

AN ORDINANCE CHANGING THE ZONE FROM A WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE, FOR 5.09 NET (5.92 GROSS) ACRES, FOR PROPERTY LOCATED AT 2375 FORTUNE DRIVE (A PORTION OF). (SHOPPERS VILLAGE OF RICHMOND, LLC; COUNCIL DISTRICT 6).

WHEREAS, at a Public Hearing held on May 24, 2018, a petition for a zoning ordinance map amendment for property located at 2375 Fortune Drive (a portion of) from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone, for 5.09 net (5.92 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 10-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

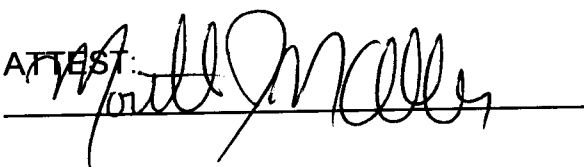
Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 2375 Fortune Drive (a portion of) from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone for 5.09 net (5.92 gross) acres, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: June 21, 2018

ATTEST:



MAYOR



CLERK OF URBAN COUNTY COUNCIL

Published: June 28, 2018-1t

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Legal Description of the
Shoppers Village of Richmond, LLC
Zone Change From B-4 to I-1
2375 Fortune Drive (a portion of)
Lexington, Fayette County, Kentucky

A PORTION OF THE TRACT OR PARCEL OF LAND SITUATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF FORTUNE DRIVE AND TRADE CENTER DRIVE IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the intersection of the centerline of Fortune Drive with the centerline of Trade Center Drive; thence with the centerline of Trade Center Drive south 86 degrees 17 minutes 17 seconds west 405.01 feet; thence leaving Trade Center Drive north 03 degrees 42 minutes 43 seconds west 648.36 feet; thence north 86 degrees 16 minutes 17 seconds east 392.61 feet to the centerline of Fortune Drive: thence along a curve to the left having an arc length of 217.44 feet, a radius of 500.00 feet, and a chord bearing south 03 degrees 48 minutes 51 seconds east, a distance of 215.73 feet; thence along a curve to the right having an arc length of 109.54 feet, a radius of 500.00 feet, and a chord bearing south 09 degrees 59 minutes 47 seconds east, a distance of 109.32 feet; thence south 03 degrees 43 minutes 13 seconds east 324.08 feet to the point of beginning and containing 5.92 gross acres and 5.09 net acres.

Rec'd by _____

Date: _____


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

IN RE: **PLN-MAR-18-00006: SHOPPERS VILLAGE OF RICHMOND, LLC** - petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone, for 5.09 net (5.92 gross) acres, for property located at 2375 Fortune Drive (a portion of). (Council District 6)

Having considered the above matter on **May 24, 2018**, 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 **APPROVAL** of this matter for the following reasons:

