

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

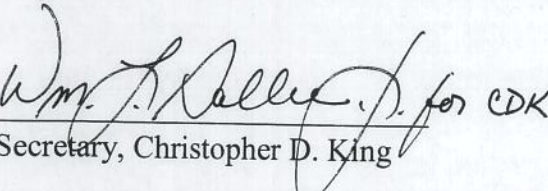
IN RE: MAR 2013-18: RK HOLDINGS, LLC – petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 9.77 net (10.29 gross) acres; and from a Single Family Residential (R-1B) zone to a Planned Neighborhood Residential (R-3) zone, for 0.0 net (0.26 gross) acre, for property located at 690 Woodward Lane. (Council District 6)

Having considered the above matter on **December 19, 2013, & January 30, 2014**, at two 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 requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2007 Comprehensive Plan for the following reasons:
 - a. The Land Use Element of the Plan recommends Medium Density Residential (MD) future land use, defined as 5–10 dwelling units per net acre, for 6.84 acres of the subject property closest to Woodward Lane (front); and Low Density Residential (LD) future land use, defined as 0–5 dwelling units per net acre, for 2.93 acres of the subject property closest to the adjacent railroad (rear).
 - b. The Plan suggests a density range of between 34 and 83 dwelling units, in total, for the subject property.
 - c. The petitioner proposes to construct 45 single-family dwelling units on the site, with a residential density of 4.6 dwelling units per net acre, in agreement with the Plan's recommendation.
2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restriction is appropriate for the property via conditional zoning:
 - a. The property is to be developed with no more than 83 single-family residential units.

This use restriction is necessary and appropriate in order to maintain a character consistent with surrounding residential properties and the 2007 Comprehensive Plan Land Use Element.

ATTEST: This 19th day of February, 2014.


 Secretary, Christopher D. King

MIKE OWENS
 CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by May 1, 2014.

At the Public Hearings before the Urban County Planning Commission, this petitioner was represented by **Matt Carter and Jihad Hallany, engineers.**

OBJECTORS

- David Royse, 687 & 691 Woodward Lane
- Katie McCormick, 695 Woodward Lane
- Charles Logan, 2416 Liberty Road
- James Hawkins, 671 Woodward Lane
- Jim Eades, 703 Wilderness Road
- Bryan Morris, 692 Woodward Lane
- Steven Shaw, 683 Woodward Lane
- Hart Graves, 1306 Fincastle Road
- J.W. Bailey, 713 Woodward Lane
- William Riggs, 732 & 740 Wilderness Road
- Ron Crim, 679 Woodward Lane

OBJECTIONS

- He is concerned about additional traffic from the proposed development using Woodward Lane; the status of Woodward Lane as a private street; and the safety of the subject property due to a past mercury spill
- She is concerned about additional stormwater runoff and the possible loss of the unique rural character of Woodward Lane
- He is concerned that additional stormwater runoff could result in damage to his basement, which was damaged before from nearby development
- He believes that additional traffic on Woodward Lane could make it inaccessible to emergency vehicles
- He does not believe that sewers were installed correctly on Woodward Lane, and he is concerned that additional stormwater runoff from the proposed development could damage his property
- He is concerned that the proposed development could damage the existing rural character of Woodward Lane
- He is concerned about the safety of the large Columbia Gas transmission line that is located on the subject property
- She shares other residents' concerns about the traffic impact of the proposed development, and the past mercury spill
- He is concerned that Woodward Lane was not constructed up to current standards, so any necessary improvements could be costly to taxpayers
- He believes that the petitioner has already begun work on the subject property by installing fill without the appropriate permits
- He believes that Woodward Lane is a private street; and, since his property encompasses a portion of Woodward Lane, he should be compensated for the use of it

VOTES WERE AS FOLLOWS:

- AYES: (7) Beatty, Berkley, Blanton, Mundy, Owens, Plumlee, and Wilson
- NAYS: (0)
- ABSENT: (2) Cravens and Penn
- ABSTAINED: (2) Brewer and Drake
- DISQUALIFIED: (0)

Motion for CONDITIONAL APPROVAL of MAR 2013-18 carried.

- Enclosures:
- Application
 - Plat
 - Staff Report
 - Applicable excerpts of minutes of above meetings