

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

IN RE: **PLN-MAR-19-00012: THE CLIFTON, LLC** - petition for a zone map amendment from a High Density Apartment (R-4) zone to a Downtown Frame Business (B-2A) zone, for 0.119 net (0.135 gross) acres, for property located at 171 Saunier Street. (Council District 2)

Having considered the above matter on **August 22, 2019**, 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 **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The requested Downtown Business Frame (B-2A) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning supports infill and redevelopment (Theme A, Goal #2), by identifying areas of opportunity for adaptive reuse (Theme A, Goal #2.a), while also respecting the context and design features of surrounding development projects to ensure compatibility with the existing urban form (Theme A, Goal #2.b).
  - b. The proposal seeks to support & showcase local assets to allow for the creation of a variety of jobs (Theme C, Goal #1), while also adding services that promote and enhance tourism in the area (Theme C, Goal #1.d).
  - c. The applicant states that through the inclusion of the use, event space or banquet facility, that they will provide entertainment and other quality of life opportunities that attract young, and culturally diverse professionals, and a work force of all ages and talents to Lexington (Theme C, Goal #2.d).
  - d. The proposed development of the subject property seeks to protect and enhance the natural and cultural landscapes that give Lexington-Fayette County its unique identity and image (Theme D, Goal #3), by protecting historic resources (Theme D, Goal #3.a), including the renovation, restoration and maintenance of a historic commercial structure (Theme D, Goal #3.c).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan:
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site adaptively reuses an older structure that is located within a highly walkable area. Additionally, the proposed rezoning seeks to add new job opportunities, while increasing potential entertainment and quality of life opportunities that can draw more people into our downtown commercial areas.
  - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity, as the applicant is working with the surrounding property owners to provide shared parking arrangements that will reduce the proliferation of parking lots in the downtown area.
  - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, limits the impacts on the surrounding environment, and does not impact the current tree lines and canopy.

3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use and buffering restrictions are recommended via conditional zoning:

Prohibited Uses


- a. Automobile service stations, and auto repair.
- b. Amusement enterprises.
- c. Pawnshops.
- d. Community Centers, private clubs and day shelter.
- e. Outdoor live entertainment.
- f. Cocktail lounges and nightclubs.

Other

- a. Operating hours shall end at 10:00 p.m. Sunday, 11:00 p.m. Monday – Thursday, and midnight on Friday and Saturday.

4. This recommendation is made subject to approval and certification of PLN-MJDP-19-00046: Saunier Livery, 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 16<sup>th</sup> day of September, 2019.

  
Secretary, Jim Duncan

MIKE OWENS  
CHAIR

Note: The corollary development plan, PLN-MJDP-19-00046: SAUNIER LIVERY was approved by the Planning Commission on August 22, 2019 and certified on September 5, 2019.

K.R.S. 100.211(7) requires that the Council take action on this request by November 20, 2019.

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

OBJECTORS

- Bob Millward, Millward Funeral Home
- John Pica, President of Sts. Peter and Paul Regional Catholic School
- Windell Reading, 417 W. 2nd Street
- Doug Piatt, Broadway Christian Church, 187 N. Broadway.
- Sister Clara Fehringer, St. Paul Catholic Church
- Tom Brown, Roman Catholic Diocese of Lexington

OBJECTIONS

- Concerned with parking and the possibility of this site becoming an undesirable business.
- Concerned that the proposed establishment will change the area's culture and also parking.
- Concerned that the neighborhood was not engaged and able to participate in the process.
- Concerned with the integrity of their neighborhood and also parking.
- Concerned with the safety and increased traffic.
- Concerned with safety and parking.

VOTES WERE AS FOLLOWS:

AYES: (6) Mundy, Nicol, Owens, Penn, Plumlee, and Wilson

NAYS: (0)

ABSENT: (2) Bell and Brewer

ABSTAINED: (2) de Movellan and Pohl

DISQUALIFIED: (1) Forester

Motion for APPROVAL of PLN-MAR-19-00012 carried.

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

