

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

IN RE: **PLN- MAR-18-00028: IVCP ATHENS, LLC** - petition for a zone map amendment from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 11.52 net (11.82 gross) acres, for property located at 5301 Athens Boonesboro Road. (Council District 7)

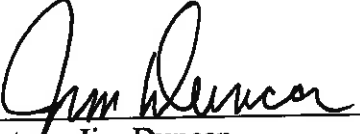
Having considered the above matter on **January 24, 2019**, at a Public Hearing, and having voted **6-1** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The requested Light Industrial (I-1) zone is in agreement with the 2013 Comprehensive Plan and the adopted Goals and Objectives of the 2018 Comprehensive Plan, for the following reasons:
  - a. The increase in land available for industrial uses will support and showcase local assets to further the creation of a variety of jobs by strengthening efforts to develop a variety of job opportunities (Theme C, Goal #1.a).
  - b. The availability for greater job opportunities can also foster the success and growth of large employment sectors; protect and provide readily available economic development land to meet the needs for jobs; and potentially enable development that creates jobs near where people live. (Theme C, Goal # 1.d).
  - c. The increase in available industrial land will promote sectors of the economy that will aid in the economic opportunities and help attract young professionals (Theme C, Goal #2.a).
  - d. The proposal promotes the use of underutilized land in a way that enhances the existing urban form (Theme E, Goal #1.a and 1.b).
  - e. The Light Industrial (I-1) zone implements the stated goals and objectives to support employment growth, to provide readily available economic development land, and utilizes vacant land in a compatible manner.
2. The requested Light Industrial (I-1) zone is in agreement with the 2017 Rural Land Management Plan as it emphasizes the maximization of the land use to produce employment opportunities without modifying the current boundaries. The future land use element recommends Light Industrial land use.
3. This recommendation is made subject to approval and certification of **PLN-MJDP-18-00102: JFG Enterprises, Inc. (IVCP Athens, LLC)**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
4. **Under the provisions of Article 6-7 of the Zoning Ordinance, the following prohibited uses and landscape buffers shall apply to the subject property via conditional zoning:**
  - a. **Landscape Buffers (in addition to the requirements of Article 18 of the Zoning Ordinance)**
    - 1) **Along the eastern boundary of the subject property, adjacent to Interstate 75, a 25-foot wide landscape buffer shall be provided.**
    - 2) **Included in the landscape buffer shall be evergreen trees planted every 20 feet, staggered on center in two rows.**
  - b. Prohibited Uses:
    - 1) Establishments and lots for the display, rental, sale, service, and minor repair of mobile homes.
    - 2) Ice Plant.
    - 3) Tire re-treading and re-capping.
    - 4) Truck terminals and freight yards.
    - 5) Major or minor automobile and truck.
    - 6) Establishments for the display and sale of precut, prefabricated, or shell homes.
    - 7) Rental Storage yard.

- 8) Commercial wood lots.
- 9) Outdoor material storage and sales as otherwise permitted.
- 10) Advertising signs, also known as billboards, as regulated by Article 17 of the Zoning Ordinance.

These restrictions are necessary and appropriate in order to restrict the most intense land uses on the subject property, which could have a negative impact on the surrounding agricultural zones and Athens Boonesboro Road, a major gateway into the Lexington Fayette Urban County. These restrictions will protect the aesthetic character of the Athens Boonesboro Road gateway, as recommended by the 2017 Rural Land Management Plan (RLMP).

ATTEST: This 8<sup>th</sup> day of February, 2019.

  
Secretary, Jim Duncan

WILLIAM WILSON  
CHAIR

Note: The corollary development plan, PLN- MJDP-18- 00102: JFG ENTERPRISES, INC. (IVCP ATHENS, LLC) was approved by the Planning Commission on January 24, 2019 and certified on February 7, 2019.

K.R.S. 100.211(7) requires that the Council take action on this request by April 24, 2019.

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

**OBJECTORS**

- Fred Eastridge, ECSI, LLC; 340 South Broadway, representing JFG Enterprises
- Bub Crutcher, 284 Blue Sky Pkwy
- Mr. Dick Murphy, attorney present on behalf of adjoining property owners, Encore Partners

**OBJECTIONS**

- Distributed copy of resolution for the pump station. Concerned about the pump station being moved.
- Concerned about the increased use of the pump station.
- Concerned about entrance roadway, access to his clients property and maintaining a sanitary sewer easement.

**VOTES WERE AS FOLLOWS:**

AYES: (6) Berkley, Forester, Mundy, Nicol, Owens, and Wilson

NAYS: (1) Plumlee

ABSENT: (4) Bell, Brewer, Penn, and Pohl

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-18-00028** carried.

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