1. The requested Light Industrial (I-1) zone is in agreement with the 2013 & 2018 Comprehensive Plans, for the following reasons:
 - a. The 2013 Comprehensive Plan identifies the need to protect and provide readily available economic development land to meet the need for jobs. The 2013 & 2018 Plans both encourage supporting and showcasing local assets to further the creation of a variety of jobs (*Theme C, Goal 1*).
 - b. The 2018 Comprehensive Plan prioritizes the success and growth of strategically-targeted employment sectors (high-tech, advanced manufacturing) and encourages infill and redevelopment that creates jobs (*Theme C, Goal 2, Objective A*).
 - c. The 2018 Comprehensive Plan promotes the redevelopment of underutilized land within the Urban Service Area in a manner that enhances existing urban form (*Theme E, Goal 1, Objective d*).
 - d. The 2013 Comprehensive Plan promotes the movement of goods and people via efficient transportation connections (*Chapter 5, page 77*).
 - e. The proposed I-1 zone, along with the proposed use of professional offices, research and development, and light manufacturing, meet the Goals and Objectives of the items stated above, because the rezoning would:
 - i. Allow a wider variety of jobs to be created in an area designated as "jobs land;"
 - ii. Promote the creation of new jobs and increase the likelihood of bringing high-tech jobs to the site;
 - iii. Reactivate an underutilized parcel that has existing infrastructure;
 - iv. Utilize an existing roadway network that is desirable for truck access and promotes the movement of goods and people.
2. The predominance of businesses comprised of offices, warehouses, light manufacturing, and technology (research and development) in this area makes I-1 zoning and uses consistent with the development character of the Fortune Drive area. Therefore, the proposed I-1 zoning and land use are compatible with, and complementary to, the surrounding land uses and mix of office, warehouse, and light industrial zones.
3. This recommendation is made subject to approval and certification of **PLN-MJDP-18-00034: Brock McVey & Barry Dotson Property, Unit 2-A, Lot 6 (AMD)**, 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 11th day of June, 2018.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-18-00034: BROCK McVEY & BARRY DOTSON PROPERTY, UNIT 2-A, LOT 6 (CENTURY BUSINESS CENTER) was approved by the Planning Commission on May 24, 2018 and certified on June 7, 2018.

K.R.S. 100.211(7) requires that the Council take action on this request by August 22, 2018.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (10) Bell, Berkley, Brewer, Cravens, Forester, Mundy, Owens, Penn, Richardson and Wilson

NAYS: (0)

ABSENT: (1) Plumlee

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-18-00006** carried.

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

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: Shoppers Village of Richmond, LLC, 840 E. High Street, Lexington, KY 40502
Owner(s): 2375 Lexington MRP, LLC, c/o Whitestar Advisors, LLC, Attn: James Bishop, 902 Clint Moore Road, Suite 220, Boca Raton, FL 33487
Attorney: John Talbott, 301 E. Main Street, Suite 600, Lexington, KY 40507 (859) 225-1627

2. ADDRESS OF APPLICANT'S PROPERTY

2375 Fortune Drive, Lexington, KY (a portion of)
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3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing	Zoning	Requested	Acreage	
	Use		Use	Net	Gross
B-4	Former Lexington Herald Leader newspaper distribution facility	I-1	Light manufacturing, research and development	5.09	5.92

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



Legal Description of the
Shoppers Village of Richmond, LLC
Zone Change From B-4 to I-1
2375 Fortune Drive (a portion of)
Lexington, Fayette County, Kentucky

