

Rec'd by _____

Date: _____

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

IN RE: **PLN-MAR-22-00029: GOODWILL INDUSTRIES OF KENTUCKY, INC** - a petition for a zone map amendment from a Highway Service Business (B-3) zone to a Light Industrial (I-1) zone, for 0.823 net (1.037 gross) acres, for property located at 1793 Atoma Drive. (Council District 2)

Having considered the above matter on **February 23, 2023**, at a Public Hearing, 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 **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. A restricted Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed project will supply jobs, resources, and services to the most vulnerable of Lexington and will allow for the maximization of Goodwill's reach to geographically underserved areas (Theme A, Goal #4, Theme A, Goal #4.b).
 - b. The proposed facility will also provide jobs for residents, through the development of a warehousing and distribution center, which will also act as a convenient location for residents to donate unneeded items to support Goodwill's mission (Theme C, Goal #1.a; Theme C, Diversity Policy #2).
 - c. The proposed rezoning will allow for the development of community services, in the form of a donation drop-off location and distribution that will provide for the quality of life needs for Lexington's sometimes overlooked citizens (Theme D, Goal #2.c).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the development will provide a industrial development that provides connectivity for pedestrian mobility, and promotes the preservation and maintenance of the environmental aspects of the site.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian access along the lot frontage.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage, and protects the natural features on the site, including the Royal Springs Aquifer.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Self-storage warehousing.
 - ii. Billboards.
 - iii. Outdoor storage.
 - iv. All above ground and underground storage tanks.
 - v. On-site disposal of any hazardous waste materials.

vi. Mining of non-metallic minerals and/or radium extraction.

These restrictions are appropriate and necessary for the following reasons:

1. To protect the appearance of the Georgetown corridor as a gateway into Lexington, while promoting employment that is appropriate along Lexington's freight corridor.
2. The Planning Commission has adopted a Wellhead Protection Plan for the Royal Spring Aquifer, which sets forth a plan to ensure a continual source of potable groundwater from Royal Spring for Georgetown and Scott County, and to preserve the integrity of surface waters. This plan has been adopted by both the Planning Commissions of Fayette and Scott Counties, and has most recently been approved by the Kentucky Division of Water on 8/28/03.
3. The proposed restrictions within the Wellhead Protection Area will better protect the surface and groundwater in the area by prohibiting some uses and requiring "best management practices" for other uses that could potentially be harmful to the wellhead, thus ensuring greater compliance with the Royal Spring Wellhead Protection Plan.
4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00084: Burke, Hockensmith and Maggard, Lot 1 (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 10th day of March, 2023.



Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, PLN-MJDP-22-00084: BURKE, HOCKENSMITH, & MAGGARD, LOT 1 (AMD) was approved by the Planning Commission on February 23, 2023 and was certified on March 9, 2023.

K.R.S. 100.211(7) requires that the Council take action on this request by May 24, 2023.

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

OBJECTORS

OBJECTIONS

VOTES WERE AS FOLLOWS:

AYES:	(9)	Barksdale, Bell, Davis, de Movellan, Forester, Michler, Meyer, Nicol, and Worth
NAYS:	(0)	
ABSENT:	(2)	Penn and Pohl
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-22-00029** carried.

Enclosures: Application
 Justification
 Legal Description
 Plat
 Development Snapshot
 Staff Report
 Applicable excerpts of minutes of above meeting

