

Rec'd by _____

Date: _____

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

IN RE: **PLN-MAR-19-00016: JULIE BUTCHER** - petition for a zone map amendment from a Single Family Residential (R-1C) zone to the Professional Office (P- 1) zone in order to construct an office building on 0.876 net (1.191 gross) acres of property, located at 1918 and 1922 Nicholasville Road. (Council District 4)

Having considered the above matter on **January 30, 2020 and February 27, 2020**, at a Public Hearing, and having voted **5-4** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **DISAPPROVAL** of this matter for the following reasons:

1. The subject property is appropriately zoned and creates a well-established land-use boundary between residential business/office uses along the east side of Nicholasville Road, and to the south of Edgemoor Drive.
2. The request is in conflict with the Design Policy #4 under Theme A, Growing Successful Neighborhoods. "Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form."
3. The proposed zoning is in conflict with Theme A, Growing Successful Neighborhoods as rezoning and demolition will remove, without replacing, a housing choice from the marketplace.
4. The proposed development does not "grow a successful community through well-designed neighborhoods by encouraging existing neighborhoods to flourish through the use of neighborhood character preservation (Theme A. Goal #3.a.) by demolishing a well-preserved and architecturally significant example of the Dutch Colonial Revival architectural style. It is a viable residential property that contributes to the history and architecture of the established Southern Heights Neighborhood.
5. The proposed development is destructive of several mature trees that contribute to the urban forest without significant replacement (A-DS4-3 and B-PR7-3).
6. The development does not create a context sensitive transition between intense corridor development and an existing neighborhood (A-EQ3-I).

ATTEST: This 20th day of March, 2020.


Secretary, Jim Duncan

MIKE OWENS
CHAIR

Note: The corollary development plan, **PLN-MJDP-19-00075: Edgemoor Subdivision, Lot 3** was indefinitely postponed by the Planning Commission on February 27, 2020.

K.R.S. 100.211(7) requires that the Council take action on this request by May 27, 2020.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Nathan Billings and Zach Cato, attorneys.**

OBJECTORS

- Ms. Jessica Winters, attorney for Southern Heights Neighborhood Association

- Andy Mead, 121 Edgemoor Drive
- Brittany Sams, Blue Grass Trust for Historic Preservation
- Joseph Van Sickels, 105 Edgemoor Drive

- Wayne Collier on behalf of Eleanor Collier, 163 Edgemoor Drive

- Ann de Castro, 254 Tahoma Road

- Jerry Nichols, 1833 McDonald Avenue

- Wade Maguire, 1864 Wildwood Avenue
- Scott Dreyer, 117 Edgemoor Drive

- Amy Clark, 628 Kastle Road

- Mike Brower, 114 Shady Lane

- Kim Combs Gersony, 205 Tahoma Road

- Katherine Adams, 202 Tahoma Road

- Mary Duncan, 148 Edgemoor Drive

OBJECTIONS

- Concerned with the demolition of a historically significant and viable residential structure, rezoning the subject property ahead of this detailed study is therefore premature of the study area for the Nicholasville Road Corridor North Small Area Plan, that the project is not consistent with the 2018 Comprehensive Plan's Development Criteria, and that the neighborhood was not engaged and able to participate in the process.
- Concerned with the safety and increased traffic.
- The demolition of the current structure will disrupt the design and historic nature of the neighborhood.
- Concerned with safety, increased stormwater runoff, and increased traffic.
- Concerned with safety, as Nicholasville Road traffic patterns change near this intersection and that this will be setting a precedence.
- Concerned with the increased traffic and the backup of cars at peak hours.
- The demolition of the current structure will be removing a housing choice from the marketplace.
- Concerned with the traffic and safety in this area.
- Concerned with the delivery vehicles, stacking of turning vehicles, and the increase of stormwater runoff and waste.
- This proposal could constrain the impact of the corridor study that has just commenced.
- Concerned with the destruction of irreplaceable structures like this house.
- Concerned with increased traffic, congestion, and safety of school-aged children.
- Encouraged the Planning Commission to honor the language in the Comprehensive Plan regarding respecting established neighborhoods.
- Concerned with increased traffic in the area.

VOTES WERE AS FOLLOWS:

AYES: (5) Bell, Brewer Mundy, Plumlee, and Pohl

NAYS: (4) de Movellan, Forester, Owens, and Wilson

ABSENT: (2) Nicol and Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for DISAPPROVAL of PLN-MAR-19-00016 carried.

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