

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-17-00011: JEFF & PEGGY PARR** – a petition for a zone map amendment from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 1.09 net (1.41 gross) acres, for property located at 2301 Huguenard Drive. (Council District 10)

Having considered the above matter on **April 27, 2017**, at a Public Hearing, and having voted **10-0** 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 Neighborhood Business (B-1) zone is substantially in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The site has been an underutilized site after almost three decades with P-1 zoning. The property should be considered for a possible change to an alternative zone in order to permit a new use that will better serve the needs of the community within the Urban Service Area.
 - b. The proposed zoning and land use are generally compatible with the nearby businesses, including professional offices, retail sales establishments, banks, and restaurants that have developed along W. Lowry Lane and Pasadena Drive (and between). Conditional zoning restrictions to limit uses that may impact the adjoining offices uses or would be undesirable would be appropriate for the subject property to ensure future land use compatibility.
 - c. The proposed development will be able to use the existing infrastructure and transportation networks (which are adequate to serve the use). This is consistent with the guiding principles of the Comprehensive Plan, specifically Chapter 6: "Improving a Desirable Community."
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-17-00023: Webb Properties Office Park**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
3. **Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions shall apply to the property via conditional zoning:**

PROHIBITED USES

- a. Drive-through windows when accessory to restaurants.
- b. Beer, liquor and wine stores (stores devoted primarily to the sales of beer, wine and distilled spirits for consumption off-premises).
- c. Automobile service stations; automobile and vehicle refueling stations; and gasoline pumps.
- d. Carnivals, festivals and concerts.

These restrictions are appropriate because they have been offered by the applicant and will limit inappropriate uses within an established office park.

ATTEST: This 12th day of May, 2017.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-17-00023: Webb Properties Office Park 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 **Dick Murphy, attorney.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (10) Brewer, Berkley, Cravens, Mundy, Owens, Penn, Plumlee, Richardson, Smith, and Wilson

NAYS: (0)

ABSENT: (1) Drake

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR-17-00011** carried.

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