

Rec'd by _____

Date: _____

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

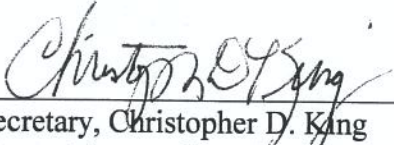
IN RE: MARV 2015-2: DOUG CHARLES - petition for a zone map amendment from a Highway Service Business (B-3) zone to a Neighborhood Business (B-1) zone, for 0.345 net (0.465 gross) acre, for property located at 2100 Liberty Road. Landscape variances are also requested with this zone change. (Council District 7)

Having considered the above matter on **February 26, 2015**, at Public Hearings, 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. The proposed zone change to a Neighborhood Business (B-1) zone is supported by several Goals and Objectives of the 2013 Comprehensive Plan, including:
 - a. Theme A (*Growing Successful Neighborhoods*), Goal 2, Objective a., which states: "Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features whenever possible." The petitioner is adaptively re-using an existing building for a new use, while improving the character of the area through traffic management and landscaping improvements.
 - b. Theme C (*Creating Jobs and Prosperity*), Goal 1, Objective d., which encourages the creation of jobs near where people live. The property is located very near residential neighborhoods, and will provide a support or service use in the area that is not currently available.
2. *Chapter 7: Maintaining Balance Between Planning for Urban Uses and Safeguarding Rural Land* of the 2013 Comprehensive Plan supports the proposed reuse and renovation of an underperforming property inside the Urban Service Area, which, in turn, protects the community's rural land.
3. The requested Neighborhood Business (B-1) zone is appropriate for this location since the B-3 zone is one of the community's most intense business zones, and is generally not encouraged very near residential areas. On the other hand, the proposed adult day care center is a support or service business, the owner of which has a desire to locate near residential development, so that the use can serve the nearby residential area.
4. The Neighborhood Business (B-1) zone would provide an appropriate land use transition between the highway-oriented businesses along New Circle Road and the residential land uses further to the east of this location, promoting the Plan's emphasis on protecting existing neighborhoods.
5. This recommendation is made subject to the approval and certification of ZDP 2015-11: Pleasant Ridge Subdivision, Lot A, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Note: Landscape variances to reduce the property perimeter and buffer were approved by the Planning Commission for this property, subject to the rezoning being granted.

ATTEST: This 18th day of March, 2015.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2015-11: Pleasant Ridge Subdivision, Lot A, was approved by the Planning Commission on February 26, 2015, and certified on March 12, 2015.

K.R.S. 100.211(7) requires that the Council take action on this request by May 27, 2015.

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) Berkley, Cravens, Drake, Mundy, Owens, Plumlee, Richardson, Smith, and Wilson

NAYS: (0)

ABSENT: (2) Brewer, Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of MAR 2015-2 carried.

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