

2. **RML CONSTRUCTION, LLP, ZONING MAP AMENDMENT RML-CITATION (HILLENMEYER INTEREST, LTD.) ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-16-00004: RML CONSTRUCTION, LLP – petition for a zone map amendment from a Light Industrial (I-1) zone to a Wholesale and Warehouse (B-4) zone, for 12.03 net (15.75 gross) acres, and a Planned Neighborhood Residential (R-3) zone to a Wholesale and Warehouse (B-4) zone, for 2.24 net (4.0 gross) acres, for property located at 2551 Leestown Road and (a portion of) 745 Greendale Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The Plan's mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World. In addition, the Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The petitioner proposes a rezoning to a Wholesale and Warehouse Business (B-4) zone in order to construct an automobile service station and three office/warehouses buildings for a total of 33,200 square feet of space, and associated off-street parking areas.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval,** for the following reasons:

1. A restricted Warehouse and Wholesale Business (B-4) zone is in agreement with the policies general concepts, policies and guiding principles of the 2013 Comprehensive for the following reasons:
 - a. The site has been an underutilized/vacant site after more than a decade. The property should be considered for a possible change to an alternative zone for great utility and function in order to better serve the needs of the community and the immediate neighborhood within the Urban Service Area.
 - b. The proposed zoning and land use are generally compatible with the nearby industrial land uses to the south and would be less intense near the planned residential land use to the north. Conditional zoning restrictions to limit lighting and the most intense uses that may disturb residents are appropriate for the subject property north of Sandersville Road in order to ensure land use compatibility.
 - c. The proposed redevelopment will be able to use the existing infrastructure and transportation networks, which are adequate to serve the uses, including Citation Boulevard, along with the future connection of Sandersville Road through the site. The proposed B-4 zone can accommodate a number of small businesses that would provide important services within a neighborhood node, which is desirable near residential areas. These are consistent with the guiding principles of the Comprehensive Plan, specifically Chapter 6: "Improving a Desirable Community."
 - d. The proposed land use will not impair existing environmental conditions on the site. This is consistent with the guiding principles of the Comprehensive Plan, specifically Chapter 4: "Protecting the Environment."
 - e. The proposed B-4 zone would be a step down from the existing I-1 zone to the south, and would eliminate the possibility of the most intense land uses being located along Sandersville Road across from a new neighborhood.
2. This recommendation is made subject to approval and certification of PLN-MJDP-16-00007: RML-Citation (Hillennmeyer Interest, Ltd.), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions shall apply to the portion of the subject property adjacent to residential zoning:
 - a. Prohibited Uses:
 1. Shops for major automobile and truck repairing or electroplating.
 2. Laundry, clothes cleaning or dyeing shop.
 3. Ice plant.
 4. Tire re-treading and recapping.
 5. Machine shop.
 6. Processors of agricultural products.
 7. Establishments and lots for the display, rental, sale and repair of farm equipment, contractor equipment, automobiles, trucks, mobile homes, recreational vehicles such as mini-bikes, motorcycles, bicycles, boats or supplies for such items.
 8. Truck terminals and freight yards.
 9. Establishments for the display and sale of precut, prefabricated or shell homes.
 10. Carnivals.
 11. Outdoor storage within 200' of Citation Blvd. or within 200' of a residential zone.
 - b. Other Use Restrictions:
 1. Any outdoor lighting shall be shielded and directed away from any residential zones.

2. A fifteen-foot (15') landscape buffer shall be established along the northern property boundary, where adjacent to a residential zone. One tree every 20 feet of linear distance shall be planted along the boundary selected from Group A or B of the Planting Manual. These trees shall be planted in two rows so that they are staggered within the buffer area.

These restrictions are necessary and appropriate in order to ensure compatibility of the proposed development with the proposed residential neighborhood to the north of this location.

- b. PLN-MJDP-16-00007: RML-CITATION (HILLENMEYER INTEREST, LTD.) (9/29/16)* - located at 2551 Leestown Road and 745 Greendale Road. **(EA Partners)**

Note: This purpose of this amendment is to revise the zoning and development for the property.

The Subdivision Committee and Staff Recommended: Postponement. There were some questions regarding the proposed development on Lot 5.

Should this plan be approved, the following requirements should be considered:

1. Provided the Urban County Council rezones the property B-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Dimension exterior walls of all buildings, and C-store canopy.
8. Denote that conflict between lot line and easement will be resolved at time of Final Development Plan.
8. Denote access apron dimensions.
9. Denote 25' floodplain setback line, on plan.
10. Clarify parking generator by use per Article 8-21(n) of the Zoning Ordinance for warehouse and C-store uses.
11. Remove "no limitation" notations from site statistics.
12. Denote subdivision name in Plan Title.
13. Discuss landscaping and lighting restrictions adjacent to R-3 zone.
14. Discuss private street vs. access easement for access to Lot 5.
15. Discuss proposed uses for Lot 5.
16. Discuss stormwater detention location for this development, and its timing.
17. Discuss provision of vehicular access and use for the area south of the floodplain on Lot 5.
18. Discuss access into warehouse portion of proposed buildings.