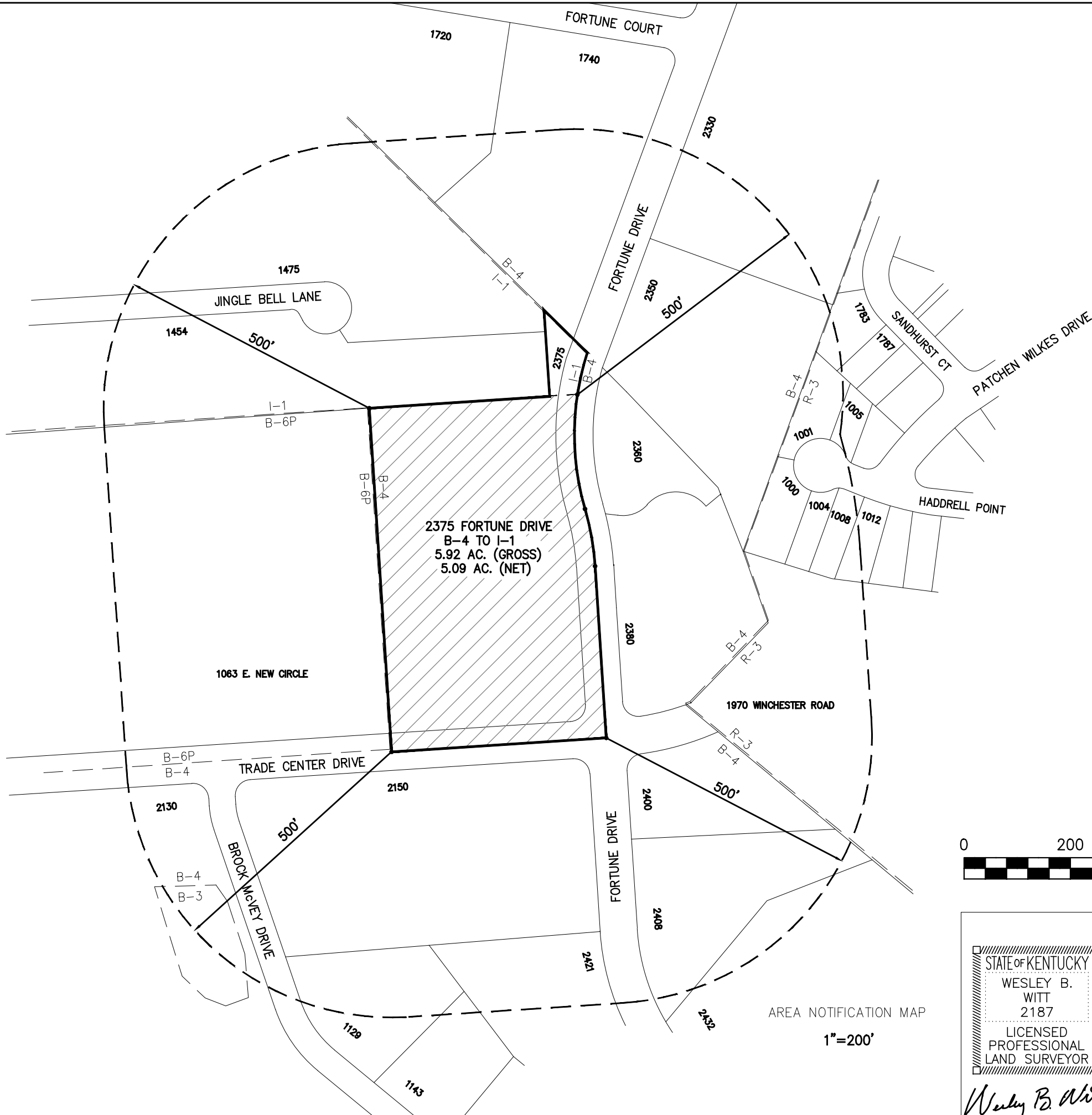
A PORTION OF THE TRACT OR PARCEL OF LAND SITUATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF FORTUNE DRIVE AND TRADE CENTER DRIVE IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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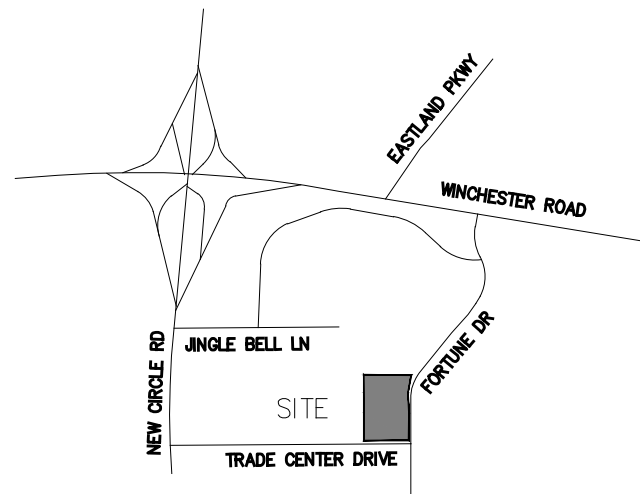
The Applicant, Shoppers Village of Richmond, LLC is requesting a zone change from the Wholesale and Warehouse Business (B-4) zone to the Light Industrial (I-1) zone for the 5.15 net acres designated as 2375 Fortune Drive, Lexington, Kentucky (“Subject Property”) on the basis that the existing zoning of Wholesale and Warehouse Business (B-4) is inappropriate and the proposed I-1 zoning is appropriate. The principal permitted uses in the B-4 zone are permitted uses in the I-1 zone. Replacement of the existing B-4 zoning by I-1 zoning will permit the Subject Property to be used for light manufacturing and research and development in addition to the uses permitted in the B-4 zone

