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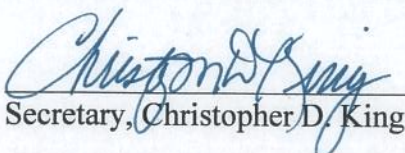
RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: **MARV 2014-10: RML CONSTRUCTION, LLP** – petition for a zone map amendment from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 0.92 net (0.92 gross) acre; and a Neighborhood Business (B-1) zone, for 1.01 net (1.22 gross) acres, for property located 2985 Liberty Road. Landscape variances are also requested with this zone change. (Council District 6)

Having considered the above matter on **May 22, 2014**, at a Public Hearing, and having voted **8-0** 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 reason:

1. The requested High Density Apartment (R-4) zone and Neighborhood Business (B-1) zone are appropriate and the existing Single Family Residential (R-1D) zone is inappropriate, for the following reasons:
 - a. Single family residential development is possible at this location, although the surrounding uses suggest that a more intense use of the property is more appropriate. The closest single family residence is over 400 feet away and is located along Cadentown Road.
 - b. The proposed rezoning of the subject property will allow uses in keeping with the existing character of the area. This portion of the Urban Service Area has developed with a combination of neighborhood business and office uses fronting along Man o' War Boulevard, with residential uses located to the rear of the business uses or along Liberty Road.
 - c. The petitioner's proposed rezoning is generally in keeping with the established development pattern of the immediate area, because the planned neighborhood business zoning will extend to generally the same boundary as that for the CVS Pharmacy located directly across Liberty Road.
2. This recommendation is made subject to the approval and certification of **ZDP 2014-40: Cadentown Subdivision, Lot 10 (Brighton 3050)**, 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 6th day of June, 2014.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: A variance to the zone-to-zone screening and vehicular use area screening was approved by the Planning Commission for a portion of this property, subject to the rezoning being granted.

Note: The corollary development plan, ZDP 2014-40: Cadentown Subdivision, Lot 10 (Brighton 3050), was approved by the Planning Commission on May 22, 2014, and certified on June 5, 2014.

K.R.S. 100.211(7) requires that the Council take action on this request by August 20, 2014.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (8) Blanton, Cravens, Drake, Owens, Penn, Plumlee, Smith, and Wilson

NAYS: (0)

ABSENT: (3) Berkley, Brewer, Mundy

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **MARV 2014-10** carried.

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

MIKE OWENS
CHAIR

Secretary, Urban County Planning Commission

Note: A variance to the zone-to-zone -zoning and whether use and activity was approved by the Planning Commission for a portion of this property, subject to the remaining being granted.