

ORDINANCE NO. 041 - 2024

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL RURAL (A-R) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE, FOR 0.481 NET (1.675 GROSS) ACRES, FOR PROPERTY LOCATED AT 1120 ALEXANDRIA DRIVE. (WILLIAM E. MCALPIN; COUNCIL DISTRICT 11).

WHEREAS, at a Public Hearing held on March 28, 2024, a petition for a zoning ordinance map amendment for property located at 1120 Alexandria Drive from an Agricultural Rural (A-R) zone to a Light Industrial Zone (I-1) zone for 0.481 net (1.675 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-0; and

WHEREAS, the Urban County Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 1120 Alexandria Drive from an Agricultural Rural (A-R) zone to a Light Industrial Zone (I-1) zone for 0.481 net (1.675 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That under the provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restriction shall apply to the subject property:

The following use shall be prohibited:

1. Advertising signs as defined in Article 17-3(b)(1) of the Zoning Ordinance

This restriction is necessary and appropriate due to the close proximity of residential uses to the southeast, and to prevent potential distractions near the W. New Circle Road overpass.

Section 3 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 4 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: May 9, 2024


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: May 16, 2024-1t

0415-24:TWJ:4889-0935-1351, v. 1

Rec'd by _____

Date: _____

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

IN RE: **PLN- MAR-24-00003: WILLIAM E MCALPIN** – a petition for a zone map amendment from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 0.481 net (1.675 gross) acres for property located at 1120 Alexandria Drive. (Council District 11)

Having considered the above matter on **March 28, 2024**, 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 **APPROVAL** of this matter for the following reasons:

1. The current Agricultural Rural (A-R) zone is inappropriate for the following reasons:
 - a. At less than half of an acre in size, the subject property is too small to farm effectively, and is out of character with the standard 40-acre minimum lot size required in the Agricultural Rural (A-R) zone.
 - b. The parcel is physically separated from other nearby agricultural uses by existing roadways, and is located within the Urban Services Area.
 - c. The intensity of Alexandria Drive and New Circle Road, and the lack of existing connections in the vicinity makes the subject property ill-suited for single-family residential development.
2. The proposed Light Industrial (I-1) zone is appropriate, for the following reasons:
 - a. The subject property adjoins an industrial park with existing Light Industrial (I-1) zoning.
 - b. The Light Industrial zone will allow for a low-traffic personal warehouse use on a parcel that due to its size and location is ill-suited for residential, agricultural, or commercial development.
 - c. The proposed use will act as a transition to the more intense industrial uses on Enterprise Court, and will not negatively impact nearby properties outside of the Urban Services Area.
3. This recommendation of approval is made subject to the following conditional zoning restriction:
 - a. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use shall be prohibited:
 1. Advertising signs as defined in Article 17-3(b)(1) of the Zoning Ordinance
This restriction is necessary and appropriate due to the close proximity of residential uses to the southeast, and to prevent potential distractions near at the W. New Circle Road overpass.
4. This recommendation is made subject to approval and certification of **PLN-MJDP-24-00007: ALEXANDRIA STORAGE** 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 12th day of April, 2024.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by June 26, 2024

Note: The corollary development plan, **PLN-MJDP-24-00007: ALEXANDRIA STORAGE** was approved by the Planning Commission on March 28, 2024 and certified on April 11th, 2024.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **William McAlpin, applicant.**

OBJECTORS

- None.

OBJECTIONS

- None.

VOTES WERE AS FOLLOWS:

AYES:	(9)	Nicol, Meyer, Barksdale, Pohl, Worth, Zach Davis, Wilson, Michler, Owens
NAYS:	(0)	
ABSENT:	(2)	Forester and Johnathon Davis
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-24-00003** carried.

Enclosures:

- Application
- Justification
- Legal Description
- Plat
- Development Snapshot
- Staff Reports
- Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION**1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)**

Applicant: WILLIAM E. MCALPIN, 3747 OLD FRANKFORT PIKE, VERSAILLES, KY 40383
Owner(s): SAME
Attorney: RICHARD MURPHY

2. ADDRESS OF APPLICANT'S PROPERTY

1120 ALEXANDRIA DRIVE, LEXINGTON, KY 40508
--

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
A-R	VACANT	I-1	STORAGE	0.481	1.675

4. COMPREHENSIVE PLAN

a. Utilizing Placebuilder, what Place-Type is proposed for the subject site?	INDUSTRY AND PRODUCTION CENTER
b. Utilizing Placebuilder, what Development Type is proposed for the subject site? If residential, provide the proposed density	INDUSTRIAL AND PRODUCTION NON-RESIDENTIAL

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	

6. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	PUBLIC
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

