

Rec'd by _____

Date: _____

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

IN RE: **PLN-MAR-20-00008: CENTENNIAL AMERICAN PROPERTIES** – a petition for a zone map amendment from a Highway Service Business (B-3) zone to a Wholesale and Warehouse Business (B-4) zone, for 2.02 net and gross acres, for property located at 109 Sand Lake (a portion of). (Council District 7)

Having considered the above matter on July 23, 2020, at a Public Hearing, and having voted 9-1 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 Wholesale and Warehouse Business Zone (B-4) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning allows for the development of vacant parcels (Theme A, Goal #2.a) at a higher intensity.
 - b. The proposed development provides a well-designed neighborhood (Theme A, Goal #3) by providing safe connections to the surrounding businesses, and activating the street frontage.
 - c. The proposed development will promote, maintain, and expand the urban forest (Theme A, Goal #3.d) by increasing the tree canopy coverage, while also maintaining the established tree line along the rear and side of the subject property.
 - d. The proposed rezoning will assist in the maintenance of the Urban Service Area concept (Theme E, Goal #1) by allowing greater density of business use, and by maximizing development on a vacant parcel in a manner that enhances existing urban form (Theme E, Goal #1.d).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a business development that supports pedestrian mobility, while also providing cross access between businesses.
 - b. The proposed rezoning includes safe facilities for the potential users, by prioritizing multi-modal connections and increasing pedestrian facilities. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use and buffering restrictions are recommended via conditional zoning:
 - a. The following uses shall be prohibited:
 1. Laundry, clothes cleaning or dyeing shops.
 2. Ice plant.
 3. Machine shop.
 4. Kennels, animal hospitals or clinics.
 5. Truck terminals and freight yards.
 6. Establishments for the display and sale of precut, prefabricated or shell homes.
 7. Carnivals.
 8. Retail sale of building materials and lumber.
 9. Pawnshops.

10. Shredding, sorting and baling of paper scrap and storage of waste paper.
 - b. Any self-storage facility on the premises shall not have outdoor storage, and shall not have direct access to the outdoors from individual units.
 - c. There shall be no exterior lighting greater than 10 feet in height along the building that is adjacent to residential zoning.
 - d. There shall be a 20-foot landscape buffer adjacent to the residential zoning with the addition of Evergreen trees.
4. This recommendation is made subject to approval and certification of PLN-MJDP-20-00021: Sand Lake & Estes Properties, Lot 2, Section 2 (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.

ATTEST: This 14th day of August, 2020.


 Secretary, Jim Duncan

LARRY FORESTER
 CHAIR

Note: The corollary development plan, PLN-MJDP-20-000021: SAND LAKE AND ESTES PROPERTIES, LOT 2, SECTION 2 (AMD) was approved by the Planning Commission on July 23, 2020 and certified on August 6, 2020.

K.R.S. 100.211(7) requires that the Council take action on this request by October 21, 2020.

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

OBJECTORS

- Jessica Winters, attorney representing Eagle Creek Coalition
- Walt Gaffield, 2001 Bamboo Drive
- Amy Clark, 628 Kastle Road
- Addison Hosia, Eastlake Neighborhood Association

OBJECTIONS

- Concerned with the noise and light pollution, and scale of the proposed building. Concerned that the proposed structure is not context sensitive to the surrounding area.
- The development is not in agreement with the Comprehensive Plan because this is not a place for people to gather and socialize, will provide low employment, and isn't promoting mixed-use.
- Said that this property needs to be filled with destinations, because of the transit-oriented location.
- Concerned about scale of the proposed structure.

VOTES WERE AS FOLLOWS:

AYES: (9) Bell, Davis, de Movellan, Forester, Nicol, Penn, Plumlee, Pohl, and Wilson

NAYS: (1) Meyer

ABSENT: (0)

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-20-00008 carried.

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

