

Rec'd by _____

Date: _____

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

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

Having considered the above matter on **February 23, 2023**, at a Public Hearing, and having voted **9-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

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

These restrictions are appropriate and necessary for the following reasons:

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

4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00076: Eastland Shopping Center (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 10th day of March, 2023.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

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

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

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

OBJECTORS

OBJECTIONS

VOTES WERE AS FOLLOWS:

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

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

Enclosures:

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