Uses," which includes townhouses; multi-family residential; restaurants, brew-pubs and banquet facilities without live entertainment; hotels/motels; and designated retail sales and mixed-use areas.
- Move hotels and motels from a principal permitted use to a supportive use;
- Delete automotive service stations; gas pumps without an on-site employee; automobile and vehicle refueling stations; incidental residential dwellings (caretaker); and ecotourism activities as supportive, accessory or conditional uses;
- Clarify that the designated retail sales area may also be a mixed-use area;
- Add outdoor patio areas as an accessory use; add outdoor live entertainment as a conditional use;
- Adjust the list of prohibited uses based upon other use changes, add establishments for the storage, display, rental or sales of any type of vehicle as a prohibited use;

- Eliminate minimum lot requirements, reduce front yard requirement on collector and local streets within a park to 5', and reduce side yard requirement to 15';
- Reduce useable open space requirement to 40% across the entire P-2 zoned development;
- Increase maximum floor area ratio from 0.5 to 0.75;
- Increase maximum height of buildings to 120';
- Add parking standards for new uses;
- Provide more flexibility in landscaping requirements; eliminate requirement for 25 trees/acre; and provide for screening adjacent to residential structures;
- Require a summary report from the design committee in conjunction with any final development plan presented to the Planning Commission for consideration;
- Allow parking in required side and rear yards;
- Limit the allowable supportive use land area to a maximum of 15% of the overall P-2 development;
- Provide for phasing of supportive uses either concurrent or after construction of other principal permitted uses; and maintain 75%/25% ratio of uses until at least 250,000 square feet of other research campus uses are constructed.

After working with the University of Kentucky to address the stated concerns, the staff can offer a recommendation of approval of a staff alternative text. The staff alternative text very closely matches the most recent draft of this P-2 ZOTA submitted by the University.

The Staff Recommends: Approval of the Staff Alternative Text for the following reasons:

1. The University of Kentucky has a proven track record of economic development, with over 1.3 million square feet of space that actively supports 56 organizations and over 2,000 employees in the Coldstream Research Campus. This text amendment will allow the University to more effectively compete with similarly situated research parks across the United States.
2. The proposed text amendment will allow for a higher intensity use of the research campus and allow additional supportive uses, such as a mixed-use village and residential dwelling units, while still providing significant areas of open space.
3. The proposed text amendment will rename the zone to the "University Research Campus (P-2) Zone" to support the university in implementing their Master Plan for the Coldstream Research Campus. After 25+ years, there is the only one in Lexington-Fayette County with this zoning designation.

WLS/TLW

12/1/16, 3/1/17 supp

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C. FULL PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **ZOTA 2016-7: AMENDMENTS TO ARTICLE 8-24 FOR THE OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE**
– petition for a Zoning Ordinance text amendment to Article 8-24 to allow additional uses in the P-2 zone.

REQUESTED BY: University of Kentucky

PROPOSED TEXT: Copies are available from the staff.

The proposal to modify the P-2 zone is directly a result of the UK Master Plan completed in 2009. The proposed changes are as follows:

- Modify the name of the zone to University Research Campus (P-2) Zone and update the intent of the zone accordingly;
- Add hospitals and veterinary/animal clinics and laboratories as principal permitted uses;
- Create a category of "Supportive Uses," which includes townhouses; multi-family residential; restaurants, brew-pubs and banquet facilities without live entertainment; hotels/motels; and designated retail sales and mixed-use areas;
- Move hotels and motels from a principal permitted use to a supportive use;
- Delete automotive service stations; gas pumps without an on-site employee; automobile and vehicle refueling stations; incidental residential dwellings (caretaker); and ecotourism activities as supportive, accessory or conditional uses;
- Clarify that the designated retail sales area may also be a mixed-use area;
- Add outdoor patio areas as an accessory use; add outdoor live entertainment as a conditional use;
- Adjust the list of prohibited uses based upon other use changes, add establishments for the storage, display, rental or sales of any type of vehicle as a prohibited use;
- Eliminate minimum lot requirements, reduce front yard requirement on collector and local streets within a park to 5', and reduce side yard requirement to 15';
- Reduce useable open space requirement to 40% across the entire P-2 zoned development;
- Increase maximum floor area ratio from 0.5 to 0.75;
- Increase maximum height of buildings to 120';
- Add parking standards for new uses;
- Provide more flexibility in landscaping requirements; eliminate requirement for 25 trees/acre; and provide for screening adjacent to residential structures;
- Require a summary report from the design committee in conjunction with any final development plan presented to the Planning Commission for consideration;
- Allow parking in required side and rear yards;
- Limit the allowable supportive use land area to a maximum of 15% of the overall P-2 development;
- Provide for phasing of supportive uses either concurrent or after construction of other principal permitted uses; and maintain 75%/25% ratio of uses until at least 250,000 square feet of other research campus uses are constructed.

