

Rec'd by _____

Date: _____

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

IN RE: **MAR 2015-3: THISTLE HOLDINGS, LLC** - petition for a zone map amendment from a Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone, for 3.78 net (4.72 gross) acres, for property located at 308-310, 322 and 330 Newtown Pike. (Council District 2)

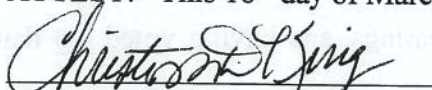
Having considered the above matter on **February 26, 2015**, at Public Hearings, and having voted **9-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The proposed Neighborhood Business (B-1) zone and form-based neighborhood business project are in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. Theme A, "Growing Successful Neighborhoods," recommends expanding housing choices, with emphasis on mixed-use and higher density development to address a variety of community needs (Goals 1b. and 1d.). The Plan recommends supporting infill and redevelopment as a strategic component of growth, with focus on context-sensitive design (Goal 2a.), and providing well-designed neighborhoods through mixed use, multi-modal transportation connections and minimizing disruption of natural features when building new communities (Goals 3a., 3b. & 3c.) The petitioner's proposed project will provide additional housing options for the Newtown Pike corridor in a context-sensitive manner, while offering multi-modal transportation connections (vehicular, bicycle, pedestrian and transit).
 - b. Theme E, "Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land," also encourages the infill or redevelopment of underutilized land inside the Urban Service Area (Goal 1a.), and building in a compact, contiguous, and/or sustainable manner (Goal 1b.). The petitioner is redeveloping an underutilized industrial site at one of the gateways into Lexington's downtown in a highly dense manner (53.4 dwelling units per acre), thus fulfilling the intent of the Comprehensive Plan.
2. The subject properties are located within the boundary of the *Downtown Lexington Masterplan* and the more recent *Fourth Street Zoning Study*. The *Masterplan* and the *Zoning Study* both recommend mixed-use development for the site. In addition, the *Masterplan* states that the Downtown Edge West precinct "has the potential to be a true mixed-use neighborhood with retail, offices, and residential as a signature entryway to the downtown." The petitioner's form-based neighborhood business project provides that "signature" gateway recommended by the *Masterplan*. The mixed-use project will also complement the new BCTC campus to the north, and will spur further redevelopment in the Fourth Street corridor from industrial land uses.
3. The proposed B-1 zone permits mixed-use development, and the form-based project option allows flexibility in the zone requirements if a project developer completes the area character and context study requirements. The petitioner has conducted the requisite study, evaluating the nearby area, and creating a project that respects the existing urban environment.
4. This recommendation is made subject to approval and certification of **ZDP 2015-12: Thistle Station**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

5. Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses are recommended to be prohibited on the subject property:
- Automobile repair, service stations, and gasoline pumps.
 - Automobile and vehicle refueling stations.
 - Animal hospitals or clinics.
 - Drive-through facilities.

These use prohibitions are appropriate and necessary to ensure that future development will be compatible with the character of the adjoining area by prohibiting certain uses that would be contrary to its urban mixed-use character.

ATTEST: This 18th day of March, 2015.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2015-12: Thistle Station, was approved by the Planning Commission on February 26, 2015, and certified on March 12, 2015.

K.R.S. 100.211(7) requires that the Council take action on this request by May 27, 2015.

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

OBJECTORS

- Marli Baumann
- Amy Clark, 628 Kastle Road

OBJECTIONS

- She is concerned about overflow parking on West Third Street.
- She is concerned that the first-floor retail in the proposed development will not be successful, and that the number of parking spaces depicted on the development plan is insufficient.

VOTES WERE AS FOLLOWS:

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

NAYS: (0)

ABSENT: (2) Brewer, Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for CONDITIONAL APPROVAL of MAR 2015-3 carried.

Enclosures: Application
Plat
Staff Report
Form-Based Neighborhood Business Project Staff Report
Applicable excerpts of minutes of above meeting