LEXINGTON FINANCIAL CENTER

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Lexington, Kentucky 40507

TEL: (859) 233-9811

FAX: (859) 233-0184

E-MAIL

Richard@MurphyCledenene.com

Chris@MurphyCledenene.com

RICHARD V. MURPHY

CHRISTOPHER M. CLENDENEN

February 5, 2024

Mr. Larry Forester, Chairman
and Members of the Lexington-Fayette Urban
County Planning Commission
200 East Main Street
Lexington, KY 40507

Re: Statement of Justification
Proposed zone change for 1120 Alexandria Drive

Dear Chairman Forester and Members of the Planning Commission:

This letter is written on behalf of William E. McAlpin, who is filing a zone change application and development plan for the property at 1120 Alexandria Drive. The property consists of less than one-half net acre. The property is currently zoned Agricultural Rural (A-R). We are requesting a zone change to the Light Industrial (I-1) zone to allow the construction of a storage building on the property.

DESCRIPTION OF THE PROJECT

The property is located on the portion of Alexandria Drive (formerly Viley Pike), just outside New Circle Road. It is a small, one-half acre remnant which was cut off from its parent tract by the construction of New Circle Road, sixty years ago. There has been no use made of the land since the construction of New Circle Road.

As to access, the applicant has been informed that it would not be appropriate to have direct access onto Alexandria Drive, due to the short distance from the New Circle Road underpass. The access will be by two private access easements, which will connect to the cul-de-sac on Enterprise Court. That cul-de-sac will be gated to prevent industrial traffic from entering Alexandria Drive. It will be available for emergency use. Thus, vehicular traffic will be through Enterprise Industrial Park.

The property will be utilized for a small, 6,300-square foot storage building,

COMPREHENSIVE PLAN AND PLACEBUILDER

Although this proposal meets several criteria of the Comprehensive Plan and PlaceBuilder, a PlaceBuilder analysis is difficult. This is a small remnant which has had no use made of it for at least 50 years. There are no public parks or greenways in the vicinity. It is located at the rear of an industrial park, with its only access through the industrial park.

Thus, it is appropriate to consider this property under one of the alternative findings set forth in KRS 100.213. That statute and the local ordinance allow the local government to grant a zone change if it is found that the existing classification is inappropriate and the proposed zoning classification is appropriate.

JUSTIFICATION FOR ZONE CHANGE

The existing Agricultural Rural (A-R) zoning for the property is not appropriate. No use has been made whatsoever of this land since New Circle Road was constructed over a half century ago. This 0.481 acre tract is triangular in shape and surrounded by major highways and industrial uses. To the southeast is New Circle Road, which carries approximately 72,000 cars per day. To the southwest is Alexandria Drive. When the state relocated Alexandria Drive (which was then called Viley Pike) when New Circle Road was constructed, it created a wide right-of-way which is 100 feet from center line on our side of Alexandria Drive. To the north is Enterprise Industrial Park.

The property is too small for viable agricultural use. The standard lot size in the A-R zone is 40 acres. This property is less than one-half acre. It is too small to economically farm. Neither agricultural use nor a single-family house are appropriate for this property. The entrance will be from a lengthy industrial road from Old Frankfort Pike. It is not appropriate for a single-family house to be located in the midst of industrial uses and New Circle Road, with no public facilities, parks or green space within easy or safe walking distance.

The proposed Light Industrial (I-1) zoning is appropriate for the property. On the only side of the property which is not bordered by wide highways, it is bordered by other industrial uses. This small tract shares access to Enterprise Court with the other industrial uses in Enterprise Industrial Park. The applicant plans a storage use on the site, which will not be harmed by the proximity to New Circle Road. It will be a low-intensity, small storage use, accessed by two private access easements to Enterprise Court.

As mentioned above, due to limitations on the access easement, it is anticipated that the traffic to the building will be automobile and pickup trucks. It will not be overparked, as only five parking spaces are shown. A sidewalk will be provided on the frontage along Alexandria Drive. There are no significant trees on the site, however the fence row trees will be preserved.

This is a low-intensity use which is an appropriate transition from the higher intensity industrial uses to the north to Alexandria Drive, which turns into a rural road west of the New Circle Road underpass.

Therefore, we are requesting approval of this zone change for the following reasons:

The existing Agricultural Rural (A-R) zoning is inappropriate, and the proposed Light Industrial (I-1) zoning is appropriate because this is a small tract, less than one-half acre, which was severed from the parent tract by the construction of New Circle Road in the 1960s. No agricultural, residential or any other use has been made of the property since New Circle Road was constructed. The access to the property will be through an industrial park, with industrial uses adjacent to the north. The property is too small to farm and is inappropriate for a single-family detached house due to the proximity to New Circle Road and the fact that all access is through a large industrial park. There are no public parks or other facilities nearby. This property is served by two private access easements to Enterprise Court. A low-intensity light industrial use, such as the proposed storage building, is appropriate on this site, and the use will serve as a transition between the higher-intensity industrial uses to the north and the rural portion of Alexandria Drive to the south.