The Subject Property is located at the northwest corner of Trade Center Drive and Fortune Drive with good access to New Circle Road and to Winchester Road. The parcel of land at issue is adjacent to properties along Jingle Bell Lane that are zoned I-1. The building on the Subject Property contains approximately 74,150 square feet and was most recently occupied by the Lexington Herald Leader to facilitate the distribution of the local newspaper. A potential new occupant of the Subject Property proposes to use the building for light manufacturing, offices, and research and development. The new use of the building will create a substantial number of new high-tech jobs.

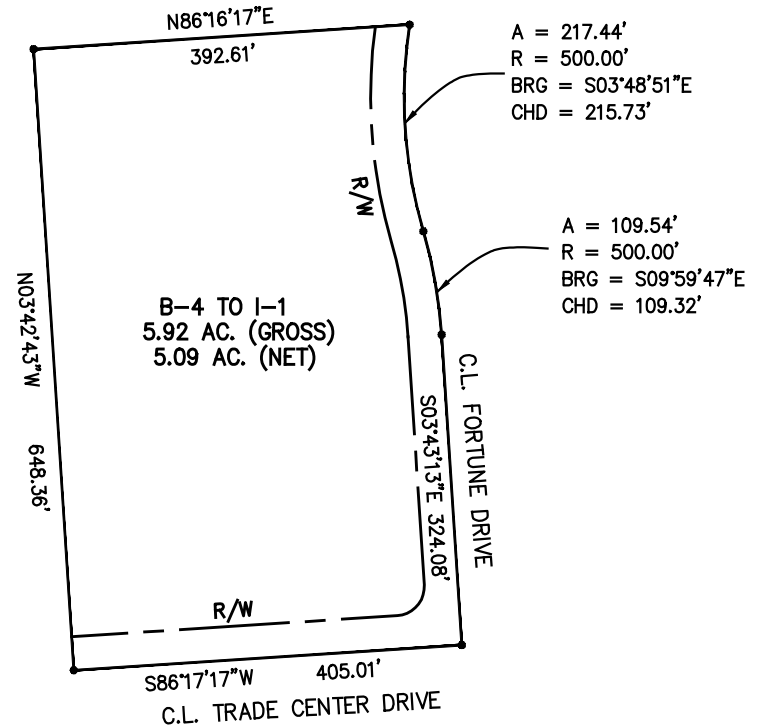
The requested zone change will promote Theme C of the Goals and Objectives of the 2018 Comprehensive Plan adopted November 16, 2017 by facilitating the creation of high tech jobs. Manufacturers, such as the potential user of the subject property, prefer to consolidate their office, manufacturing and research and development functions under a single roof to encourage collaboration and to promote efficiency. The proposed zone change will permit all of the uses proposed by the potential new occupant to co-exist on the Subject Property. The additional uses permitted by the I-1 zone are compatible with the uses on adjoining properties and in the properties along Fortune Dr. and Trade Center Dr. The additional uses permitted by the I-1 zoning will enable the creation of high tech jobs and encourage economic growth by allowing the potential user of the property to conduct multiple functions in one location. The I-1 zoning substantially conforms with the Comprehensive Plan for this property as the planned B-4 uses will continue to be permitted on the property while additional uses will also be added to allow the creation of a substantial number of high tech jobs. This will be in furtherance of Theme C, Goals 1 and 2 of the Comprehensive Plan.



