

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

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

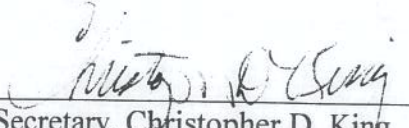
**RECOMMENDATION OF THE**  
**URBAN COUNTY PLANNING COMMISSION**  
**OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY**

**IN RE: MAR 2014-21: WMM PROPERTIES, LLC** - petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone, for 0.43 net (0.49 gross) acre, for property located at 435 Redding Road (a portion of). (Council District 4)

Having considered the above matter on **December 18, 2014**, at Public Hearings, 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 **APPROVAL** of this matter for the following reasons:

1. The requested Neighborhood Business (B-1) zone for a portion of property located at 435 Redding Road is appropriate, and the existing Planned Neighborhood Residential (R-3) zone is inappropriate for the following reasons:
  - a. The 2013 Goals and Objectives of the Comprehensive Plan are supportive of sustainable small neighborhood centers, which can provide for a better quality of life within the immediate area and reduce travel demands (Theme A., Goals 2.a. and 3.b.). This property is such a center.
  - b. The residentially-zoned portion of the property is already fully incorporated into the development, and is supporting the business use on the tract as a stormwater detention basin and accessory parking lot. Additionally, there is currently no landscape buffer or other separation between the business and residential zoning.
  - c. The requested B-1 zone will permit redevelopment of the property for a freestanding fast food restaurant and accessory drive-through facility. The current residential zoning, although approved for a conditional use for accessory parking, cannot accommodate the drive-through facility anticipated by the petitioner.
  - d. Shifting the B-1 zone line to the north approximately 40 to 80 feet will not impact the adjoining extended-stay hotel, or any other nearby residential uses.
  - e. The existing residential zoning is not large enough to support any type of residential use considering the geographical features of the property. That area acts as the service area for the adjoining businesses, is very narrow, and is already encumbered by stormwater facilities to support the commercial use of the property. These factors make construction of any residential use not viable or desirable.
2. This recommendation is made subject to approval and certification of ZDP 2014-96: Watts Farm – Tract 4, 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 5<sup>th</sup> day of January, 2015.

  
Secretary, Christopher D. King

MIKE OWENS  
CHAIR

Note: The corollary development plan, ZDP 2014-96: Watts Farm – Tract 4, was approved by the Planning Commission on December 18, 2014, and certified on December 29, 2014.

K.R.S. 100.211(7) requires that the Council take action on this request by March 18, 2015.

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

OBJECTORS

- Ann Wesley, Assurance Realty & Property Management, representing Aintree Condominium owners

OBJECTIONS

- Residents of the condominium development at 421 Redding Road are concerned that the proposed drive-through restaurant could generate additional traffic in the area.

VOTES WERE AS FOLLOWS:

AYES: (11) Berkley, Brewer, Cravens, Drake, Mundy, Owens, Penn, Plumlee, Richardson, Smith, and Wilson

NAYS: (0)

ABSENT: (0)

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **MAR 2014-21** carried.

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

MICHELLE  
CLARK

Wesley  
Simpson