Staff Zoning Presentation – Ms. Wade presented the staff report on this zone change for 2551 Leestown Road and a portion of 745 Greendale Road and stated that this application is for a rezoning from Light Industrial (I-1) zone and a Planned Neighborhood Residential (R-3) zone to a Wholesale and Warehouse Business (B-4) zone. The subject property is actually located along the new Citation Blvd. A majority of its frontage is on Citation Blvd. and the planned continuation of Sandersville Road is planned through the subject property, which will continue across Citation Blvd. She displayed an aerial view of the subject property.

Ms. Wade said that the I-1 parcel was rezoned in 1994 and the R-3 parcel was rezoned by Ball Homes in 2004. Both of these parcels have remained vacant for more than a decade. She said that now that Citation Blvd. is complete and has provided access between Leestown Road and Newtown Pike, that there has been some interest by landowners in the area and in offering other services that are not directly available to the residential areas in this vicinity. She said that the areas to the south and the east of the subject property are already zoned as I-1 and the property to the west and north are zoned as R-3. She said that residential is planned across Citation Blvd. and to the north of Sandersville Road.

Ms. Wade said that the applicant is proposing the rezoning to the B-4 zone in order to construct approximately 64,000 square feet of both office/warehouse space and an automobile service station. The applicant contends that this proposal is in agreement with the 2013 Comprehensive Plan based on land use change considerations developed by the staff following the adoption of the Comprehensive Plan. The applicant believes that the existing combination of I-1 and R-3 zones are inappropriate at this intersection and that B-4 zone will be more appropriate at this location along a minor arterial and a collector street. The applicant believes that the proposed zone will be compatible with and enhance adjoining land uses, enable the development of a critical vehicular connection, Sandersville Road, will redevelop under-utilized land for greater utility or function, and will utilize the existing infrastructure. She said that the applicant also believes that the proposed zone change will not impair any existing environmental conditions of this site and it will provide for neighborhood oriented business and amenities in the area.

Ms. Wade said that the staff agrees with the applicant's contention that it is in agreement with the Comprehensive Plan at this location. She said that the staff noted in the staff report that the B-4 zone can accommodate some neighborhood-oriented businesses, like an animal clinic, garden centers, automobile service centers, and also the office/warehouse projects. She said that the B-4 zone would act as a step down between the Light Industrial and the residential. She said that the staff had con-

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

cerns, when reviewing this application, about the buffer between the B-4 zone and the residential to the north of Sandersville Road, where it will be adjacent to single-family residential. The staff suggested conditional zoning restrictions at the Zoning Committee meeting, which made a recommendation of approval for this proposed zone change. She said that the findings and the conditional zoning restrictions are listed on the staff report, with a number of prohibited uses.

Development Plan Presentation - Mr. Martin presented the staff report on the preliminary development plan and said that there was a staff exhibit (pink handout) with the revised recommendations for this plan. On a rendering of the revised plan, he oriented the Planning Commission of the area for development. He said that the two office buildings will have parking in the rear of the building with a 15 foot buffer area between the subject property and the adjacent R-3 zone. The applicant is proposing a gas station along with an office/warehouse building behind it, with the parking to the rear, on the location. He said that originally, the staff had some concerns with the property including the fact that the applicant didn't have any development proposed on the remaining lot. He said that there is a sink hole in that location, which will be addressed at the Final Development Stage, with a study to determine the extent of the sink hole. He said that it may or may not have a significant impact on the development of the site. He pointed out the 100-year FEMA flood plain that runs through the rear portion of the property.

Mr. Martin said that the revised conditions are mostly typical, with a few clean up conditions. He clarified condition number 8, the parking generator. The office/warehouse has a 60/40 square footage breakdown and that parking generator has to reflect that difference in use, one is 1/200 and the other is 1/600 square feet. He said that the convenience store will have its own generator. He said that there is a slight math discrepancy with this plan and that resulted in the condition to clarify or add 17 parking spaces. There is plenty of room to do so if they want to adjust the plan. He said that the staff is recommending approval of this revision.

Commission Comments – Mr. Penn asked if there is any consideration being given to the direction the buildings will face, and asked if they will they face Citation Blvd. Mr. Martin replied that at the Final Development Plan stage the plan will be reviewed for the building articulation and the appearance that it will present to Citation Blvd.

Petitioner Presentation – Bruce Simpson, attorney, was present representing the petitioner. He said that the applicant agrees with the staff's recommendations on the zone change and the development plan's revised conditions with the provision to clarify and denote the issues that Mr. Martin had mentioned, at the Final Development stage.

Zoning Action – A motion was made by Mr. Berkley, seconded by Ms. Cravens, and carried 10-0 (Drake absent) to approve PLN-MAR-16-00004: RML CONSTRUCTION, LLP, for the reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Berkley, seconded by Mr. Smith, carried 10-0 (Drake absent) to approve PLN-MJDP-16-00007: RML-CITATION (HILLENMEYER INTEREST, LTD.), subject to the 10 conditions provided by the staff.