AREA NOTIFICATION MAP
1"=200'



VICINITY MAP
NTS



PROPERTY MAP
1"=200'



STATE OF KENTUCKY WESLEY B. WITT 2187 LICENSED PROFESSIONAL LAND SURVEYOR <i>Wesley B. Witt</i>	ZOMAR: B-4 TO I-1				
	PROPERTY ADDRESS: 2375 FORTUNE DRIVE (A PORTION OF)	FROM	TO	GROSS	NET
	OWNER: 2375 LEXINGTON MRP LLC WHITESTAR ADVISORS LLC ATTN JAMES BISHOP 902 CLINT MOORE ROAD, SUITE 220 BOCA RATON, FLORIDA 33487	B-4	I-1	5.92 AC	5.09 AC
	APPLICANT: SHOPPERS VILLAGE OF RICHMOND, LLC 840 E HIGH STREET LEXINGTON, KENTUCKY 40502				
	PREPARED BY: WESLEY B WITT, INC. DATE PREPARED: APRIL 2, 2018			TOTAL	5.92 AC 5.09 AC

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-00006: SHOPPERS VILLAGE OF RICHMOND, LLC

DESCRIPTION

Zone Change: From a Wholesale and Warehouse Business (B-4) zone
To a Light Industrial (I-1) zone

Acreage: 5.09 net (5.92 gross) acres

Location: 2375 Fortune Drive (a portion of)

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	B-4	Vacant Building
To North	B-4 & I-1	Industrial, Warehouse, and Office
To East	B-4	Wholesale and Warehouse
To South	B-4	Wholesale, Warehouse, and Office
To West	B-6P	Wholesale (Sam's Club)

URBAN SERVICES REPORT

Roads –The subject site is located on the northwest corner of Fortune Drive and Trade Center Drive; both streets are collector roadways. Fortune Drive runs in a north-south direction and has three travel lanes, including two through lanes and a center turn lane. It begins at a signalized intersection with Winchester Road to the north and terminates at a signalized intersection with Liberty Road to the south. Trade Center Drive runs from east to west and contains two travel lanes, with a left-turn lane added as it approaches Fortune Drive. This 2,000 foot long road begins at the signalized intersection with New Circle Road and terminates 180 feet past its intersection with Fortune Drive. This stub street is proposed to connect to a road within the Tuscany Subdivision (Summerfield Neighborhood). Employee and customer access is proposed to remain at its present location along Fortune Drive. Truck access and loading is proposed to remain on Trade Center Drive. Based on 2014 KYTC traffic counts, the average daily traffic volume is approximately 9,000 vehicle trips on Fortune Drive between Winchester Road and Liberty Road. Traffic counts are not available for Trade Center Drive.

Curb/Gutter/Sidewalks – Fortune Drive and Trade Center Drive both have typical curb and gutters. Sidewalks exist on both sides of Fortune Drive, but end at the northern property line of the subject site (west side of the street). On the east side of the street, a sidewalk exists, but ends before reaching 2360 Fortune Drive. Trade Center Drive has continuous sidewalks on both sides of the street.

Storm Sewers – The subject property is located within the North Elkhorn Creek watershed. No FEMA floodplain exists in the immediate area and there have been no reports of major flooding problems on the subject property. However, an unnamed tributary of North Elkhorn Creek does exist within the Tuscany Subdivision, east of the site, flowing to the southeast.

Sanitary Sewers – The subject property is located in the North Elkhorn sewershed, which is served by the West Hickman Wastewater treatment Plant in northern Jessamine County. Sanitary sewer capacity is presently 47,977 gpd, which is more than ample for the proposed change of use.

Refuse – The Urban County Government serves this portion of the Urban Service Area with collection on Tuesdays. However, most businesses choose to be served by private waste management companies.

Police – The nearest police station is located approximately 3/4 of a mile northwest of the property. It is the Central Sector Roll Call Center (Police Sector 2), between Goodwin Drive and Industrial Road.