Thank you for your consideration of this zone change request.

Sincerely,



Richard V. Murphy,
Attorney for Applicant

RVM/prb

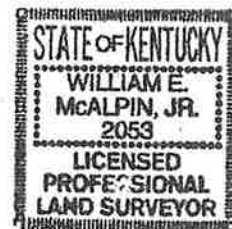
LEGAL DESCRIPTION

McALPIN PROPERTY

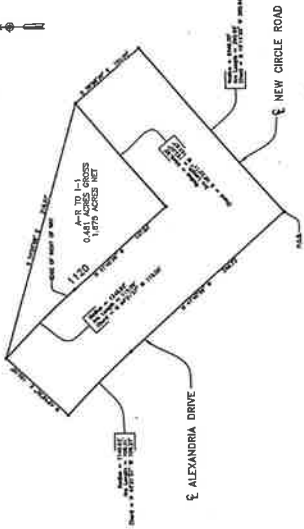
Zone Change from A-R to I-1
1120 Alexandria Drive
Lexington, Fayette County, Kentucky

A TRACT OF LAND SITUATED NORTH OF ALEXANDRIA DRIVE AND WEST OF NEW CIRCLE ROAD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING at a point at the centerline intersection of Alexandria Drive and New Circle Road; thence, along the centerline of Alexandria Drive N 41°42'29" W for 246.73' to a point; thence, along a circular curve to the left having a radius of 1145.92', an arc length of 106.31' and a chord of N 44°21'57" E for 106.27' to a point; thence, leaving said centerline N 42°58'35" E for 100.00' to a point in the right of way of Alexandria Drive; thence, along the lands of Lot 9 and Lot 8 of the Houghham Property, S 74°05'08" E for 315.57' to a point in the right of way of New Circle Road; thence, S 39°58'39" E for 100.00' to a point in the centerline of New Circle Road; thence, along said centerline along a circular curve to the left having a radius of 9,549.30', an arc length of 260.65' and a chord of S 49°14'25" W for 260.64' to the point of beginning, containing a gross area of 1.675 acres and a net area of 0.481 acres.



