

Rec'd by _____

Date: _____

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

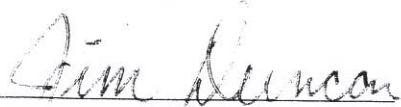
IN RE: MAR 2016-5: MARY G. GERMOND & D. GREGORY GERMOND, CO-TRUSTEES OF THE MARY G. GERMOND IRREVOCABLE TRUST – petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone, for 0.43 net (0.46 gross) acre, for property located at 3080 Old Todds Road. (Council District 7)

Having considered the above matter on **March 24, 2016**, at a Public Hearing, and having voted **10-0** 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 reason:

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan state that the community should work to achieve an effective and comprehensive transportation system by making pedestrian and other transportation connections (Theme D, Goal #1); that infill and redevelopment should respect an area's context and design features (Theme A, Goal #2a); and that underutilized and vacant land should be utilized to encourage compact and contiguous development within the Urban Service Area (Theme E, Goal #1).
 - b. The proposed zoning is compatible with the adjoining shopping center, which is predominantly zoned B-1, as well as most other commercial uses in the vicinity. Additionally, the landscape buffer for the proposed parking lot, along with the adjacent entrance drive, will provide an adequate land use buffer from the townhouses to the west to the shopping center.
 - c. The proposed rezoning will encourage the continued success of a neighborhood commercial node that serves this portion of the Urban Service Area.
 - d. The proposed expansion will not adversely impact the adjoining residential land use and will allow for pedestrian access along Old Todds Road.
 - e. The proposed development of the subject property will put an underutilized tract to a productive use in support of existing businesses in the community.
2. This recommendation is made subject to approval and certification of ZDP 2016-21: Brighton Place Shoppes, Phase II, (Gillis Property), 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 restriction is recommended via conditional zoning for the subject property:
 - a. Any lighting installed on the subject property shall be directed downward away from any residential zone adjacent to this location.

This restriction is appropriate in order to protect the adjacent neighborhoods from potential light pollution.

ATTEST: This 8th day of April, 2016.


Secretary, Jim Duncan

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2016-21: Brighton Place Shoppes, Phase II, (Gillis Property), was approved by the Planning Commission on March 24, 2016, and certified on April 7, 2016.

K.R.S. 100.211(7) requires that the Council take action on this request by June 22, 2016.

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

OBJECTORS _____

- None

OBJECTIONS _____

- none

VOTES WERE AS FOLLOWS:

AYES: (10) Berkley, Cravens, Drake, Mundy, Owens, Penn, Plumlee, Richardson, Smith, Wilson

NAYS: (0)

ABSENT: (1) Brewer

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **MAR 2016-5** carried.

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