

Rec'd by _____

Date: _____

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

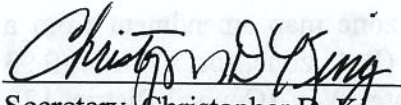
IN RE: MAR 2012-15: MULLIS FAMILY, LLC – petition for a zone map amendment from a Professional Office (P-1) zone to a High Density Apartment (R-4) zone, for 5.77 net (9.93 gross) acres, for property located at 161 and 181 Leestown Center Way. (Council District 12)

Having considered the above matter on **November 15, 2012**, at a Public Hearing, 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 **APPROVAL** of this matter for the following reasons:

1. The requested High Density Apartment (R-4) zoning is appropriate and the Professional Office (P-1) zone is now inappropriate, for the following reasons:
 - a. Dwelling units are a permitted use in the P-1 zone for the second floor and above, if professional office uses are proposed on the first floor; thus, some level of residential development would be allowed under the current zoning. However, such a mixed-use project would not be feasible at this location, given the property's limited access and the lack of success for existing office space in the immediate vicinity.
 - b. The existing P-1 zone is not appropriate because of the limited access to the property. While site access was significantly improved with the construction of Leestown Center Way and the ability to access the property from two directions was increased, the access changes do not appear to have been substantial enough to foster a successful Professional Office Park at this location. Acknowledging the previous Comprehensive Plan land use recommendations from 1980 until 1996 of High Density Residential land use, by rezoning the subject property to R-4, appears to be appropriate.
 - c. The proposed R-4 zone and multi-family residential development are very compatible with the surrounding area. The largest land uses in the immediate area are Leestown Middle School and Bluegrass Community and Technical College, both of which are highly compatible with the proposed residential development. Higher density residential uses are also compatible with a limited access expressway like New Circle Road.
 - d. The proposed R-4 zone for a high density residential land use would be an appropriate transition between, or neighbor to, professional office and educational facilities, as it can improve non-vehicular connections and reduce vehicle trips between complimentary land uses.
2. The 2012 Comprehensive Plan's Goals and Objectives are supportive of the proposed zone change request. The Plan's mission statement seeks to "provide flexible planning guidance;" and the proposed change is supported by Theme A.1.b., which encourages housing near employment and commercial areas, as well as Theme A.2.a., which encourages identifying opportunities for appropriate infill that respects the area's context and design features.

3. This recommendation is made subject to approval and certification of ZDP 2012-93: Leestown Office Park, Lots 4 & 5 (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.

ATTEST: This 28th day of November, 2012.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2012-93: Leestown Office Park, Lots 4 & 5 (Amd.), was approved by the Planning Commission on November 15, 2012, and certified on Nov. 28, 2012.

K.R.S. 100.211(7) requires that the Council take action on this request by February 13, 2013.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (7) Beatty, Brewer, Cravens, Owens, Penn, Plumlee, Roche-Phillips

NAYS: (0)

ABSENT: (4) Berkley, Blanton, Mundy, Wilson

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of MAR 2012-15 carried.

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