The Zoning Committee Recommended: **Approval**.

The Staff Recommends: **Approval of the Staff Alternative Text**, for the following reasons:

1. The University of Kentucky has a proven track record of economic development, with over 1.3 million square feet of space that actively supports 56 organizations and over 2,000 employees in the Coldstream Research Campus. This text amendment will allow the University to more effectively compete with similarly situated research parks across the United States.
2. The proposed text amendment will allow for a higher intensity use of the research campus and allow additional supportive uses, such as a mixed-use village and residential dwelling units, while still providing significant areas of open space.
3. The proposed text amendment will rename the zone to the "University Research Campus (P-2) Zone" to support the university in implementing their Master Plan for the Coldstream Research Campus. After 25+ years, theirs is the only one in Lexington-Fayette County with this zoning designation.

Staff Zoning Presentation – Ms. Wade presented and summarized the staff report and recommendations for this text amendment. She said this is a request by the University of Kentucky, specifically the Coldstream Research Park. She said that they are asking to amend portions of the P-2 zone, with the intent of increasing the land utilization, improve the open space, and create a live-work-play-learn environment. She gave a brief history of the property and the major changes requested for this amendment, which will be a name change of the zone, allow residential land uses, and modification of the lot, yard, and height requirements to allow greater utilization of the land. She said that another change would be a report to the Planning Commission, which would be competed for any new building on Coldstream, would go to their Design Review Board who would then make recommendations to the Planning Commission.

Ms. Wade also said that limitations and phasing would be appropriate for the supportive uses. She said that that applicant is proposing a limitation of supportive uses of 15% of the land area; and until a threshold of 250,000 square feet developed principle uses other than supportive uses is reached that there will be a 80%/20% split (measured in square footage).

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

Once that threshold has been met, there will no longer be any limitations. She said the land will be distributed at 40% open space; 15% supportive uses; and 45% campus and research uses. She said that the supportive uses will be both residential and non-residential, including hotels, restaurants, banks, offices, retail sales, etc.

Ms. Wade referenced other "innovation districts" in other areas of the country and how well they are succeeding. These areas are located in the research triangle (North Carolina), MIT (Boston), and also St. Louis.

Commission Comments – Mr. Penn asked if the farm on the corner of Nicholasville and Man o' War Boulevard could also be considered. Ms. Wade replied that the P-2 zone would have to be requested at this location. Mr. Duncan said that the South Nicholasville Road Small Area Plan had been approved to include a mixed-use future land use for Southfarm, similar to the Fritz Farm and that UK would need to apply for a P-2 zone change for that area.

Mr. Owens asked if in the supportive use area, are there any open space requirements. Ms. Wade stated the P-2 requirements, which specify that no more than 60% of the land can be covered with buildings and parking, leaving 40% for open space, which can be grouped together.

Mr. Wilson asked how the supportive uses were handled in the other areas have been successful. Ms. Wade replied that she didn't research that specific information.

Ms. Wade distributed a letter of support to the Planning Commission from the Fayette Alliance.

Petitioner Presentation – Nick Nicholson, attorney, was present representing the petitioner. He said that the driver behind this text amendment is not supportive uses; it's about making a more efficient land use and better designed research park. He said that the design requirements are strict in P-2 zones and this application would fix those requirements.

Mr. Nicholson described the current P-2 restrictions and presented aerials of large tracts of land and large parking areas with no pedestrian activity between them leading to a disconnected campus. He said that UK has been studying other research innovation areas and they want connectivity, and want to create a place where young people want to live, play, work, and learn. He said that they want to create an urban feeling village. There will be green space, social infrastructure and increased building density. UK will retain ownership of this land.

Mr. Nicholson said that the P-2 zone is already heavily restrictive. The P-2 zone requires 40% open space, 0.75 Floor Area Ratio, and the allowable uses, such as retail sales, hotels, and dormitories. They want people to live there, stay there, eat there, and buy things there.

Commission Questions – Mr. Penn asked if the 250,000 square foot ratio has already been met. Mr. Nicholson said that it has been met and that the phasing is in place for the next P-2 property to come along, to make sure that it won't be driven by supportive uses.

Mr. Cravens asked if new uses would be added to the large lots. Mr. Nicholson said the possibility is there to further subdivide several of the parcels.

Mr. Owens asked if college dormitories will be allowed on the subject property. Mr. Nicholson said that they are currently permitted.

Citizen Comment – There were no citizens present to speak to this application.

Action – A motion was made by Mr. Owens, seconded by Mr. Smith, and carried 8-0 (Brewer, Drake and Mundy absent) to approve the staff alternative text for ZOTA 2016-7: AMENDMENTS TO ARTICLE 8-24 FOR THE OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE, for the reasons provided by the staff.

Note: Commission member Will Berkley left the meeting at 5:00 p.m.