Fire/Ambulance – The nearest fire station to the subject property is Station #2, on the corner of Eastland Drive and Murray Road. It is located about 3/4 of a mile northwest of the subject property.

Utilities – Natural gas, telephone service, electric, water, and cable television are all available to serve the subject property.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape.

The applicant proposes to rezone the subject site in order to reuse a former printing facility and distribution warehouse as a research and development facility, with light manufacturing and offices. The subject site is 5.09 net (5.92 gross) acres.

CASE REVIEW

The applicant has requested a zone change from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone for a site slightly over five acres on a portion of 2375 Fortune Drive. The small portion of the site at the northeast corner of the parcel is already zoned I-1 and is, therefore, not included in the zone change request.

The subject property is located on the northwest corner of Fortune Drive and Trade Center Drive, approximately 2,500 feet southeast of the New Circle Road and Winchester Road interchange. The subject site was formerly occupied by the off-site printing and distribution facility for the Herald-Leader. The rezoning would allow the applicant to use the site as a research and development facility, with light manufacturing and office space. It would also unify the site as an I-1 zone, as a portion of the site in at the northeast corner is already zoned I-1. The associated development plan shows that the site is proposed to remain unchanged on the exterior. The main access will remain on Fortune Drive and the truck access will remain on Trade Center Drive. The loading and refuse area will remain at the rear of the building on its southwest corner, near the truck access point. Signage for the building will likely be updated and the interior of the building will be retrofit to suit the new use, but otherwise, the site will remain unchanged.

The area along Fortune Drive and its side streets contains a mix of light industrial, wholesale, warehouse, and office uses (B-4 and I-1 zones). The section of New Circle Road to the west of the subject site is lined with a variety of commercial uses, including retail shopping strips, big box

retail uses, fast food restaurants, car dealerships, and other commercial uses (B-3 zone). Sam's Club is located immediately to the west of the site (B-6p zone).

The 2013 Comprehensive Plan no longer focuses on specific, map-based land use recommendations for rezonings. Instead, it utilizes a policy-based approach, which is meant to provide more flexibility in choosing an appropriate zoning district. Previous comprehensive plans have recommended varying land uses for the subject property, which has resulted in multiple zone changes over the years, but is also reflective of the wide array of potentially appropriate land uses in this area based upon the surrounding development and the character of the area.

The 2013 Comprehensive Plan suggests that more "jobs land" is needed, meaning that additional land designated for employment opportunities, instead of being reserved for residential development, must be seriously considered by the Planning Commission and the Council. Additionally, businesses that focus on "technology, marketing, or industrial art" need to be allowed flexibility within Lexington's regulations in order to attract and retain these types of job generators. According to the Comprehensive Plan, the inventory of jobs land has been depleted by over 500 acres since the 1990s (page 72). The proposed zone change will reactivate a five acre parcel of prime jobs land that has been sitting vacant, awaiting a use that will generate jobs, such as the technology-based proposal. This promotes *Theme E, Goal 1, Objective d*, of the 2018 Comprehensive Plan, to promote redevelopment of underutilized land in a manner that enhances existing urban form, as the site's development characteristics are not expected to change.

The applicant justifies the rezoning request from B-4 to I-1 by stating that the subject site is adjacent to properties along Jingle Bell Lane that are presently zoned I-1 and used for light industrial and office uses with warehousing components. Therefore, the requested rezoning, proposed use, and existing building are compatible and consistent with the development character of the area. By rezoning this site to the I-1 zone, not only will the site fit with the other light industrial uses to the north, but sites used for light manufacturing, offices, and research and development create a substantial number of new high-tech jobs, especially compared to sites used for typical warehousing. This promotes the 2013 & 2018 Comprehensive Plan's *Theme C: Creating Jobs and Prosperity*, including *Goal 1*, to support and showcase local assets to further the creation of a variety of jobs. It also promotes *Theme C, Goal 2, Objective A*, in the 2018 Plan, to prioritize the success and growth of strategically-targeted employment sectors (high-tech, advanced manufacturing) and enable infill and redevelopment that creates jobs.

