

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

IN RE: **MAR 2016-17: URBAN COUNTY PLANNING COMMISSION** – petition for a zone map amendment to a Neighborhood Design Overlay (ND-1) zone, for 23.33 net (29.81 gross) acres, for properties located at 201-540 Clinton Road. (Council District 5)

Having considered the above matter on **June 23, 2016**, at a Public Hearing, and having voted **10-0** 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 Neighborhood Design Character (ND-1) overlay zone is in agreement with the 2013 Comprehensive Plan for the following reasons:
 - a. The Goals & Objectives of the Plan recommend “providing well-designed neighborhoods and communities” (Theme A, Goal #3) and “protecting and enhancing the natural and cultural landscapes that give Lexington-Fayette County its unique identity and image” (Theme D, Goal #3). Theme A, Goal #3.a. more specifically recommends enabling existing neighborhoods to flourish through expanded opportunities for neighborhood character preservation. This will be enhanced with this zoning overlay for Clinton Road.
 - b. The implementation of a Neighborhood Design Character (ND-1) overlay zone is in agreement with the Comprehensive Plan’s Goals & Objectives by providing specific standards that will maintain the existing character of the neighborhood, independent of the underlying zoning.
 - c. The Clinton Road residents have completed a design character study, defined the existing character of their neighborhood area, developed preservation goals, and proposed appropriate neighborhood design standards (in need of only slight modification), thus meeting the requirements of the ND-1 zone.
2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are proposed for the subject property via conditional zoning:

1. Building Setbacks

Building setbacks shall be as follows:

- a. 200 and 300 blocks of Clinton Road: 50 feet
- b. 400 and 500 blocks of Clinton Road (odd-numbered houses): 60 feet
- c. 400 and 500 blocks of Clinton Road (even-numbered houses): 50 feet

2. Lot Widths

Minimum lot widths shall be as follows:

- a. 200-400 blocks of Clinton Road: 100 feet
- b. 500 block of Clinton Road: 80 feet

3. Floor Area Ratio

The Floor Area Ratio (excluding basements) may not exceed **0.33**.

4. Building Heights

Maximum of 30 feet to highest ridge line (excludes new additions, which may exceed 30 feet in order to match existing ridge lines).

5. Exterior Building Materials

Allowable exterior finish building materials are brick, stone, finished wood, cementitious fiberboard siding, or the same material as 90 percent of the existing structure (excludes windows and doors and their respective

frames). Vinyl is allowable on eaves and cornices only and is otherwise prohibited. All other materials are prohibited.

6. Landscaping

Front yard fences and free-standing walls shall be limited to a maximum of 36” in height. Allowable materials for front yard fences and walls are brick, stone, wood and iron. Chain link fences are prohibited in the front yard. If a retaining wall is used, it shall be subject to a maximum height of 18” above the unbalanced fill in the front yard.

7. Rear Yard Setbacks

Rear yard setback shall be a minimum of 40 feet, as measured from the rear property line, excluding accessory structures.

8. Accessory Structures

Maximum footprint of 800 square feet for all accessory structures per lot.

9. Building Orientation

The front plane and front entrance of the principal structure shall face Clinton Road.

ATTEST: This 1st day of August, 2016.

Secretary, Jim Duncan

MIKE CRAVENS
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by September 22, 2016.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Traci Wade, Senior Planner.**

OBJECTORS

- Christopher Clendenden, Attorney

OBJECTIONS

- The ND-1 Overlay zone is not appropriate for the subject property, and that homes on one street doesn’t constitute a neighborhood.

VOTES WERE AS FOLLOWS:

AYES: (10) Berkley, Brewer, Cravens, Drake, Mundy, Penn, Plumlee, Richardson, Smith Wilson

NAYS: (0)

ABSENT: (1) Owens

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of MAR 2016-17 carried.

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