

Rec'd by \_\_\_\_\_

Date: \_\_\_\_\_

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

**IN RE:** **MAR 2013-6: AU ASSOCIATES, INC.** - petition for a zone map amendment from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone, for 4.09 net and gross acres, for property located at 1060 Cross Keys Road (a portion of). (Council District 11)

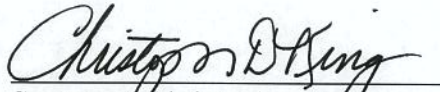
Having considered the above matter on **March 28, 2013**, at a Public Hearing, and having voted **11-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning

Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zoning is appropriate and the Professional Office (P-1) is now inappropriate for the rear portion of 1060 Cross Keys Road, for the following reasons:
  - a. Since dwelling units are a permitted use in the P-1 zone for the second floor and above (if professional office uses are proposed on the first floor), some level of residential use would be allowed under the current zoning. However, such a mixed-use project would not be feasible at this location, given the property's limited access and visibility.
  - b. The existing P-1 zone is not appropriate for the subject property because of the limited access to the property. Existing access to the property is from the first phase of the development. With no direct access to a public street, the site does not have adequate access to foster successful professional office uses.
  - c. The proposed R-3 zone and multi-family residential development are very compatible with the surrounding area. The largest non-residential land uses in the immediate area are James Lane Allen Elementary School and the Gardenside Shopping Center, both of which are highly compatible with the residential development proposed at this location.
  - d. The Plan recommends High Density Residential land use to the north and east of the subject property, defined at 10 to 25 dwelling units per net acre. In comparison, this development proposes 17.6 dwelling units per net acre.
2. The 2012 Comprehensive Plan's Themes, Goals and Objectives are supportive of the proposed zone change request. The Plan's mission statement seeks to "provide flexible planning guidance;" and the proposed change is supported by Theme A.1.b., which encourages housing near employment and commercial areas, as well as Theme A.2.a., which encourages identifying opportunities for appropriate infill that respects the area's context and design features.
3. This recommendation is made subject to the approval and certification of ZDP 2013-23: Gardenside Cabana Club (Parkside Development), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use shall be restricted on the subject property via conditional zoning:
  - a. A maximum of seventy-two (72) residential dwelling units shall be permitted on the subject property. This restriction is appropriate and necessary in order to buffer the nearby professional offices.



ATTEST: This 12<sup>th</sup> day of April, 2013.

  
Secretary, Christopher D. King

MIKE OWENS  
CHAIR

Note: The corollary development plan, ZDP 2013-23: Gardenside Cabana Club (Parkside Development), was approved by the Planning Commission on March 28, 2013, and certified on April 11, 2013.

K.R.S. 100.211(7) requires that the Council take action on this request by June 26, 2013.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Darren Eyre, architect.**

OBJECTOR

- Robert Ely, 1814 Parkers Mill Road

OBJECTIONS

- He is concerned about the possibility of the proposed development negatively impacting his property, and the lack of a fence or other buffering between the two properties.

VOTES WERE AS FOLLOWS:

AYES: (11) Beatty, Berkley, Blanton, Brewer, Cravens, Mundy, Owens, Penn, Plumlee, Roche-Phillips, Wilson

NAYS: (0)

ABSENT: (0)

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for CONDITIONAL APPROVAL of MAR 2013-6 carried.

Enclosures: Application  
Plat  
Staff Report  
Applicable excerpts of minutes of above meeting