The applicant explains that technology and manufacturing companies, such as the potential user of the subject property, prefer consolidating their office, manufacturing, and research and development functions under a single roof to encourage collaboration and to promote efficiency. The proposed I-1 zone permits all of the identified uses to co-exist on the subject property. The additional uses permitted by the I-1 zone are compatible with the uses on adjacent properties and on other properties within the immediate area. The proposed I-1 zone will allow the creation of high tech jobs and encourage economic growth by allowing the potential user of the property to conduct multiple functions in one location. This further promotes *Theme C, Goals 1 and 2* of the 2018 Comprehensive Plan.

Additionally, *Chapter 5: Creating Jobs and Prosperity*, within the 2013 Comprehensive Plan, emphasizes the importance of facilitating the movement of people and goods via efficient transportation connections (page 77). The requested rezoning furthers this concept, as well. The proposed business will be located on the corner of Fortune Dr. and Trade Center Dr., which are both industrial collector level roads with 70' of right-of-way, allowing easy access and connectivity to New Circle Road and Winchester Road (major arterials), along with Liberty Road (minor

arterial). This higher-level roadway network is desirable for truck access and the movement of goods, an essential element of manufacturing, warehousing, and the distribution of goods. This location will also help facilitate employee access to the site, as the road network provides multiple ways to get to the site, improving quality of life for workers due to less time commuting to and from work.

The Staff Recommends: **Approval**, for the following reasons:

1. The requested Light Industrial (I-1) zone is in agreement with the 2013 & 2018 Comprehensive Plans, for the following reasons:
 - a. The 2013 Comprehensive Plan identifies the need to protect and provide readily available economic development land to meet the need for jobs. The 2013 & 2018 Plans both encourage supporting and showcasing local assets to further the creation of a variety of jobs (*Theme C, Goal 1*).
 - b. The 2018 Comprehensive Plan prioritizes the success and growth of strategically-targeted employment sectors (high-tech, advanced manufacturing) and encourages infill and redevelopment that creates jobs (*Theme C, Goal 2, Objective A*).
 - c. The 2018 Comprehensive Plan promotes the redevelopment of underutilized land within the Urban Service Area in a manner that enhances existing urban form (*Theme E, Goal 1, Objective d*).
 - d. The 2013 Comprehensive Plan promotes the movement of goods and people via efficient transportation connections (*Chapter 5, page 77*).
 - e. The proposed I-1 zone, along with the proposed use of professional offices, research and development, and light manufacturing, meet the Goals and Objectives of the items stated above, because the rezoning would:
 - i. Allow a wider variety of jobs to be created in an area designated as “jobs land;”
 - ii. Promote the creation of new jobs and increase the likelihood of bringing high-tech jobs to the site;
 - iii. Reactivate an underutilized parcel that has existing infrastructure;
 - iv. Utilize an existing roadway network that is desirable for truck access and promotes the movement of goods and people.
2. The predominance of businesses comprised of offices, warehouses, light manufacturing, and technology (research and development) in this area makes I-1 zoning and uses consistent with the development character of the Fortune Drive area. Therefore, the proposed I-1 zoning and land use are compatible with, and complementary to, the surrounding land uses and mix of office, warehouse, and light industrial zones.
3. This recommendation is made subject to approval and certification of PLN-MJDP-18-00034: Brock McVey & Barry Dotson Property, Unit 2-A, Lot 6 (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

AT/TW

5/3/18

G:\Planning Services\Staff Reports\MAR\2018\PLN-MAR-18-00006

2. SHOPPERS VILLAGE OF RICHMOND, LLC ZONING MAP AMENDMENT & BROCK McVEY & BARRY DOTSON PROPERTY, UNIT 2-A, LOT 6 (CENTURY BUSINESS CENTER) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-18-00006: SHOPPERS VILLAGE OF RICHMOND, LLC (7/1/18)*- petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone, for 5.09 net (5.92 gross) acres, for property located at 2375 Fortune Drive (a portion of).

