

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

IN RE: **PLN-MAR-16-00008: FORTUNE BUSINESS CENTRE, LLC** – a petition for a zone map amendment from a Professional Office (P-1) zone to a Wholesale and Warehouse Business (B-4) zone, for 3.91 net (5.18 gross) acres, for property located at 2300 Fortune Drive. (Council District 6)

Having considered the above matter on **November 17, 2016**, 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. The requested Warehouse and Wholesale Business (B-4) zone is appropriate, and the existing Professional Office (P-1) zone is inappropriate at this location, for the following reasons:
 - a. The Fortune Drive corridor is characterized by warehouse and wholesale business land uses, with few stand along office uses. The proposed B-4 zone is compatible and consistent with the existing character of the area.
 - b. The existing transportation and infrastructure improvements that exist on the property will be able to serve the proposed use. A shared access easement, parking and a regional detention basin are in place to serve the subject property.
 - c. Although adjoined by residential zoning to the immediate east, a regional detention basin exists along the shared zoning boundary. This creates a physical boundary that is an appropriate land use buffer and creates a land use transition between the business and residential uses.
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-16-00031: Fortune Business Center, Lot 3**, 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 following uses shall be prohibited on the subject property:
 - a. Shops for major and minor automobile and truck repairing or electroplating.
 - b. Laundry, clothes cleaning or dyeing shop.
 - c. Ice plant.
 - d. Tire re-treading and recapping.
 - e. Machine shop.
 - f. Processors of agricultural products.
 - g. Establishments and lots for the display, rental, sale and repair of farm equipment; contractor equipment; automobiles; trucks; mobile homes; recreational vehicles, such as mini-bikes, motorcycles, and bicycles; boats or supplies for such items.
 - h. Truck terminals and freight yards.
 - i. Automobile service stations, and automobile and vehicle refueling stations.
 - j. Establishments for the display and sale of pre-cut, prefabricated or shell homes.
 - k. Circuses and carnivals.

These restrictions are necessary and appropriate in order to protect the neighborhood from uses that are too intensive or out of character with the existing area.

ATTEST: This 12th day of December, 2016.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-16-00031: FORTUNE BUSINESS CENTER, LOT 3 (AMD) was approved by the Planning Commission on November 17, 2016 and certified on December 1, 2016.

K.R.S. 100.211(7) requires that the Council take action on this request by February 15, 2017.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Tom Miller, Attorney.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (9) Berkley, Cravens, Drake, Mundy, Owens, Plumlee, Richardson, Smith, and Wilson

NAYS: (0)

ABSENT: (2) Brewer and Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR 16-00008** carried.

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