WEM

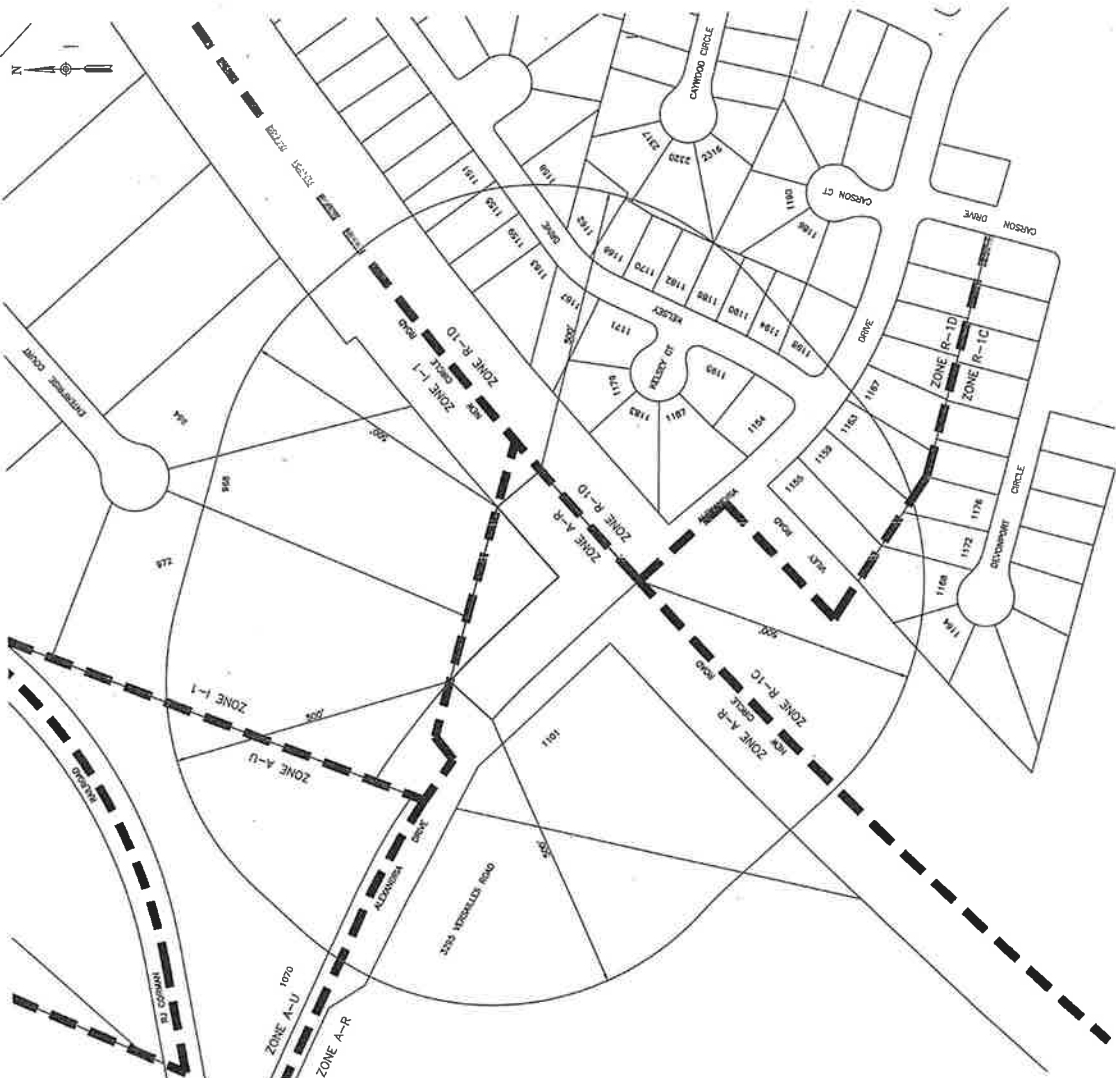


PROPERTY MAP
1" = 50'



WEM

ZONING: A-R TO I-1	FROM: I-1	TQ: I-1	GROSS: 1.575 AC	NET: 0.481 AC
TITLE: PLN-MAR-24-00003 William McAlpin	FROM: A-R	TQ: A-R	GROSS: 1.575 AC	NET: 0.481 AC
PROPERTY ADDRESS: 1120 ALEXANDRIA DRIVE	FROM: A-R	TQ: A-R	GROSS: 1.575 AC	NET: 0.481 AC
OWNER/APPLICANT: WILLIAM E. McALPIN	FROM: A-R	TQ: A-R	GROSS: 1.575 AC	NET: 0.481 AC
3742 OLD FARM ROAD	FROM: A-R	TQ: A-R	GROSS: 1.575 AC	NET: 0.481 AC
PREPARED BY: EAGLE ENGINEERING & ASSOCIATES	FROM: A-R	TQ: A-R	GROSS: 1.575 AC	NET: 0.481 AC
DATE PREPARED: FEBRUARY 1, 2024	FROM: A-R	TQ: A-R	GROSS: 1.575 AC	NET: 0.481 AC



NOTIFICATION MAP
1" = 100'

WILLIAM E. MCALPIN (PLN-MAR-24-00003)

1120 ALEXANDRIA DRIVE

Rezone the property in order to establish
a warehouse storage use.

Applicant/ Owner

WILLIAM E MCALPIN
3747 OLD FRANKFORT PIKE
VERSAILLES, KY 40383
richard@murphyclendenen.com (Attorney)

Application Details

Acreage:

0.481 net (1.675 gross) acres

Current Zoning:

Agricultural Rural (A-R) zone

Proposed Zoning:

Light Industrial (I-1) zone

Place-type/Development Type

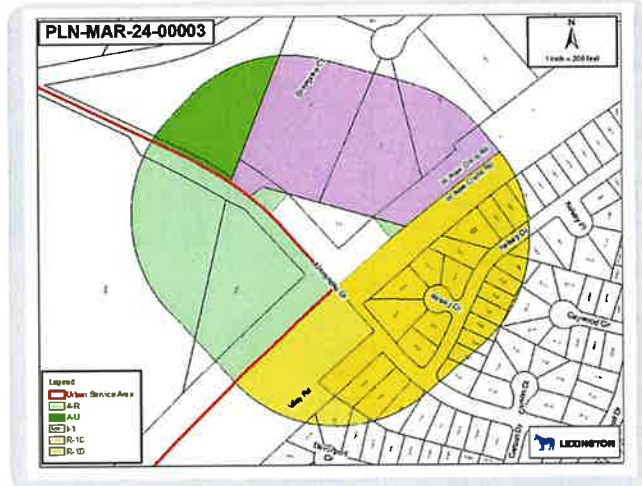
Industry and Production Center

Industrial & Production Non-Residential

For more information about the Industry and Production Center place type see Imagine Lexington pages 338-341. For more information on the Industrial & Production Non- Residential Development Type see page 269.