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The applicant proposes to rezone the subject site in order to reuse a former printing facility and distribution warehouse as a research and development facility, with light manufacturing and offices. The subject site is 5.09 net (5.92 gross) acres.

The Zoning Committee Recommended: Approval to the full Commission.

The Staff Recommended: Approval, for the following reasons:

1. The requested Light Industrial (I-1) zone is in agreement with the 2013 & 2018 Comprehensive Plans, for the following reasons:
 - a. The 2013 Comprehensive Plan identifies the need to protect and provide readily available economic development land to meet the need for jobs. The 2013 & 2018 Plans both encourage supporting and showcasing local assets to further the creation of a variety of jobs (*Theme C, Goal 1*).
 - b. The 2018 Comprehensive Plan prioritizes the success and growth of strategically-targeted employment sectors (high-tech, advanced manufacturing) and encourages infill and redevelopment that creates jobs (*Theme C, Goal 2, Objective A*).
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 3. This recommendation is made subject to approval and certification of PLN-MJDP-18-00034: Brock McVey & Barry Dotson Property, Unit 2-A, Lot 6 (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. PLN-MJDP-18-00034: BROCK McVEY & BARRY DOTSON PROPERTY, UNIT 2-A, LOT 6 (CENTURY BUSINESS CENTER) (7/1/18)* - located at 2375 FORTUNE DRIVE, LEXINGTON, KY (**Barrett Partners**)

The Subdivision Committee Recommended: Approval, subject to the following conditions:

1. Provided the Urban County Council rezones the property I-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree protection plan.
5. **Denote**: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
6. Denote height of building in feet on plan.

Staff Zoning Presentation – Ms. Tourkow presented the staff report and recommendations for the zone change. She displayed photographs of the subject property and aerial photographs of the general area. She described the vicinity using the aerial photograph, pointing out the subject property. She said the applicant is proposing this zone change in order to use the former Herald Leader's printing facility as a research and development facility with light manufacturing and professional offices. She

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

said the exterior of the building will remain unchanged, however, the signage will be updated. She said that the interior will be retro-fitted for new offices.

Ms. Tourkow said that the 2013 Comprehensive Plan states that more "jobs land" is needed in the community. She said this zone change would reactive a 5-acre parcel of prime "jobs land." She said that the Zoning Committee and the staff recommended approval, noting that the proposed zone change is in agreement with the 2013 Comprehensive Plan and the 2018 Goals and Objectives.

Development Plan Presentation – Ms. Gallt presented a rendering of the preliminary development plan associated with the zone change. She said that the property has parking circulation that goes around the building and the applicant meets the minimum number of parking spaces required by the Zoning Ordinance for the proposed zone. She said that the entrance for the loading docks will be located off Trade Centre Drive.

Ms. Gallt said there are the standard sign-off conditions for a preliminary development plan. She said condition #6 concerns denoting height of the building in feet on the plan. She said there will only be minor changes to the exterior landscaping to meet the requirements of the proposed use.

Applicant Presentation – Mr. Talbott, attorney representing the petitioner, stated that the applicant is in agreement with the staff's recommendations and is available for questions.

Citizen Comment – There were no citizens present to speak to this application.

Zoning Action – A motion was made by Mr. Owens, seconded by Mr. Brewer, and carried 10-0 (Plumlee absent) to approve PLN-MAR-18-00006: SHOPPERS VILLAGE OF RICHMOND, LLC, for the reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Owens, seconded by Mr. Brewer, and carried 10-0 (Plumlee absent) to approve PLN-MJDP-18-00034: BROCK McVEY & BARRY DOTSON PROPERTY, UNIT 2-A, LOT 6 (CENTURY BUSINESS CENTER), for the reasons provided by the staff.