

Rec'd by _____

Date: _____

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

IN RE: **MARV 2013-11: 562 SHORT STREET, LLC** – petition for a zone map amendment from a High Density Apartment (R-4) zone to a Lexington Center Business (B-2B) zone, for 0.137 net (0.205 gross) acre, for property located at 562 West Short Street. A dimensional variance was also requested. (Council District 3)

Having considered the above matter on **June 27, 2013**, 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 **CONDITIONAL APPROVAL** of this matter for the following reason:

1. The requested Lexington Center Business (B-2B) zone is in agreement with the 2007 Comprehensive Plan and the *Downtown Masterplan*, for the following reasons:
 - a. The *Masterplan* identifies the west side of West Short Street as a mixed-use area that should be expanded to include a wider range of uses with the “goal of creating a vibrant active corridor connecting the surrounding neighborhoods.”
 - b. The *Masterplan* calls for additional convenience retail and office uses in the Western Suburb precinct, which also includes part of Jefferson Street.
 - c. The proposed B-2B zone will allow a mixture of uses, including convenience retail and offices that are mostly appropriate in this urban environment.
2. The 2012 Goals and Objectives of the Comprehensive Plan are supportive of historic preservation and context-sensitive adaptive reuse/redevelopment. The petitioner’s proposal to renovate the existing 2-story residential structure and provide space for small retail or offices is aligned with such goals (Goals A.3.a., D.3.a., and D.3.c.).
3. This recommendation is made subject to approval and certification of **ZDP 2013-44: 562 Short Street, LLC**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
4. **Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are proposed for the subject property via conditional zoning:**

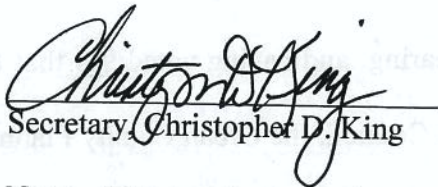
Prohibited Uses:

- a. Civic Center and convention facilities.
- b. Retail sale of plant, nursery or greenhouse products, or agricultural produce.
- c. Hotels or motels.
- d. Establishments for the display, rental or sale of automobiles, motorcycles, trucks, and boats.
- e. Amusement enterprises, such as circuses; carnivals; and horse or automobile racing.
- f. Outdoor live entertainment.
- g. Restaurants, cocktail lounges, and nightclubs.

These restrictions are appropriate and necessary to ensure that any reuse of the property remains compatible in this established, historic neighborhood, given its location in such close proximity to existing dwellings.

Note: Variances to the zone-to-zone screening requirements were approved by the Planning Commission for this property, subject to the rezoning being granted.

ATTEST: This 2nd day of August, 2013.


Secretary, Christopher D. King

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2013-44: 562 Short Street, LLC, was approved by the Planning Commission on June 27, 2013, and certified on July 11, 2013.

K.R.S. 100.211(7) requires that the Council take action on this request by September 25, 2013.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Rory Kahly, landscape architect.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (9) Beatty, Berkley, Blanton, Cravens, Mundy, Owens, Penn, Plumlee, and Wilson

NAYS: (0)

ABSENT: (2) Brewer and Roche-Phillips

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **MARV 2013-11** carried.

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