Description:

The applicant is seeking to rezone the subject property in order to establish an 6,300 square-foot warehouse storage building. The applicant is also proposing five (5) parking spaces to support the use.



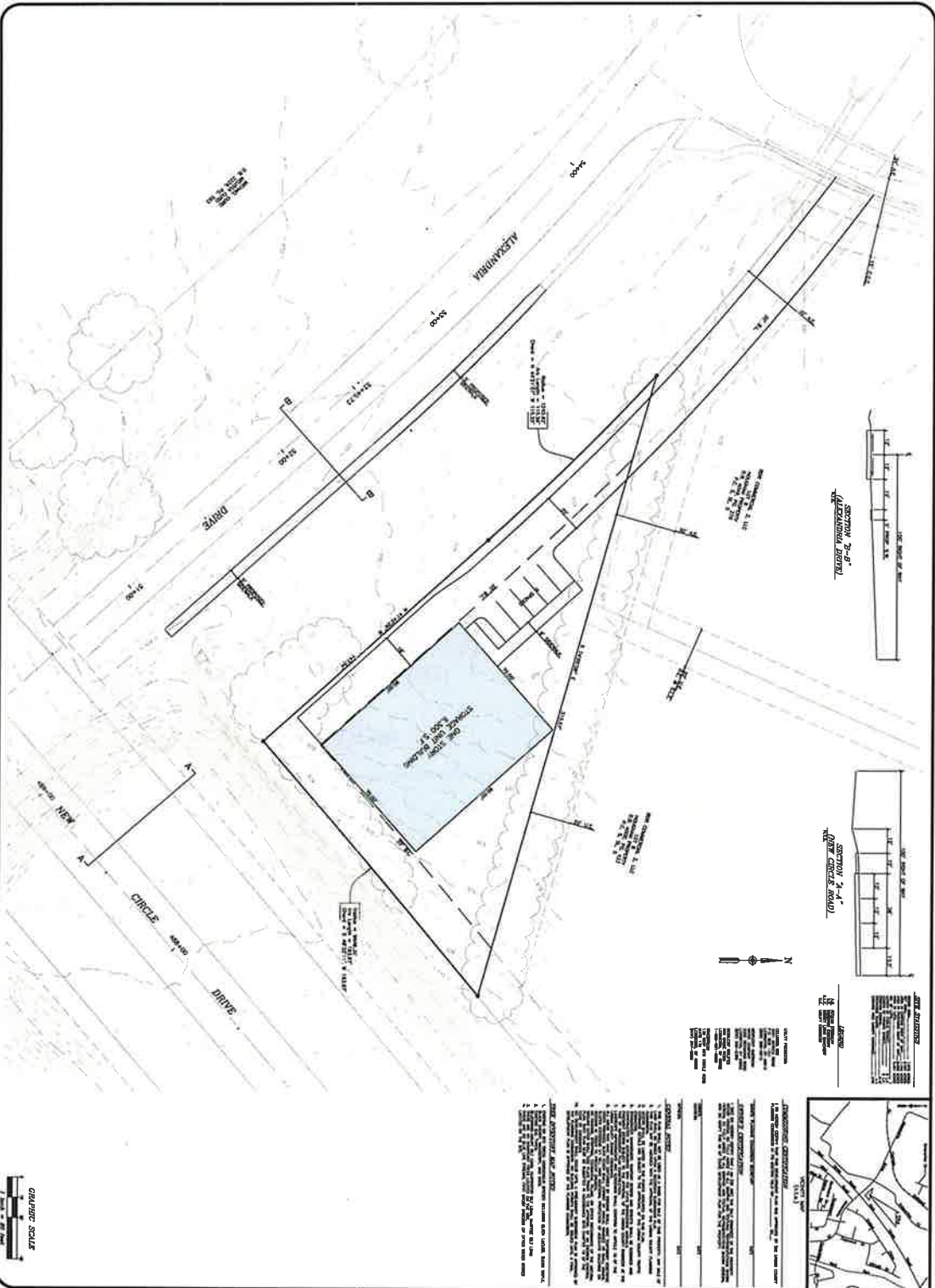
Status

- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

Public Engagement

- The applicant has not indicated that any public outreach or engagement has occurred at this time.

DISCLAIMER: Plans are subject to change. Visit the Accela Citizen Portal (lexingtonky.gov/plans) or contact Planning for the latest information.



