

Rec'd by _____

Date: _____

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

IN RE: PLN-MAR-16-00013: BOONE CREEK PROPERTIES, LLC – petition for a zone map amendment from an Agricultural Rural (A-R) zone to an Agricultural Natural Areas (A-N) zone, for 41.74 net (43.44 gross) acres of property, located 8291 & 8385 Old Richmond Road, and 8385 Durbin Lane. (Council District 12)

Having considered the above matter on **October 27, 2016**, 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 Agricultural Natural (A-N) zoning for the subject properties is in agreement with the Rural Land Management Plan's recommendations for Natural Areas (NAT) land use at this location.
2. The 2013 Goals and Objectives also encourage the development of appropriate attractions and supporting uses that promote and enhance tourism (Theme C, Goal 1, Objective e), support the agricultural economy, horse farms, general agricultural farms, and the rural character of the Rural Service Area (Theme E, Goal 2), and protect the environment (Theme B).
3. This recommendation is made subject to approval and certification of PLN-MJDP-16-00029: Boone Creek Properties and H.G. Early-Snyder Family Farm, LLC 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.

ATTEST: This 14th day of November, 2016.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, PLN-MJDP-16-00029 BOONE CREEK PROPERTIES & H. G. EARLY-SNYDER FAMILY FARM, LLC PROPERTY was approved by the Planning Commission on October 27, 2016 and certified on November 10, 2016.

Note: A conditional use permit was approved for this property by the Planning Commission at this hearing. K.R.S. 100.211(7) requires that the Council take action on this request by January 25, 2017.

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

OBJECTORS

- Mr. Don Todd, Todd & Todd, PLLC, was present on behalf of the residents of the Old Richmond Road Neighborhood Association
- Mary Diane Hanna, 6398 Old Richmond Road, President of the Old Richmond Road Neighborhood Association
- Melissa Brown, 823 McCalls Mill Road, President of the Boone Creek Neighborhood Association
- Dr. Lisa Gannoe, 7525 Old Richmond Road

- Jim Griggs, 600 McCalls Mill Road

- Alsten Kerr, 5660 Old Richmond Road

- Alex Martin, 7041 Grimes Mill Road

- Cabby Boone, 1451 Walnut Hill Road
- Chaz Martin, 7416 Grimes Mill Road

- Walter Gaffield, 2001 Bamboo Drive, President of the Fayette County Neighborhood Council
- Amy Clark, 628 Kastle Road

OBJECTIONS

- Represented the neighborhood.

- Development Plan is incorrect.

- Past violations of Boone Creek Properties, LLC.

- Activities were built prior to development being approved and permits obtained.
- Illegals of having multiple principle uses on a single property.
- Concerned about applicant exceeding maximum square footage permitted for structures in the A-N zone.
- Potential violations on the zoning compliance and conditional uses.
- Lack of agri-cultural use on the property.
- Adverse effects of the conditional use on adjoining landowners' property.
- Zone change should not be approved based on the Rural Land Management Plan
- Proposed zone change conflicts with the recommendations of the Rural Land Management Plan.

VOTES WERE AS FOLLOWS:

AYES: (10) Berkley, Cravens, Drake, Mundy, Owens, Penn, Plumlee, Richardson, Smith, and Wilson

NAYS: (0)

ABSENT: (1) Brewer

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR 16-00013** carried.

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