

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-00017: ROMAN CATHOLIC BISHOP, DIOCESE OF LEXINGTON

CASE REVIEW

When the application was originally submitted in August of 2018, staff was concerned with a discrepancy between the submitted deeds, legal description, and the original plats of the subject property. There was a variation in the rear lot lines depicted on the 1904 and 1907 plats that resulted in inconsistencies with the deeds. This effectively left a strip of land where the ownership was left in question, but was included in the zone change request, but not on the associated development plan. Without further information regarding clear ownership of the land, the Law Department advised the Division of Planning staff not to further process the application until either the applicant could provide documentation of ownership or removed the strip of land from their requested zone change. Since the postponement of the application, the petitioner's representatives have rectified the discrepancy through a deed of correction that allowed them to take clear legal ownership of the land. The staff can now process the application for the properties located at 316 through 408 Rose Lane.

The petitioner indicates that the zone change is in conformity with both the 2013 Comprehensive Plan and the adopted 2018 Comprehensive Plan's Goals and Objectives. They opine that the expansion of the church and associated support amenities will provide enhanced community facilities and will continue to be a vital focal point for the neighborhood. The petitioner also opines that the requested zone change is in agreement with the adopted 2018 Comprehensive Plan's Goals and Objectives, as it supports infill and redevelopment throughout the Urban Service Area by allowing for greater utilization of the Newman Center's current location (Theme A, Goal #2). Additionally, the Newman Center provides a spiritual and community resource to the area and helps to create well-designed neighborhoods and communities (Theme A, Goal #3). Finally, the Newman Center acts as a community facility at a neighborhood scale, which will provide services to its surrounding community, including the surrounding Lexington parishioners and University of Kentucky students (Theme A, Goal #4; Theme C, Goal #2.d.; and Theme D, Goal #2).

The staff agrees with these elements of the petitioner's application related to the rezoning of the property. With the clarification of the property line and the resolution of ownership of the land, staff can now recommend approval for the zone change of the subject property.

The requested conditional use permit and variances will be address in a separate staff report.

The Staff Recommends: Approval, for the following reason:

1. The requested Two-Family Residential (R-2) 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 proposed development supports infill and redevelopment throughout the Urban Service Area, as it will allow for greater utilization of the Newman Center's current location (Theme A, Goal #2)
 - b. The Newman Center provides a spiritual and community resource to the area and helps to create well-designed neighborhoods and communities (Theme A, Goal #3)
 - c. The Newman Center provides a community facility at a neighborhood scale, which will provide services to its surrounding community, including the surrounding Lexington parishioners and University of Kentucky students (Theme A, Goal #4; Theme C, Goal #2.d.; and Theme D, Goal #2).
2. This recommendation is made subject to approval and certification of PLN-MJDP-18-00067: Alyesford Subdivision (Holy Spirit Parish Newman Center), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.