OWNER:
WILLIAM E. McALPIN
3747 OLD FRANKFORT PIKE
VERSAILLES, KENTUCKY 40383

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00003 WILLIAM E. MCALPIN

DESCRIPTION OF ZONE CHANGE

Zone: From an Agricultural Rural (A-R) zone
Change: To a Light Industrial (I-1) zone
Acreage: 0.481 net (1.675 gross) acres
Location: 1120 Alexandria Drive



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	A-R	Vacant
To North	I-1	Vacant
To East	R-1D	Single Family Residential
To South	R-1C	Single Family Residential
To West	A-R	Agricultural

URBAN SERVICE REPORT

Roads - The subject property has frontage on Alexandria Drive, a two-lane collector roadway. In addition, the eastern portion of the property adjoins right-of-way for W. New Circle Road (KY 4), a six lane divided highway.

Curb/Gutter/Sidewalks - This portion of Alexandria Drive lacks curb or gutter facilities. Sidewalks are present on the road frontage for the adjoining parcel at 972 Alexandria Drive; however, no other parcels in the vicinity have sidewalks.

Storm Sewers - The subject property is located within the Wolf Run watershed. There are no FEMA Special Flood Hazard Areas or environmentally sensitive areas in the subdivision, or the immediate vicinity.

Sanitary Sewers - The subject property is located in the Wolf Run sewer shed, and will be served by the Town Branch Wastewater Treatment Plant on Lisle Industrial Avenue. Sanitary sewer capacity will need to be verified prior to certification of a final development plan for the proposed change of land use at this location.

Utilities - All utilities, including natural gas, electric, water, phone, cable television, and internet are available in the area, and could be extended to serve the property.

Refuse - The Urban County Government serves this area with refuse collection on Mondays.

Police - The subject property is served by the West Sector Roll Call Center located on Old Frankfort Pike near New Circle Road, approximately one mile from the subject property to the northeast.

Fire/Ambulance - Fire Station #14 is the nearest station to these site and is located approximately 0.88 miles southeast of the subject property at the intersection of Alexandria Drive and Roanoke Road.

Transit - There are no transit stops within proximity of the site.

Parks - Valley Park is located approximately 1/4 mile southeast of the subject property, on the inside of New Circle Road.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property to the Light Industrial (I-1) zone in order to establish a storage warehouse for personal use.

PROPOSED ZONING



The intent of this zone is to provide appropriately located manufacturing, industrial, and related uses. The zone is intended to bolster Lexington's economy through diverse employment opportunities for the Bluegrass Region. The uses allowable within this zone involve low-impact manufacturing, industrial, and related uses not involving a potential nuisance in terms of smoke, noise, odor, vibration, heat, light or industrial waste. To a lesser extent and where applicable, this zone is also intended to provide for the mixture of uses that promotes the adaptive reuse and redevelopment of older structures. The reuse of older structures is intended to allow for a more sustainable option for the revitalization of applicable properties, while providing employment, residential, and/or entertainment opportunities for the surrounding neighborhoods. Adequate buffering and separation from lower intensity land uses is necessary. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

PROPOSED USE



The petitioner proposes to construct a 6,300 square-foot warehouse to store his personal vehicles and equipment. In addition, the applicant is proposing to provide five parking spaces adjoining the structure.

APPLICANT & COMMUNITY ENGAGEMENT



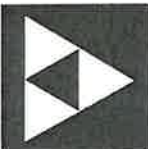
The applicant has not provided any information regarding their public outreach efforts. The applicant should provide further information on efforts made to engage the surrounding area.

PROPERTY & ZONING HISTORY



The subject property has been zoned Agricultural Rural since before the Comprehensive rezoning of the City and County in 1969. According to the letter of justification, this parcel was originally part of a larger adjoining agricultural tract that was divided off as a result of right-of-way acquisition for New Circle Road. Since it was divided from the parent tract, the parcel has remained vacant.

APPROPRIATENESS JUSTIFICATION



Per KRS 100.213, in absence of a finding that a Zoning Map Amendment is in agreement with the adopted comprehensive plan, the applicant can utilize an alternate justification in order to rezone the property, finding:

- That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate; or*
- That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area*

The applicant opines that based on the parcel's location, size, isolation, and lack of access, that they are unable to demonstrate agreement with the Comprehensive Plan with this request. In lieu of proving agreement with the Comprehensive Plan, the applicant instead is arguing that the current zone is inappropriate, and the chosen zone is appropriate. The applicant states that at under half an acre in size, and with an unconventional triangular shape, the subject property is unable to be effectively farmed. The applicant further states that the parcel's location directly adjacent to New Circle Road and Alexandria Drive and physical separation from other residential uses makes this location unsuitable for residential development

The applicant opines that the proposed Light Industrial (I-1) zone is appropriate. The subject property adjoins

several existing industrially zoned properties that are poised to be developed in the future. The applicant is proposing to utilize cross-access with the industrial parcels in order to avoid creating a potentially hazardous direct access point onto Alexandria drive near the New Circle Road overpass. The applicant states that the proposed storage warehouse building will be a low-intensity use that will serve as a transition to the higher intensity industrial uses proposed along Enterprise Court to the northeast.

