

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

IN RE: **MAR 2014-16: CALLER PROPERTIES, LLC** – petition for a zone map amendment from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 0.588 net (0.852 gross) acre, for property located at 626-634 Euclid Avenue. (Council District 3)

Having considered the above matter on **August 28, 2014, & September 11, 2014**, at Public Hearings, and having voted **7-0** 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:

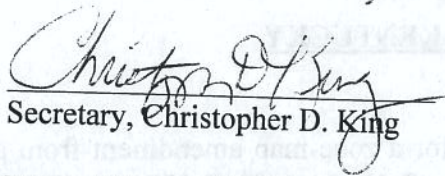
1. The proposed Neighborhood Business (B-1) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Plan recommends compact, contiguous, and/or mixed-use sustainable development within the Urban Service Area to accommodate future growth needs in order to uphold the Urban Service Area concept (Theme E, Goal #1, Obj. b.). The petitioner's development will be in keeping with the character of the Euclid Avenue corridor, which is a near downtown commercial area that is pedestrian-friendly.
 - b. The Plan recommends identifying opportunities for infill, redevelopment and adaptive reuse that respects the area's context and design features whenever possible (Theme A, Goal #2, Obj. a.). The petitioner desires to redevelop the subject property, which is comprised of three parcels that are considered underutilized along this commercial corridor. The petitioner now proposes a redevelopment that is sensitive to the surrounding properties and will improve the commercial corridor.
 - c. The proposed B-1 zone is compatible with the immediately adjoining B-6P and P-1 zoning.
2. This recommendation is made subject to approval and certification of **ZDP 2014-65: Chevy Chase Shoppes** 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 with the following restrictions via conditional zoning:**

Prohibited Uses

 - a. Schools for academic instruction.
 - b. Funeral parlors.
 - c. Liquor stores.
 - d. Automobile services stations.
 - e. Banquet facilities.
 - f. Cocktail lounges, nightclubs or bars.
 - g. Live entertainment.

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 neighborhoods related to noise and/or traffic congestion.

ATTEST: This 26th day of September.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2014-65: Chevy Chase Shoppes, was approved by the Planning Commission on September 11, 2014, and certified on September 25, 2014.

K.R.S. 100.211(7) requires that the Council take action on this request by December 10, 2014.

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

OBJECTORS

- Ethan Buell, co-owner of 620 Ashland
- Mark Barker, 439 Park Avenue
- Amy Clark, 628 Kastle Road
- Sally Warfield, legislative aide to Councilmember Lawless

OBJECTIONS

- He is concerned about traffic hazards from the proposed drive-through.
- He would like for additional prohibited uses to be added to the list of conditional zoning restrictions, including extended-stay hotels.
- She is concerned that the proposed development will not be in keeping with the walkable character of the neighborhood.
- She believes that a corridor study is ongoing in the area, and it could be premature to rezone the subject property prior to its completion.

VOTES WERE AS FOLLOWS:

AYES: (7) Berkley, Cravens, Mundy, Owens, Plumlee, Richardson, and Smith
NAYS: (0)
ABSENT: (4) Brewer, Drake, Penn, and Wilson
ABSTAINED: (0)
DISQUALIFIED: (0)

Motion for CONDITIONAL APPROVAL of MAR 2014-16 carried.

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