

Rec'd by JK
Date: 5/10/13

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

IN RE: **MAR 2013-5: ARNOLD PROPERTIES, LLC** - petition for a zone map amendment from a Two Family Residential (R-2) zone to a Planned Neighborhood Residential (R-3) zone, for 0.253 net and gross acre, for property located at 1165 Jones Trail. (Council District 8)

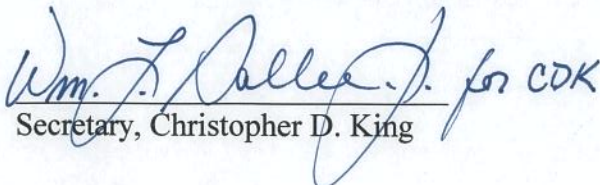
Having considered the above matter on **April 25, 2013**, at a Public Hearing, and having voted **9-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following

reason:

1. Based on the applicant's revised development pattern and the revised justification, the requested zone change can now be found to be in agreement with the Comprehensive Plan for the following reasons:
 - a. The requested zone change is in agreement with the Goals and Objectives of the 2012 Comprehensive Plan (specifically Goals A.2.a, A.3.b, & D.1.a). The revised development will allow the opportunity for continuity of traffic for pedestrians and automobiles through the yet to be developed properties. It demonstrates that the subject property could reasonably function as a part of the whole should the property to the west and south also redevelop in the future.
 - b. The proposed residential development supports the specific Goals by providing the opportunity for a well designed and connected neighborhood area, in contrast to the original submittal which isolated the subject property to the detriment of future development along Jones Trail.
 - c. The proposed population density for a maximum of 4 dwelling units with a total of 4 bedrooms on this 0.253 acre property would be equivalent to the maximum dwelling unit density allowed in a duplex, which is in agreement with 2007 land use recommendation of Medium Density Residential Land Use at this location.
2. This recommendation is subject to the approval and certification of ZDP 2013-20 Arnold Properties, LLC, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission approval.
3. Under the provisions of Article 6-7 of the Zoning Ordinance via conditional zoning, the use of this 0.25-acre property shall be limited to a maximum of four (4) one-bedroom dwelling units.

This use restriction is necessary and appropriate for the subject property to ensure that the proposed zoning will remain in agreement with the population density recommended by the Comprehensive Plan.

ATTEST: This 10th day of May, 2013.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2013-20 Arnold Properties, LLC, was approved by the Planning Commission on April 25, 2013, and certified on May 9, 2013.

K.R.S. 100.211(7) requires that the Council take action on this request by July 24, 2013.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Anthony Justice, Engineer**.

OBJECTORS

- Henry Shelby

OBJECTIONS

- He is concerned about the safety of his mother and another elderly resident of the area if additional residences and traffic are developed.

VOTES WERE AS FOLLOWS:

AYES: (9) Beatty, Brewer, Cravens, Mundy, Owens, Penn, Plumlee, Roche-Phillips, Wilson

NAYS: (0)

ABSENT: (2) Berkley, Blanton

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of MAR 2013-5 carried.

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