

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

IN RE: **PLN-MAR-17-00019: J. ROGER JONES, III** – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Highway Service Business (B-3) zone, for 4.66 net (6.29 gross) acres, for property located at 2300 Paris Pike. (Council District 12)

Having considered the above matter on **June 22, 2017**, at a Public Hearing, and having voted **7-1** 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. A restricted Highway Service Business (B-3) zone is in agreement with the 2013 Comprehensive Plan's Goal and Objectives, as well as the recommendations of the Paris Pike Corridor Small Area Plan (adopted by the Paris Pike Corridor Commission and by the Planning Commission in 1995), for the following reasons:
 - a. The Goals and Objectives of the 2013 Comprehensive Plan encourages infill development of long-time vacant land within the Urban Service Area (Theme A, Goal #2) and development that will uphold the Urban Service Area concept (Theme E, Goal #1). This site has been within the Urban Service Boundary since its inception in 1958, the subject property is adjacent to existing commercial development, and infrastructure is available or can be extended to serve the subject property.
 - b. The Goals and Objectives also recommend creation of new jobs near residential neighborhoods to promote the "live where you work" concept (Theme C, Goal #1d.). The site is located very near neighborhoods in the Joyland neighborhood, as well as neighborhoods along the northern-most Old Paris Pike.
 - c. The Paris Pike Corridor Small Area Plan (PPCSAP) recommends that the essential character of the corridor be preserved due to its nationally recognized scenic and historic qualities. Further, the SAP recognizes that the corridor is broken into three distinct areas of land use, and within the Lexington "urban end," (where the subject property is located), the SAP recommends future land use consistent with the current Comprehensive Plan
 - d. The proposed B-3 zone is in agreement with the prior 1988 Comprehensive Plan's land use recommendation of Highway Commercial future land use, which was in place at the time the SAP was adopted in 1995. In addition, the most recent land use recommendation for the subject property in 2007 continued to be for Highway Commercial, which is consistent with the Highway Service Business (B-3) zone.
2. This recommendation is made subject to the approval and certification of **PLN-MJDP-17-00046: Jones/Cottrell Property**, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
3. **Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses shall be prohibited on the subject property:**
Prohibited Uses
 - a. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, and mobile homes.
 - b. Cocktail lounges and nightclubs.
 - c. Car wash establishments.
 - d. Pawnshops.
 - e. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
 - f. Advertising signs, also known as billboards, as regulated by Article 17 of the Zoning Ordinance.

These restrictions are necessary and appropriate in order to restrict the most intense land uses on the subject property that could have a negative impact on adjacent agricultural and residential land uses and the aesthetic condition of the Paris Pike Corridor.

ATTEST: This 25th day of July, 2017.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by September 20, 2017.

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

OBJECTORS

- Josie Giurgevich Jones, 689 Kingston Rd.
- William Woodward, 282 Swigert Avenue
- Amy Clark, 415 Marquis, was present on behalf of the Fayette County Neighborhood Council

OBJECTIONS

- Increased traffic and light pollution from this use.
- Increase of commercial development in the area.
- Detrimental effect on neighborhood and this doesn't follow the Corridor Plan.

VOTES WERE AS FOLLOWS:

AYES: (7) Berkley, Cravens, Mundy, Owens, Penn, Richardson, and Wilson

NAYS: (1) Plumlee

ABSENT: (2) Brewer and Drake

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR-17-00019** carried.

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