

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

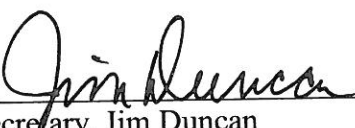
**IN RE:** **PLN-MAR-16-00017: HAYMAKER DEVELOPMENT CO, LLC**– a petition for a zone map amendment from a Highway Service Business (B-3) zone, with conditions to a Highway Service Business (B-3) zone, with modified conditions, for 1.44 net (1.85 gross) acres, for property located at 3101 Wall Street. (Council District 10)

Having considered the above matter on **December 15, 2016**, at a Public Hearing, and having voted **7-1** 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 Highway Service Business (B-3) zone is appropriate, and the existing Highway Service Business (B-3) zone is inappropriate at this location, for the following reasons:
  - a. The Lexington Clinic Building at 3085 Lakecrest Circle opened to the public on or about November 19, 2015, which was after the imposition of the subject conditional zoning restriction, which provided increased use and parking.
  - b. The Baptist Healthcare Building at 3084 Lakecrest Circle opened to the public on August 1, 2012, but the extent of their parking shortage was not manifested until after the 2014 zone change. Previously, Baptist Healthcare was using the access drive behind its building on Lakecrest Circle for overflow parking. With the completion of the Stantec Building earlier this year, that access drive has been opened all the way through and is no longer available for overflow parking. This has the overall effect of encouraging their patrons to park on the adjoining public street.
  - c. The Stantec Building at 3052 Beaumont Centre Circle opened to the public on September 10, 2016, two (2) years after the 2014 zone change. The company now has an “employee/area” ratio of approximately 1 employee per 180 square feet of office area.
  - d. The Lexington Clinic and Stantec office building openings, and new demands all three (3) new buildings imposed on the need for vehicular parking spaces, occurred after the 2014 zone change request was approved, and the increased density of employees and parking space demand was not anticipated when the 2014 conditional zoning restrictions were imposed.
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-16-00044: BEAUMONT FARM, UNIT 3-B LOT 1 (AMD)**, 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 uses shall be prohibited on the subject property:
  - a. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
  - b. Indoor amusements, such as billiard or pool halls, dancing halls, skating rinks, miniature golf or putting courses, theatres, or bowling alleys.
  - c. Self-service laundry.
  - d. Shoe repair, clothing alteration, tailoring services and tattoo parlors.
  - e. Carnivals, even on a temporary basis.

- f. Taxidermy establishments.
- g. Pawnshops.
- h. Commercial parking lots and structures, pay for parking.
- i. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
- j. Advertising signs (and billboards) as defined in Article 17- 7(3)(b)(1) of the Zoning Ordinance.
- k. Free-standing signs taller than 10' in height.

ATTEST: This 13<sup>th</sup> day of January, 2017.

  
 Secretary, Jim Duncan

WILLIAM WILSON  
 CHAIR

Note: The corollary development plan, PLN-MJDP-16-00044: BEAUMONT FARM, UNIT 3-B LOT 1 (AMD) was approved by the Planning Commission on December 15, 2016 and certified on December 22, 2016.

K.R.S. 100.211(7) requires that the Council take action on this request by March 15, 2017.

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

**OBJECTORS**

- None

**OBJECTIONS**

- None

**VOTES WERE AS FOLLOWS:**

AYES: (7) Berkley, Cravens, Mundy, Owens, Penn , Smith, and Wilson

NAYS: (1) Plumlee

ABSENT: (3) Brewer, Drake, and Richardson

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR 16-00017** carried.

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