Staff agrees that the current zone for the property is inappropriate, and the chosen zone is appropriate. The subject property is significantly smaller than typical in the A-R zone, which requires a 40-acre minimum parcel size and setbacks that far exceed the depth of this parcel. Due to the two adjoining roadways, the land is isolated and unable to be consolidated with existing agricultural parcels, and is separated from other residential development in the area. The applicant's proposed Light Industrial (I-1) zone matches existing zoning in the area, and allows for a low-impact storage warehouse use that will minimize traffic to the site.

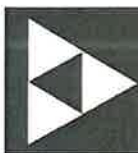


PARKING DEMAND MITIGATION STUDY

Under the requirements of the newly adopted Parking and Landscaping Zoning Ordinance Text Amendment, all "Significant Developments," or developments with over 5,000 square-feet of building coverage that require a Zoning Map Amendment, shall provide a Parking Demand Mitigation Study for the project that details the following information:

1. Review of national best practices for parking calculations for the project, including the current ITE Manual Parking ranges or the ranges produced by the ITEParkGen Report;
2. The anticipated parking demand for the project;
3. How the anticipated parking demand will be satisfied on-site or off-site;
4. The methods and strategies to be implemented in order to reduce vehicle trips by site users;
5. The methods and strategies to be implemented in order to promote transportation options by site users;
6. The projected mode share by site users from the utilization of the study's strategies.

The applicant has not provided any information regarding a Parking Demand Mitigation Study. While the applicant has indicated that the warehouse structure will primarily be for limited personal use, the applicant is still required to provide this information for evaluation during the zone change process.



CONDITIONAL ZONING RESTRICTIONS

Given the subject property's location relative to existing neighborhoods, as well as the sight visibility concerns near the W New Circle Road overpass, staff recommends the following conditional zoning restriction:

Conditional Zoning

- a. *Under the provisions of Article 6-7 of the Zoning Ordinance, the following use shall be prohibited:*
 1. *Advertising signs as defined in Article 17-3(b)(1) of the Zoning Ordinance*

This restriction is necessary and appropriate due to the close proximity of residential uses to the southeast, and to prevent potential distractions near at the W New Circle Road overpass.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The current Agricultural Rural (A-R) zone is inappropriate for the following reasons:
 - a. At less than half of an acre in size, the subject property is too small to farm effectively, and is out of character with the standard 40-acre minimum lot size required in the Agricultural Rural (A-R) zone.
 - b. The parcel is physically separated from other nearby agricultural uses by existing roadways, and is located within the Urban Services Area.
 - c. The intensity of Alexandria Drive and New Circle Road, and the lack of existing connections in the vicinity makes the subject property ill-suited for single-family residential development.
2. The proposed Light Industrial (I-1) zone is appropriate, for the following reasons:
 - a. The subject property adjoins an industrial park with existing Light Industrial (I-1) zoning.
 - b. The Light Industrial zone will allow for a low-traffic personal warehouse use on a parcel that due to its size and location is ill-suited for residential, agricultural, or commercial development.
 - c. The proposed use will act as a transition to the more intense industrial uses on Enterprise Court, and will not negatively impact nearby properties outside of the Urban Services Area.
3. This recommendation of approval is made subject to the following conditional zoning restriction:
 - a. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use shall be prohibited:
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This restriction is necessary and appropriate due to the close proximity of residential uses to the southeast, and to prevent potential distractions near at the W. New Circle Road overpass.
4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00007 ALEXANDRIA STORAGE prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

2. WILLIAM E MCALPIN ZONING MAP AMENDMENT AND ALEXANDRIA STORAGE DEVELOPMENT PLAN

- a. **PLN-MAR-24-00003: WILLIAM E MCALPIN** – a petition for a zone map amendment from a Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 0.481 net (1.675 gross) acres for property located at 1120 Alexandria Drive.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The petitioner proposes to construct a 6,300 square-foot warehouse to store his personal vehicles and equipment. In addition, the applicant is proposing to provide five parking spaces adjoining the structure.

