

4. FORTUNE BUSINESS CENTRE, LLC ZONING MAP AMENDMENT & FORTUNE BUSINESS CENTER, LOT 3

- a. PLN-MAR-16-00008: FORTUNE BUSINESS CENTRE, LLC (12/1/16)* - 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.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The petitioner proposes a restricted Wholesale and Warehouse Business (B-4) zone in order to permit land uses more in keeping with the character of the area.

The Zoning Committee Recommended: **Approval**.

The Staff Recommends: **Approval, 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.
- b. PLN-MJDP-16-00031: FORTUNE BUSINESS CENTER, LOT 3 (AMD) (12/01/16)* - located at 2300 Fortune Drive.
(Midwest Engineering)

The Subdivision Committee Recommended: **Approval**, subject to the conditions listed on today's agenda.

The Staff Recommends: **Approval, subject to the following requirements:**

1. Provided the Urban County Council rezones the property B-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Improve legibility of cross-sections.
7. Denote adjacent property information.
8. Denote location of existing trees, on plan.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

Staff Zoning Presentation – Ms. Wade presented and summarized the staff report and recommendations on the proposed zone change. She displayed some photographs of the subject property.

Development Plan Presentation – Ms. Gallt presented the staff report on the corollary zoning development plan.

Petitioner Presentation – Tom Miller, attorney, was present representing the petitioner. He said that the applicant is in agreement with the staff's recommendations.

Citizen Comments – There were no citizens present to comments on this application.

Zoning Action – A motion was made by Mr. Owens, seconded by Ms. Plumlee, and carried 9-0 (Brewer and Penn absent) to approve PLN-MAR-16-00008: FORTUNE BUSINESS CENTRE, LLC, for the reasons provided by the staff with the conditional zoning restrictions.

Development Plan Action – A motion was made by Mr. Owens, seconded by Ms. Richardson, carried 9-0 (Brewer and Penn absent) to approve PLN-MJDP-16-00031: FORTUNE BUSINESS CENTER, LOT 3 (AMD), for the reasons provided by the staff.