

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

IN RE: **PLN-MAR-17-00030: GREENDALE PROPERTIES, LLC** – a petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone, for 9.45 net (10.26 gross) acres, and from and a Planned Neighborhood Residential (R-3) zone to a Planned Shopping Center (B-P6) zone for 0.43 gross acres, for property located at 1201 Greendale Road. (Council District 2)


Having considered the above matter on **August 24, 2017**, at a Public Hearing, and having voted **8-2** 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 proposed Planned Shopping Center (B-6P) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The development of this vacant property, encouraged by this rezoning, would support infill and redevelopment efforts recommended by the Plan (Theme A, Goal #2),
 - b. Infrastructure is in place to support this development with a minimal disruption of existing natural features of the land (Theme A, Goal #3c.).
 - c. A community-oriented commercial development of the subject site would result in an improved design for this neighborhood and for this portion of the community (Theme A, Goal #3.).
 - d. A neighborhood-oriented shopping center at this location will create some jobs in close proximity to where people live (Theme C, Goal #1d.).
 - e. Such a commercial center will have the ability to be accessed by sidewalks, bicycles and passenger vehicles (Theme D, Goal #2).
 - f. This center will provide accessible community facilities and services to an under-served area of the community, as there are no other shopping centers within two miles of this site (Theme E, Goal #1b.).
2. This recommendation is made subject to the approval certification of the associated development plan, **PLN-MJDP-17-00084: Greendale Hills, Unit 3 (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 use restrictions for the property B-1 zone shall be imposed on the subject property:**
 - A. **Prohibited Uses**
 1. "Rehabilitation homes."
 2. Arcades, including pinball and electronic games.
 3. Self-service laundromats.
 4. Car washes as a principal use.
 5. Tattoo parlors.
 6. Funeral parlors.
 7. Circuses and carnivals.
 8. "Day shelters."
 - B. **Other Use Restrictions**
 1. All parking lot lighting shall be "shoebox" style lighting or another type that will appropriately shield that light source.
 2. Limitation on eight gasoline pumps for gas stations or convenience stores.

3. Within 150 feet of Lucille Drive, no gasoline pumps or drive thru facilities for food service or packaged liquor.

These restrictions are appropriate and necessary to protect nearby residential land use from incompatible uses in the shopping center.

ATTEST: This 8th day of September, 2017.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-17-00084: Greendale Hills, Unit 3 (Amd.) was approved by the Planning Commission on August 24, 2017 and certified on September 7, 2017.

K.R.S. 100.211(7) requires that the Council take action on this request by November 22, 2017.

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

OBJECTORS

- Mr. Jacob Walbourn, attorney for the nearby neighbors

OBJECTIONS

- Represented the opposition views of the neighborhood, and requested that the proposed conditional zoning restrictions be adopted.

VOTES WERE AS FOLLOWS:

AYES: (8) Bell, Berkley, Cravens, Forester, Mundy, Owens, Richardson, and Wilson

NAYS: (2) Brewer, Plumlee

ABSENT: (1) Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR-17-00030** carried.

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