

Rec'd by _____

Date: _____

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

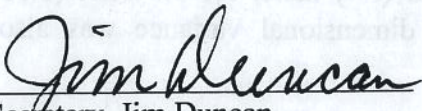
IN RE: **MARV 2015-28: STRONGBOX, LLC** - petition for a zone map amendment from an Interchange Service Business (B-5P) zone to a Light Industrial (I-1) zone, for 3.08 net (6.35 gross) acres, for property located at 1973 Bryant Road. A dimensional variance was also requested. (Council District 6)

Having considered the above matter on **January 28, 2016**, at a Public Hearing, and having voted **8-1** 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 reason:

1. A restricted Light Industrial (I-1) zone is in substantial compliance with the 2013 Comprehensive Plan, for the following reasons:
 - a. The site has been an underutilized site after more than two decades of B-5P zoning and a decade of failed restaurants. The property should be considered for a possible change to an alternative business zone (and use) in order to better serve the needs of the community within the Urban Service Area.
 - b. The proposed zoning and land use are generally compatible with the nearby "motorsports node" that has developed along Bryant Road. Conditional zoning restrictions to limit uses that may disturb visitors and guests in the adjacent hotels would be appropriate for the subject property 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 use), and 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," and Chapter 6: "Improving a Desirable Community."
2. This recommendation is made subject to approval and certification of ZDP 2015-120: Man O' War Development, Unit 2A, Sec. 2, Lots A-2 & A-3 (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.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the subject property shall be restricted in the following manner, via conditional zoning:
Prohibited Uses
 - a. Ice plant.
 - b. Tire re-treading and recapping.
 - c. Machine shop.
 - d. Outdoor kennels.
 - e. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment; contractor equipment; travel trailers; mobile homes; and/or precut, prefabricated or shell homes.
 - f. Outdoor storage of supplies or materials.
 - g. Auto-parts rebuilding; battery manufacturing; dextrine and starch manufacturing; enameling, lacquering and japanning; electric foundry; radium extraction; and tool manufacturing.
 - h. Vehicle storage yards.
 - i. Truck terminals.
 - j. Advertising signs, also known as billboards, as regulated and defined by Article 17.

These restrictions are necessary and appropriate in order to restrict the most intense land uses on the subject property. Such uses could have a negative impact on the nearby hotels related to noise and their hours of operation.

ATTEST: This 17th day of February, 2016.


Secretary, Jim Duncan

MIKE OWENS
CHAIR

Note: A variance to reduce the property perimeter landscaping (zone-to-zone screening) for the entire property was approved by the Planning Commission for this property, subject to the rezoning being granted.

Note: The corollary development plan, ZDP 2015-120: Man O' War Development, Unit 2A, Sec. 2, Lots A-2 & A-3 (Amd), was approved by the Planning Commission on January 28, 2016, and certified on February 11, 2016.

K.R.S. 100.211(7) requires that the Council take action on this request by April 27, 2016.

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

OBJECTORS

- None

OBJECTIONS

- none

VOTES WERE AS FOLLOWS:

AYES: (8) Berkley, Drake, Mundy, Owens, Plumlee, Richardson, Smith, Wilson

NAYS: (1) Cravens

ABSENT: (2) Brewer, Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for CONDITIONAL APPROVAL of MARV 2015-28 carried.

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