

Rec'd by TW

Date: 1/5/18

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

IN RE: **PLN-MAR-17-00038: WILLSTONE, LLC** – a petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone, for 0.256 net (0.299 gross) acres, for property located at 101 Dennis Drive. A dimensional variance is also requested. (Council District 10)

Having considered the above matter on **November 30, 2017**, at a Public Hearing, and having voted **10-0** 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 proposed Neighborhood Business (B-1) zone is appropriate and the existing Single Family Residential (R-1C) zone is inappropriate, for the following reasons:
 - a. The proposed B-1 zone is compatible and consistent with the B-1 and P-1 zoning that exists within the immediate area.
 - b. Existing residentially zoned land in this area is generally suited to a future commercial land use and is awaiting redevelopment. The subject property is the only residentially zoned lot remaining on Dennis Drive, but it has not been used for residential land use for more than 20 years.
 - c. Historically land use decisions and previously adopted Comprehensive Plans have collectively encouraged a higher intensity of land use and a commercial character for the area to the point where the existing single-family residential zoning is no longer compatible or desirable in this location.
 - d. The depth of commercial land use and zoning along the west side of Nicholasville Road is approximately 225 to 275 feet within the immediate area. The proposed rezoning would be consistent with the existing land use pattern in the area.
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-17-00104: Bella Vista Subdivision, Lot 6**, 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 5th day of January, 2018.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, **PLN-MJDP-17-00104: BELLA VISTA SUBDIVISION, LOT 6** was approved by the Planning Commission on November 30, 2017 and certified on December 14, 2017.

Note: A dimensional variance was approved to reduce the side yard (west) from 12 feet to 5 feet, by the Planning Commission at this hearing.

K.R.S. 100.211(7) requires that the Council take action on this request by February 28, 2018.

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

OBJECTORS

- Tom Chinn, 103 Dennis Dr.

OBJECTIONS

- Owner of the adjacent daycare and is concerned with security and liability.

VOTES WERE AS FOLLOWS:

AYES: (10) Bell, Berkley, Cravens, Forester, Mundy, Owens, Penn, Plumlee, Richardson and Wilson

NAYS: (0)

ABSENT: (1) Brewer

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-17-00038** carried.

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