

Rec'd by _____

Date: _____

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

IN RE: MAR 2016-12: DR. JAMES WILHITE – petition for a zone map amendment from a Townhouse Residential (R-1T) zone to a Professional Office (P-1) zone, for 5.08 net (6.16 gross) acres; and from a Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone, for 0.40 net and gross acre, for property located at 3500 Arbor Drive (a portion of). (Council District 8)

Having considered the above matter on **April 28, 2016**, 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 **APPROVAL** of this matter for the following reasons:

1. The existing R-1T and R-3 zoning is no longer appropriate for the property and P-1 zoning is appropriate for the following reasons:
 - a. The property and building have been designed and operated as a childcare facility, after school programs, and as a cheerleading and gymnastics club for the last 30 years. However, changes in the provision of such services have moved many such programs to publicly-funded programs at public schools, rendering the existing use no longer viable at this property.
 - b. The existing building, an approximately 30,000 square-foot concrete and steel building, which is fully sprinkled, is not well-suited for residential uses, but would be suitable for many uses allowed in the Professional Office zone such as offices, private or church-related schools for academic instructions, churches, libraries, museums, business college, private clubs, elder day care center and other such uses.
 - c. Professional office use would remain a quiet use and would be combatable with surrounding land uses. The church and residential uses to the north and west have no vehicular access into the property and are separated by topography. The building and property are already constructed with appropriate utilities, drainage, and sewer service for a professional office building.
2. This recommendation is made subject to approval and certification of **ZDP 2016-46: WILHITE PARK SUBDIVISION, UNIT 1-B, SECTION 1** 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 3rd day of June, 2016.


Secretary, Jim Duncan

MIKE OWENS
CHAIR

Note: The corollary development plan, ZDP 2016-46: WILHITE PARK SUBDIVISION, UNIT 1-B, SECTION 1 was approved by the Planning Commission on April 28, 2016 and certified on May 11, 2016.

K.R.S. 100.211(7) requires that the Council take action on this request by July 27, 2016.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (8) Berkley, Brewer, Cravens, Mundy, Owens, Plumlee, Richardson, Wilson

NAYS: (0)

ABSENT: (3) Drake, Penn Smith

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **MAR 2016-12** carried.

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