

Rec'd by _____

Date: _____

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

IN RE: PLN-MAR-22-00013: NORTHYARD, LLC. - a petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone, for 2.3827 net (2.5584 gross) acres, for property located at 101 and 109 W. Loudon Avenue. (Council District 1)

Having considered the above matter on **October 27, 2022**, at a Public Hearing, and having voted **8-0-1** 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:

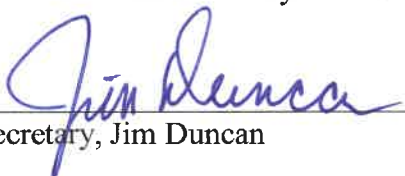
1. The requested Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed development will support context sensitive redevelopment of land within the Urban Service Boundary by allowing for adaptive reuse of an existing industrial building (Theme A, Goal #2.b)
 - b. The proposed rezoning will help with the creation of a variety of jobs (Theme C, Goal #1.a) by allowing for new uses, and providing existing businesses in this development additional flexibility to package their products for use and consumption off-site.
 - c. The proposed rezoning will help attract young, culturally diverse professionals by expanding the permitted uses on-site to include popular uses such as the proposed brewery (Theme D, Goal #2.d)
2. The requested Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. As the development will not physically change under this request, the proposed development will remain context-sensitive, meeting Design Policy #4.
 - b. The proposed development meets Density Policy, #3 as the additional production capabilities provided by the change in zoning will encourage further growth of neighborhood supportive uses by allowing them to engage in light production activity.
 - c. Finally, the request meets Livability Policy #6 by providing the opportunities to accommodate additional entertainment and amenity opportunities that appeal to young professionals.
3. 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 applicant will keep the current site configuration, retain the historically significant Greyline Station structure, while allowing for increased zoning flexibility.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposal will retain the existing pedestrian connections, proximity to transit stops, and access to dedicated bike lanes.

- c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the request will not result in any physical changes to the site, and all existing water management systems will be retained.
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Self-storage warehousing.
 - ii. Tire retreading and recapping.
 - iii. Automobile service stations.
 - iv. Major automobile or truck repair.
 - v. Establishments for the display and sale of precut, prefabricated, or shell homes.
 - vi. Auto parts rebuilding.
 - vii. Box and crate assembly.
 - viii. Columbariums and crematories.
 - ix. Electric foundry.
 - x. Inflammable underground liquid storage.
 - xi. The processing of asbestos.
 - xii. The above-or below-ground storage for resale of any flammable or nonflammable gas or oxidizer in liquid or gaseous form; the storage of any empty container that contained any gas in any form; and the receiving of or dispensing of any gas in any form, unless in association with an automobile and vehicle refueling station.
 - xiii. Establishment and lots for the display rental, sale and repair of farm equipment; contractor equipment; automobiles, truck, mobile homes; boats, or supplies for such items.
 - xiv. Battery manufacturing.
 - xv. Public utility service yard.
 - xvi. Truck terminals and freight yards.
 - xvii. Shredding, sorting and balling paper scrap and storage of waste paper.
 - xviii. Recycling, sorting, bailing and processing of glass and nonferrous metals; building materials salvage.
 - xix. Penal or correctional institutions.
 - xx. Commercial composting.

These restrictions are appropriate and necessary to reduce the potential impact of more intense light industrial uses on the adjoining residential use, and to protect the integrity of the Royal Springs Aquifer.

5. This recommendation is made subject to approval and certification of PLN-MJDP-22-00060 GREYLINE STATION & MARKET (FKA TRANSIT AUTHORITY OF LFUCG), 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 10th day of November, 2022.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, **PLN-MJDP-22-00060 GREYLINE STATION & MARKET (FKA TRANSIT AUTHORITY OF LFUCG)**, was approved by the Planning Commission on October 27, 2022 and certified on November 10, 2022.

K.R.S. 100.211(7) requires that the Council take action on this request by January 25, 2023.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Chad Needham, property owner.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES:	(8)	Davis, de Movellan, Forester, Michler, Meyer, Penn, Pohl, and Worth
NAYS:	(0)	
ABSENT:	(2)	Barksdale and Nicol
ABSTAINED:	(1)	Bell
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-22-00013** carried.

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

