

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

IN RE: MAR 2016-18: JAMES CLAY WALLER (AMD) – an amended petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Wholesale and Warehouse (B-4) zone, for 0.31 net (0.48 gross) acres, for property located at 1500 & 1502 N. Limestone. (Council District 1)

Having considered the above matter on **July 28, 2016**, 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 reasons:

1. The requested Wholesale and Warehouse (B-4) zone is appropriate and the existing Single Family Residential (R-1C) zone is no longer appropriate for the subject property, for the following reasons:
 - a. The property shares a boundary with the existing warehouse development to the immediate northeast, and the proposed rezoning will enable the façade improvements to continue along the North Limestone corridor to a more appropriate land use transition – the intersection of Rosemary Avenue.
 - b. The proposed warehouse structures with façade improvements will be compatible with the adjoining B-4 development, as well as the commercial development directly across North Limestone from the site. The existing single family residences are no longer as compatible along this portion of the North Limestone corridor.
 - c. The development of small warehouses with accessory offices will enhance the land use transition between the unrestricted B-3 properties to the north and the residential neighborhood to the south. The buffer will provide a less intensive land use in terms of uses, business hours, noise and traffic.
2. This recommendation is made subject to the approval and certification of ZDP 2016-70: Bobbie & Sylvia Waller Property (Shadowlawn Subdivision), 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 restriction(s) should be put into effect for the subject property:

PRINCIPAL PERMITTED USES

- a. Wholesale establishments, wholesale establishments with warehouses, storage and warehousing.
- b. Shops of special trade and general contractors, such as plumbing; heating; carpentry; painting; plastering; printing; publishing; lithographing; engraving; electrical; sign painting; upholstery; tile, mosaic and terrazzo work; electroplating; and interior decorating.
- c. Parking lots and structures.
- d. Animal hospitals or clinics, provided that such structures or areas used, not including accessory parking areas, shall be at least one hundred (100) feet from any residential zone.
- e. Offices of purchasers, processors and handlers of agricultural products, limited to administrative uses only.
- f. Sales of feed, grain or other agricultural supplies.
- g. Garden centers.
- h. Establishments and lots for the sale of farm equipment, contractor equipment, automobiles, trucks, mobile homes, recreational vehicles, such as mini-bikes, motorcycles, boats or supplies for such items.
- i. Establishments for the sale of precut, prefabricated, or shell homes.
- j. Retail sale of building materials and lumber.
- k. Mail order business.

- l. Office uses, limited to a maximum square footage of 60% of the floor area in the building in which the use is located.
- m. Office/warehouse mixed-use project, as further regulated by Article 8-21(o)(3).
- n. Adaptive Reuse Projects, as further regulated in Article 8-21(o)(4).

OTHER RESTRICTIONS

- a. Outdoor music or sound systems and call boxes shall be prohibited.
- b. Lighting shall be shielded and directed downward and away from residentially zoned properties.
- c. The following landscape and buffering restrictions shall apply:
 - 1. There shall be a 10' open space and landscape buffer along property boundary where it adjoins any residential dwelling unit. An 8' tall solid wood fence shall be placed along the length of the open space/buffer area. Within this open space/buffer area, the developer shall plant and maintain 8' evergreen trees planted 15' on center.
 - 2. There shall be a 30' setback along the front of the property which shall contain a landscape/open space buffer. Within the landscape/open space buffer, the developer shall plant and maintain 8' tall deciduous trees planted 15' on center, and 3' shrubs interspersed with the trees.

These restrictions are necessary and appropriate to provide an aesthetically pleasing gateway feature to the North Limestone corridor, and to protect the adjoining residential neighborhood from the potential negative effects of more intensive uses that could occur in the B-4 zone without restriction.

ATTEST: This 17th day of August, 2016.



 Secretary, James Duncan

WILLIAM WILSON
 CHAIR

Note: The corollary development plan, ZDP 2016-70: BOBBIE & SYLVIA WALLER PROPERTY (SHADOWLAWN SUBDIVISION), was approved by the Planning Commission on July 28, 2016, and certified on August 11, 2016.

K.R.S. 100.211(7) requires that the Council take action on this request by October 26, 2016.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Steve Baker, engineer**.

OBJECTORS

 • None

OBJECTIONS

 • None

VOTES WERE AS FOLLOWS:

AYES: (9) Berkley, Brewer, Cravens, Drake, Mundy, Owens, Plumlee, Smith, Wilson
 NAYS: (0)
 ABSENT: (2) Penn, Richardson
 ABSTAINED: (0)
 DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **MAR 2016-18** carried.

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