The Zoning Committee Recommended: Approval.**The Staff Recommends: Approval, for the following reasons:**

1. The current Agricultural Rural (A-R) zone is inappropriate for the following reasons:
 - a. At less than half of an acre in size, the subject property is too small to farm effectively, and is out of character with the standard 40-acre minimum lot size required in the Agricultural Rural (A-R) zone.
 - b. The parcel is physically separated from other nearby agricultural uses by existing roadways, and is located within the Urban Services Area.
 - c. The intensity of Alexandria Drive and New Circle Road, and the lack of existing connections in the vicinity makes the subject property ill-suited for single-family residential development.
 2. The proposed Light Industrial (I-1) zone is appropriate, for the following reasons:
 - a. The subject property adjoins an industrial park with existing Light Industrial (I-1) zoning.
 - b. The Light Industrial zone will allow for a low-traffic personal warehouse use on a parcel that due to its size and location is ill-suited for residential, agricultural, or commercial development.
 - c. The proposed use will act as a transition to the more intense industrial uses on Enterprise Court, and will not negatively impact nearby properties outside of the Urban Services Area.
 3. This recommendation of approval is made subject to the following conditional zoning restriction:
 - a. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use shall be prohibited:
 1. Advertising signs as defined in Article 17-3(b)(l) of the Zoning Ordinance
This restriction is necessary and appropriate due to the close proximity of residential uses to the southeast, and to prevent potential distractions near at the W. New Circle Road overpass.
 4. This recommendation is made subject to approval and certification of **PLN-MJDP-24-00007: ALEXANDRIA STORAGE** prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. **PLN-MJDP-24-00007: ALEXANDRIA STORAGE** (5/5/24)* - located at 1120 ALEXANDRIA DRIVE, LEXINGTON, KY.

Council District: 11

Project Contact: Eagle Engineering

Note: The purpose of this plan is to depict development of a warehouse and associated parking lot on the site, in support of the requested zone change from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone.

The Subdivision Committee Recommended: Approval, subject to the following conditions:

1. Provided the Urban County Council approves the zone change to I-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Denote lot coverage and Floor Area Ratio per Article 21 requirements.
10. Denote building height in feet in site statistics.
11. Discuss stormwater detention quality requirements.
12. Discuss access easement from Enterprise Court.
13. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone, for 0.481 net (1.675 gross) acres for property located at 1120 Alexandria Drive. Mr. Crum stated that the applicant is seeking to establish a storage warehouse use that is inside the Urban Services Boundary. Mr. Crum indicated that the applicant is not arguing this application is in agreement with the Comprehensive Plan, but is instead making an appropriateness argument. The applicant is stating that the existing zoning is inappropriate and that the proposed zoning is appropriate given that this property is not large enough to farm and the proximity to the road makes residential zoning difficult.

Mr. Crum stated that Staff was in agreement with the applicant's justification, with the conditional zoning restriction that the applicant could not use any advertising signs as defined by Article 17-3(b)(l) of the Zoning Ordinance. Mr. Crum concluded his presentation by indicating he could answer any questions from the Planning Commission.

Commission Questions and Comments – Mr. Michler asked the differences between the B-4 zone and I-1 zone and why the B-4 was not used instead. Mr. Crum stated that since there was I-1 already in close proximity, the I-1 was more appropriate and the small size of the site limited the ability for larger production.

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location and characteristics of the subject property. Mr. Martin highlighted the 6,300 square foot structure with the adjoining parking and the access easement. Mr. Martin indicated there were concerns about access to Alexandria Drive and that would have to be resolved at the time of the final development plan. Additionally Mr. Martin mentioned the storm water detention basin, which would also have to be dealt with at the time of the final development plan. Mr. Martin concluded his presentation by indicating he could answer any questions from the Planning Commission.

Commission Questions – Mr. Owens asked if the building would be right on the property line or if there would be some type of setback and Mr. Martin indicated that a setback was not required in the I-1 zone.

Mr. Michler asked what the current access to the property and Mr. Martin indicated that currently there was none and that the applicant would use the access easement to access the existing road.

Applicant Presentation – Bill McAlpin, applicant, stated that he bought this property ten years ago, and wants to use this as a storage facility for family and friends. Mr. McAlpin mentioned the access easement was going to come from a contract with a neighbor.

Commission Comments – Mr. Nicol commented he thought this was a good use of a vacant property.

Action – A motion was made by Mr. Nicol, seconded by Mr. Wilson and carried 9-0 (Forester and Johnathon Davis absent) to approve PLN-MAR-24-00003: WILLIAM E MCALPIN for reasons provided by Staff.

Action – A motion was made by Mr. Nicol, seconded by Ms. Worth and carried 9-0 (Forester and Johnathon Davis absent) to approve PLN-MJDP-24-00007: ALEXANDRIA STORAGE with the revised 13 conditions recommended by Staff.