

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

IN RE: **PLN-MAR-17-00020: COMPASS CAPITAL, LLC** – a petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone, for 5.78 net (7.58 gross) acres, for property located at 4379 Old Harrodsburg Road. (Council District 10)

Having considered the above matter on **June 22, 2017**, at a Public Hearing, and having voted **8-0** 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 existing Neighborhood Business (B-1) zone is no longer appropriate, and the proposed Planned Shopping Center (B-6P) zone is appropriate for the subject property, for the following reasons:
  - a. The subject property meets the definition of a “neighborhood shopping center” as established in Article 12 of the Zoning Ordinance. It is greater than three acres in size and provides for the “sale of convenience goods ... and personal services.”
  - b. The subject property’s parking requirements can be standardized and the parcel can be utilized in a more efficient manner with the proposed B-6P zone.
  - c. Due to the property’s topographic situation related to the nearby Harrodsburg Road, and due to the established development pattern, the B-6P zone and designation as a shopping center is more appropriate than the allowable collection of independent businesses possible in the existing B-1 zone.
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-17-00047: South Elkhorn Village**, 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 prohibited uses and landscape buffers are recommended for the subject property via conditional zoning:**
  - A. **Landscape Buffers** (in addition to the requirements of Article 18 of the Zoning Ordinance)
    - i. Along the northwestern and northeastern boundaries, a 20-foot wide landscape buffer shall be provided.
    - ii. Included within the buffer along the northwestern boundary with Palomar Hills Subdivision shall be an eight-foot (8’) tall brick wall, except that the wall shall allow a fifty-foot (50’) wide gap where Palmetto Drive adjoins the property.
    - iii. Included in the landscape buffer shall be evergreen trees planted 20-foot (20’) on center along the northeastern boundary (shared A-U zone boundary).
  - B. **Use Conditions**
    - i. **Lighting**
      - a. All outdoor lighting shall be directed downward and away from adjoining land that is residentially and agriculturally zoned; and the light source shall be shielded so as to prevent direct lighting of the adjoining Palomar Hills Subdivision or the historic South Elkhorn Christian Church.
    - ii. **Prohibited Uses**
      - a. Self-service laundries or laundry pick-up stations
      - b. Self-service car washes
      - c. Trailer, truck and/or equipment rental
      - d. Outdoor miniature golf or putting courses
      - e. Circuses and carnivals
      - f. Arcades, including pinball and electronic games
      - g. Mining

- h. Automobile service stations, automobile and vehicle refueling station, and gasoline pumps available to the public without an employee on the premises
- i. Recycling drop-off centers
- j. Rehabilitation homes

The land use and buffering restrictions, most of which have been in existence for the past decade, are necessary and appropriate for the subject property in order to protect the adjoining residential area and historic church from the potential negative effects of more intensive non-residential uses on the subject property.

ATTEST: This 25<sup>th</sup> day of July, 2017.

  
Secretary, Jim Duncan

WILLIAM WILSON  
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by September 20, 2017.

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

**OBJECTORS**

- None

**OBJECTIONS**

- None

**VOTES WERE AS FOLLOWS:**

AYES: (8) Berkley, Cravens, Mundy, Owens, Penn, Plumlee, Richardson, and Wilson

NAYS: (0)

ABSENT: (2) Brewer and Drake

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR-17-00020** carried.

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