

Rec'd by _____

Date: _____

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

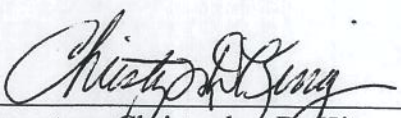
IN RE: MARC 2012-3: VICTORY APOSTOLIC CHURCH – petition for a zone map amendment from an Agricultural Rural (A-R) zone to a Planned Neighborhood Residential (R-3) zone, for 1.56 net (2.04 gross) acres, for property located at 1420 Greendale Road. A conditional use permit has also been requested with this zone change. (Council District 2)

Having considered the above matter on **February 23, 2012**, 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 Planned Neighborhood Residential (R-3) zone is in agreement with the 2007 Comprehensive Plan, for the following reasons:
 - a. The Future Land Use Element of the Plan recommends Medium Density Residential (MD) for the subject property, which is defined as 0 – 8 dwelling units per gross acre.
 - b. The proposed church land use is a permissible conditional use in the Planned Neighborhood Residential (R-3) zone.
 - c. The property will be restricted to a maximum residential density, in keeping with the maximum density recommended by the Plan, of 16 dwelling units.
 - d. The proposed development of a church is supported by Goal #14, Objective I and Goal #20, Objective P of the 2007 Comprehensive Plan, which allow for adequate community facilities (including churches) to satisfy public need, and which encourage developing self-sustaining neighborhoods by enabling a range of services in close proximity (also including worship facilities).
2. This recommendation is made subject to the approval and certification of ZDP 2012-9: Victory Apostolic Church, Inc. prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of any approval by the Planning Commission.
3. 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 16 residential dwelling units may be permitted on the subject property.

This restriction is appropriate and necessary for the subject property in order to ensure compatible development; and if a conditional use does not develop on the subject property, the property will develop in a manner recommended by the 2007 Comprehensive Plan.

ATTEST: This 7th day of March, 2012.


Secretary, Christopher D. King

MIKE CRAVENS
CHAIR

Note: The conditional use permit request was approved by the Planning Commission on February 23, 2012.

Note: The corollary development plan, ZDP 2012-9: Victory Apostolic Church, Inc., was approved by the Planning Commission on February 23, 2012, and certified on March 7, 2012.

K.R.S. 100.211(7) requires that the Council take action on this request by May 23, 2012.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Mr. Richard Murphy, attorney.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (9) Beatty, Berkley, Brewer, Blanton, Copeland, Cravens, Owens, Roche-Phillips, Wilson

NAYS: (0)

ABSENT: (1) Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **MARC 2012-3** carried.

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

ATTEN: This 7th day of March, 2012.

WKT/CR/VDP

