

Rec'd by _____

Date: _____

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

IN RE: **PLN-MAR-19-00004: ANDERSON ACQUISITION, LLC** - petition for a zone map amendment from a Single Family Residential (R-1D) zone to a Townhouse Residential (R-1T) zone, for 4.937 net (5.052 gross) acres and to a Neighborhood Business (B-1) zone, for 1.652 net (2.002 gross) acres; and from an Agricultural Urban (A-U) zone to a Townhouse Residential (R-1T) zone, for 10.668 net (11.876 gross) acres and to a Neighborhood Business (B-1) zone, for 1.040 net and gross acres, for property located at 3450 & 3550 Todds Road. (Council District 7)

Having considered the above matter on **April 25, 2019**, at a Public Hearing, and having voted **7-0** 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 Townhouse Residential (R-1T) and Neighborhood Business (B-1) zoning are in agreement with the 2013 Comprehensive Plan, and the adopted Goals and Objectives of the 2018 Comprehensive Plan for the following reasons:
 - a. The petitioner indicates that the rezoning of the site supports infill and redevelopment throughout the Urban Service Area (Theme A, Goal #1.b. and #2). The existing clubhouse has been vacant for several years, and the driving range is no longer necessary given that the site will not operate as a golf course in the future. The proposal also maximizes development on vacant land within the Urban Service Area and promote use of underutilized land in a way that enhances existing urban form (Theme E, Goal #1.a and 1.b; Theme E, Goal #3). The applicant proposes a density of 5.64 dwelling units per acre.
 - b. The proposed development respects the context and design features of the surrounding areas and is compatible with the existing urban form (Theme A, Goal #2.b). This is particularly true for the continuation of the pinwheel type townhomes that are proposed to extend from Country Club Way.
 - c. The surrounding open space and the continued use and expansion of the pedestrian and golf cart system within the proposed development provides added amenities that reduce dependency on vehicular modes of transportation and allows for multi-modal connectivity (Theme A, Goal #2.c, Theme B, Goal #2.d, and Theme D, Goal #1.b).
 - d. The reuse of the clubhouse as a restaurant can act as a neighborhood focal point (Theme A, Goal #2.d), while also adding quality of life opportunities that attract young and culturally diverse professionals to Lexington (Theme C, Goal #2.d).
2. The existing Agricultural Urban (A-U) zone is inappropriate, and the proposed R-1T and B-1 zones are appropriate at this location because the intent for the Agricultural Urban (A-U) zone is to manage the growth of the community so to avoid premature or improper development until public facilities and services are adequate to serve urban uses. The availability of these services at this time in this area indicate the inappropriateness of the current zoning.
3. This recommendation is made subject to approval and certification of the applicable portion of **PLN-MJDP-19-00012: Lochmere, Tract 4-B (Stonecase Valley)(Andover Club)(AMD)**, prior to being forwarded 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 property shall be subject to the following use and buffering restrictions via conditional zoning:**
 - a. Prohibited Uses:
 1. Drive-through Facilities.

2. Automobile service stations.
3. Establishments with the principal purpose of the sale of beer, liquor or wine.

These conditional zoning restrictions are appropriate and necessary to minimizing the impacts of new development on the existing neighborhoods and reducing the potential for high traffic flow in and out of the proposed site.

ATTEST: This 23rd day of May, 2019.



 Secretary, Jim Duncan

WILLIAM WILSON
 CHAIR

Note: The corollary development plan, PLN- MJDP-19-00012; LOCHMERE TRACT 4-8 (STONECASE VALLEY) (ANDOVER CLUB) (AMD) was approved by the Planning Commission on April 25, 2019 and certified on May 9, 2019.

K.R.S. 100.211(7) requires that the Council take action on this request by July 24, 2019.

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

OBJECTORS

- Nathan Billings, attorney representing Andover Common Property NFP
- Mr. Clyde Honaker, 3505 Doral Place
- Rick Towner, 3529 Doral Place
- Miriam Sekhon, 620 Andover Village Place
- Ron Blair, 628 Andover Village Place
- Jas Sekhon, 620 Andover Village Place

OBJECTIONS

- Believes that conditional zoning restrictions prohibiting the live outdoor entertainment should be removed.
- Concerned with stormwater runoff.
- Concerned about increased traffic and asked that the conditional zoning restriction of live entertainment remain.
- Concerned about the units backing up to their homes and the setback requirements, the drainage and flooding in the area, and the consistency of the neighborhood.
- Concerned about the flooding and the increased stormwater runoff.
- Believes that the development sets a precedent by proposing it in the middle of a single-family residential neighborhood and that that the conditional zoning restriction prohibiting live entertainment should remain.

VOTES WERE AS FOLLOWS:

AYES: (7) Bell, Berkley, Mundy, Nicol, Owens, Penn, and Plumlee

NAYS: (0)

ABSENT: (4) Brewer, Forester, Pohl, and Wilson

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-19-00004 carried.

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

