

Rec'd by _____

Date: _____

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

IN RE: MARC 2013-8: MMA MANAGEMENT, LLC - petition for a zone map amendment from a Light Industrial (I-1) zone to a Heavy Industrial (I-2) zone (with zoning restrictions), for 20.0 net (22.71 gross) acres, for property located at 1100 Alexandria Drive (a portion of). A conditional use permit has also been requested with this zone change. (Council District 12)

Having considered the above matter on **June 27, 2013**, at a Public Hearing, and having voted **7-1** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **DISAPPROVAL** of this matter for the following reasons:

1. Although proposed to be significantly restricted, the requested Heavy Industrial (I-2) zone is not in agreement with the 2007 Comprehensive Plan, for the following reasons:
 - a. The Land Use Element of the Comprehensive Plan recommends Light Industrial (LI) future land use for the subject property. According to the text of the Plan, this is defined as "those establishments that assemble finished or semi-finished materials, food preparation, publishing, communication, construction materials, or any establishment or repair services that may present a moderate nuisance to adjacent properties."
 - b. No assembly of finished or semi-finished materials, food preparation, publishing, communications industry, construction materials or repair service is proposed for the subject property.
 - c. Heavy Industrial (HI) uses, according to the text of the Plan, have a high (rather than moderate) potential for nuisance factors such as noise, odors or vibrations, and are for uses that are somewhat unique or rare, such as "a mining establishment, power production facility, a stadium, or a waste disposal facility." The proposed use is unique; and, except for a similar facility located on 7th Street (an apparent non-conforming use dating back at least 50 years), only 25 or so are operated in the United States by the applicant.
2. The existing I-1 zone is appropriate for the subject property. It is the same as that found in the rest of the area and would permit uses in keeping with the 2007 Plan's future land use recommendation. Such uses would likely result in more employment (on a per acre basis) than that proposed by the applicant for the subject parcel.
3. There have been no unanticipated changes of an economic, social or physical nature that have occurred in this area since the 2007 Plan was adopted.

ATTEST: This 2nd day of August, 2013.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The conditional use permit request was disapproved by the Planning Commission on June 27, 2013.

Note: The corollary development plan, ZDP 2013-21: Hougham Property, Lot 1, was indefinitely postponed by the Planning Commission on June 27, 2013.

K.R.S. 100.211(7) requires that the Council take action on this request by September 25, 2013.

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

OBJECTORS

- Todd Strecker, 1404 Parterre Place
- John VanNagell, Advantage Linen, Inc.
- Georgia Cruse, 1171 Kelsey Drive
- Kirk Catinna, 1166 Kelsey Drive
- Michelle Catinna, 1166 Kelsey Drive
- Carolyn Rabold, High Point Farm Association
- Joey Williams, 1155 Kelsey Drive
- Mike Markland, 1298 Viley Road
- Donald Brown, High Point Farm Association

OBJECTIONS

- He is concerned that the proposed facility could negatively impact property values in the area and create additional traffic.
- He is a tenant in the industrial park and is concerned that other parcels could be rezoned to I-2, which could change the character of the area.
- She believes that the proposed Pull-A-Part facility could invite vandalism to the area.
- He is concerned that location of the proposed facility on the subject property could increase car thefts in the area.
- She does not believe that the proposed facility will provide enough jobs to justify the use of 20 acres of land, and she is concerned about heavy truck traffic in the neighborhood.
- She does not believe that the screening proposed by the petitioner will be sufficient to block the view of the junked vehicles on the property.
- He spoke with over 200 neighbors, all of whom agreed that they do not want the Pull-A-Part facility to locate on the subject property.
- He is concerned, as a pilot, that the vehicles stored on the subject property would present an unattractive view of the area for travelers flying into the airport.
- He is concerned about stormwater problems in the area, and about preserving the Wolf Run watershed.

VOTES WERE AS FOLLOWS:

AYES: (7) Beatty, Blanton, Mundy, Owens, Penn, Plumlee, Wilson

NAYS: (1) Cravens

ABSENT: (2) Brewer, Roche-Phillips

ABSTAINED: (0)

DISQUALIFIED: (1) Berkley

Motion for **DISAPPROVAL** of **MARC 2012-3** carried.

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