

Rec'd by _____

Date: _____

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

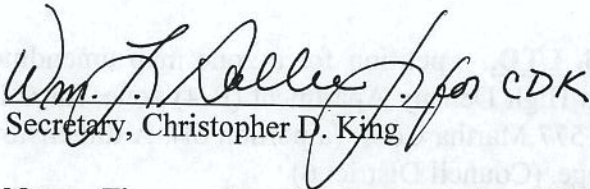
IN RE: MARV 2012-18: GIVENS INVESTMENTS, LTD. – petition for a zone map amendment from a Two Family Residential (R-2) zone to a High Density Apartment (R-4) zone, for 0.144 net (0.173 gross) acre, for property located at 1577 Martha Court (a portion of). A dimensional variance was also requested with this zone change. (Council District 6)

Having considered the above matter on **January 31, 2013**, 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 **APPROVAL** of this matter for the following reason:

1. The existing Two Family Residential (R-2) zoning is inappropriate and the proposed R-4 zoning is appropriate for several reasons:
 - a. The zoning on the subject parcel is split between R-2 and R-4 zoning, and the subject property is the only R-2 zoned property with frontage on Martha Court. Developing a duplex on the lot, while possible, would be out of character with the rest of the street.
 - b. The proposed R-4 zoning is more compatible with the existing land uses and zoning along Martha Court. All other properties along Martha Court, north of Eastland Parkway, are zoned R-4, and have been developed with multi-family residential land uses.
 - c. The western property boundary is adjacent to the Yates Elementary School property, and this area of the school property is being used as a large detention basin that is serving multiple properties. Because of the stormwater improvements, it is highly unlikely that this portion of the school lot will ever be sold for development.
 - d. The Northridge Apartments, located to the southeast, are also zoned R-4 and the proposed re-zoning will allow for the subject property to be integrated into the apartment complex on a unified development plan.
 - e. The proposed rezoning to R-4 will allow infill development of 15 dwelling units of affordable housing in the area, which is supported by the 2007 Comprehensive Plan goals of creating strategies that enable and encourage appropriate infill and redevelopment of established developments and neighborhoods (Goal #8) and providing housing opportunities to meet the needs of all citizens (Goal #13). This rezoning and development is also supported by the 2012 Comprehensive Plan Goals and Objectives of planning for safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents (Theme A.1.c.), and identifying areas of opportunity for infill, redevelopment, and adaptive reuse that respect the area's context and design features whenever possible (Theme A.2.a.).
2. This recommendation is made subject to approval and certification of **ZDP 2012-109: Eastland Park, Unit 1-L**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Note: A variance to the project exterior yard requirement was approved by the Planning Commission for this property, subject to the rezoning being granted.

ATTEST: This 15th day of February, 2013.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2012-109: Eastland Park, Unit 1-L, was approved by the Planning Commission on January 31, 2013, and certified on February 14, 2013.

K.R.S. 100.211(7) requires that the Council take action on this request by May 1, 2013.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (8) Berkley, Blanton, Cravens, Mundy, Owens, Plumlee, Roche-Phillips, Wilson

NAYS: (0)

ABSENT: (3) Beatty, Brewer, Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **MARV 2012-18** carried.

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