

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

IN RE: **PLN-MAR-19-00003: BALL HOMES, INC. (AMD)** – an amended petition for a zone map amendment from a Community Center (CC) zone to an Expansion Area Residential (EAR-2) zone, for 16.53 net (17.14 gross) acres, and to an Expansion Area Residential (EAR-3) zone, for 8.09 net and gross acres, for property located at 6600 Man O' War Blvd (a portion of). (Council District 12)

Having considered the above matter on **August 22, 2019**, at a Public Hearing, and having voted **7-2** 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 requested rezoning is not in agreement with the adopted Land Use Element of the Expansion Area Master Plan (EAMP). However, the Expansion Area 2a retains approximately the same number of planned acres of CC zoned land necessary for the development of services for the residents in the area.
2. There have been social, economic and physical changes within the immediate area since the adoption of the EAMP and the 2013 Comprehensive Plan. This is primarily the result of the three zone changes within the Expansion Area 2a that have modified the Land Use Element of the EAMP.
3. The proposal to increase density within Expansion Area 2a meets the Goals and Objectives of the 2018 Comprehensive Plan, for the following reasons:
 - a. The requested rezoning to EAR-2 and EAR-3 expands housing choices (Theme A, Goal #1) by providing mixed-use and housing near employment and commercial areas (Theme A, Goal #1.b).
 - b. The proposed rezoning encourages compact, contiguous, and/or mixed-use sustainable development within the Urban Services Area, as guided by market demand, to accommodate future growth needs for safe, affordable and accessible housing to meet the needs of older and/or disadvantaged residents (Theme E, Goal #1.b).
 - c. The proposed rezoning and the corollary plan strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation (Theme A, Goal #3.b).
3. This recommendation is made subject to approval and certification of **PLN-MJDP-19-00009: Blackford Property (Phase 4)** 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 16th day of September, 2019.


Secretary, Jim Duncan

MIKE OWENS
CHAIR

Note: The corollary development plan, **PLN-MJDP-19-00009: BLACKFORD PROPERTY (PHASE 4)** was approved by the Planning Commission on August 22, 2019 and certified on September 5, 2019.

K.R.S. 100.211(7) requires that the Council take action on this request by November 20, 2019.

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

OBJECTORS

- Ronald Gifford, 3109 Scottish Trace
- Heather Claycomb, 3273 Tranquility Point, representing Blackford Oaks Place Owners Association
- Jeremy Perryman, 3492 Jacob Court, representing Blackford Oaks Homeowners Association
- Nick Ratliff, 3101 Sunningdale Court
- Mercedes McClean, 2873 Mahala Lane
- Keith Rice, 3116 Timberneck Cove
- Amanda Akers, 3488 Jacob Court
- Lee Carolan, 1826 Rachels Run
- Mary Takhtjian, 3424 Scottish Trace
- Linda Nardin, 3416 Bay Springs Park
- Brian Rugman 3196 Caversham Park Lane
- Mike Lutz 1873 Rachel's Run
- Mike Atkins, property manager for Blackford Oaks Homeowners Association
- Brad Wallace, 2848 Mahala Lane

OBJECTIONS

- Concerned with traffic traveling onto Barrington Lane, declining property values, and the landscape buffer.
- Believes that CC zone is still appropriate for this area because it would serve the needs of the neighborhood surrounding the development.
- Concerned with decreasing property values.
- Believes this will have a negative impact on the single family residential neighborhood.
- Concerned about the property value and resale of their home.
- Believes that this area should be a park with a playground and shops for the elderly.
- Concerned about the safety of children and the increasing number of students in the schools.
- Concerned with the traffic on Barrington Lane, since there is parking on both sides of the street.
- Concerned with the density of this development.
- Concerned with the increase of traffic, crime and the type of people that apartment buildings attract.
- Said that there 1,073 signatures of citizens that are concerned about this property and ignoring them will set a precedence for any other group.
- Asked the Planning Commission to consider all of the citizens that signed the petition.
- Concerned that the height of apartments will be taller than their homes.
- Concerned that this will affect their property value and said that this community needs more single family houses, not apartments.

VOTES WERE AS FOLLOWS:

AYES: (7) de Movellan, Forester, Mundy, Nicol, Owens, Penn, and Wilson

NAYS: (2) Plumlee and Pohl

ABSENT: (2) Bell and Brewer

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-19-00003** carried.

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