

Rec'd by Bm

Date: 5-12-17

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

IN RE: **PLN-MAR-17-00013: BOTTS & CRAVENS HOMEBUILDERS, LLC** – a petition for a zone map amendment from a Professional Office (P-1) zone to a Townhouse Residential (R-1T) zone, for 0.26 net and gross acre, for property located at 3500 and 3520 Arbor Drive (a portion of each). (Council District 8)

Having considered the above matter on **April 27, 2017**, 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 **APPROVAL** of this matter for the following reasons:

1. There has been an unanticipated change of a physical, social or economic nature within the immediate area since the Comprehensive Plan was adopted in 2013, and since the Armstrong Mill Road West Small Area Plan was adopted in 2015, which supports the requested rezoning to a Townhouse Residential (R-1T) zone. The change is the 2016 zone change to a Professional Office (P-1) zone that had the unintended consequence of impacting the existing R-1T zoning on the rest of the property. The result is that other provisions of the zoning Ordinance now apply – namely landscape and screening requirements established by Article 18 and the yard requirements when adjoining a more restrictive zone established by Article 15-3. These two provisions, as a result of the recent zone change, result in the developer losing 10-20% of the project's allowable density.
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-17-00031: WILHITE PARK, UNIT 1B, SEC 1, LOTS 1 & 2**, 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 12<sup>th</sup> day of May, 2017.

  
Secretary, Jim Duncan

WILLIAM WILSON  
CHAIR

Note: The corollary development plan, **PLN-MJDP-17-00031: WILHITE PARK, UNIT 1B, SEC 1, LOTS 1 & 2** was approved by the Planning Commission on April 27, 2017 and certified on May 11, 2017.

K.R.S. 100.211(7) requires that the Council take action on this request by July 26, 2017.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Rory Kahly, landscape architect.**

**OBJECTORS**

- None

**OBJECTIONS**

- None

**VOTES WERE AS FOLLOWS:**

AYES: (9) Brewer, Berkley, Mundy, Owens, Penn, Plumlee, Richardson, Smith, and Wilson

NAYS: (0)

ABSENT: (1) Drake

ABSTAINED: (0)

DISQUALIFIED: (1) Cravens

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR-17-00013** carried.

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