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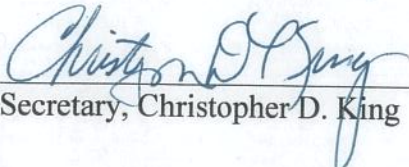
RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: **MARV 2014-22: RML CONSTRUCTION, LLP** – petition for a zone map amendment from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 0.33 net (0.50 gross) acre; and from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone, for 0.02 net (0.23 gross) acre, for property located at 2985 Liberty Road (a portion of). Variances were also requested with this zone change. (Council District 6)

Having considered the above matter on **November 20, 2014**, 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 **APPROVAL** of this matter for the following reasons:

1. The requested High Density Apartment (R-4) zone and Neighborhood Business (B-1) zone are appropriate and the existing Single Family Residential (R-1D) zone is inappropriate, for the following reasons:
 - a. Single family residential development is possible at this location, although the surrounding uses suggest that a more intense use of the property is more appropriate. The more appropriate and efficient use of the property is to incorporate it into the adjacent mixed-use development.
 - b. The proposed rezoning of the subject property will allow uses in keeping with the existing character of the area. The subject property fronts on Liberty Road and adjoins both planned and built higher density residential development to the north and east. The property is also adjacent to the commercial development to the south and west. This portion of the Urban Service Area has developed with a combination of neighborhood business and office uses fronting along Man o' War Boulevard, with residential uses located to the rear of the business uses or along Liberty Road.
 - c. The petitioner's proposed rezoning is generally in keeping with the established development pattern of the immediate area, because the planned neighborhood business zoning will extend to generally the same boundary as that for the CVS Pharmacy located directly across Liberty Road.
2. This recommendation is made subject to the approval and certification of **ZDP 2014-95: Cadentown Subdivision, Lot 10 (Brighton 3050) (Amd.)**, 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, 2015.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2014-95: Cadentown Subdivision, Lot 10 (Brighton 3050) (Amd.), was approved by the Planning Commission on November 20, 2014, and certified on December 4, 2014.

Note: Dimensional and landscape variances were approved by the Planning Commission for this property, subject to the rezoning being granted.

K.R.S. 100.211(7) requires that the Council take action on this request by February 18, 2015.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

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

NAYS: (0)

ABSENT: (2) Brewer and Wilson

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **MARV 2014-22** carried.

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