

**AGENDA  
URBAN COUNTY PLANNING COMMISSION  
ZONING ITEMS PUBLIC HEARING**

**November 19, 2015**

- I. **CALL TO ORDER** – The meeting will be called to order at 1:30 p.m. in the Council Chamber, 2<sup>nd</sup> Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The minutes of the September 24, 2015, meeting will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, November 5, 2015, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Joe Smith, Will Berkley, Carolyn Plumlee and Frank Penn. Committee members in attendance were: Hillard Newman, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Jimmy Emmons, Traci Wade, Cheryl Galt, Denise Bullock, Kelly Hunter and Dave Jarman, as well as Captain Greg Lengal Division of Fire & Emergency Services; Chris Schnelle, Division of Police and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

*The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission.*

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **PLAN 2015-118P: PATCHEN PLACE SUBDIVISION, (FKA DALLAS PLAZA, UNIT 1) (CONRAD CHEVROLET, INC.) (1/3/16)\*-**  
located at 2800 and 2890 Richmond Road. (Council District 5) **(Wheat & Ladenburger)**

The Subdivision Committee Recommended: **Postponement**. There were concerns about additional right-of-way, street connection and compliance with the Richmond Road Ordinance.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Denote construction access.
8. Correct plan title to indicate it is a Preliminary Subdivision Plan.
9. Discuss compliance with Richmond Road Corridor Ordinance.
10. Discuss proposed termination of street and possible connections to Gribbin Drive.
11. Discuss proposed "dedication" and whether existing service road is public or private.

- B. **DP 2015-111: URBAN 221 (A PORTION OF) (1/26/16)\* -** located at 221 Corral Street.  
(Council District 1)

**(Carman & Associates)**

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the uses proposed on the site, open space requirements, building orientations and building height limitations.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Denote the date of the Board of Adjustment's approval of requested variances prior to certification.
11. Clarify whether a Preliminary or Final Development Plan.
12. Correct Cabinet/Slide notation from 989 to 949.
13. Denote the required parking in site statistics.

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\* - Denotes date by which Commission must either approve or disapprove request.

14. Denote all existing and proposed easements.
15. Denote floor area and lot coverage in site statistics per Article 21-4 requirements.
16. Correct Planning Commission certification.
17. Delete note #10.
18. Denote compliance with Article 15-7 of the Zoning Ordinance governing Infill and Redevelopment construction.
19. Review by Technical Committee prior to plan certification.
20. Discuss need for pedestrian street improvements to Wickliffe Street and Corral Street.
21. Discuss compliance with open space requirements.
22. Discuss building height limitations relative to Article 8-18(m) of the Zoning Ordinance.
23. Discuss need for vehicular use area screening on surface parking lot.
24. Discuss whether or not gate will be employed.

V. **ZONING ITEMS** - The Zoning Committee met on Thursday, November 5, 2015, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Mike Cravens, Carolyn Richardson, and Bill Wilson. The Committee members reviewed applications and made recommendations as noted.

**A. PUBLIC HEARINGS ON ZONING MAP AMENDMENTS**

**1. H&J PROPERTIES OF LEXINGTON, LLC, AND TLJ PROPERTIES OF LEXINGTON, LLC, ZONING MAP AMENDMENT & FAIRLAWN SUBDIVISION, LOTS 19-22, ZONING DEVELOPMENT PLAN**

- a. MARV 2015-22: H & J PROPERTIES OF LEXINGTON, LLC, AND TLJ PROPERTIES OF LEXINGTON, LLC (1/3/16)\* – petition for a zone map amendment from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 1.538 net (2.069 gross) acres, for property located at 1400, 1402 and 1412 North Broadway. Dimensional variances are also requested.

**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 that has made Lexington-Fayette County the Horse Capital of the World. The 2013 Comprehensive Plan also encourages growing successful neighborhoods (Theme A) through adaptive reuse that respects the area's context and design features (Goal 2.a.); and creating jobs and prosperity (Theme C), with emphasis on creating jobs near where people live (Goal 1.d.).

The petitioners propose to rezone the property to a Neighborhood Business (B-1) zone, utilizing the existing buildings and parking in order to expand the number of uses permitted on these properties.

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

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

1. The proposed zone change to a Neighborhood Business (B-1) zone is in agreement with the 2013 Comprehensive Plan, and is supported by several Goals and Objectives of the 2013 Comprehensive Plan, including:
  - a. Theme A (*Growing Successful Neighborhoods*), Goal #2, Objective a., which states: "Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features whenever possible." The petitioner is re-using the existing buildings and parking for new uses.
  - b. Theme C (*Creating Jobs and Prosperity*), Goal #1, Objective d., which encourages the creation of jobs near where people live. The property is located very near residential neighborhoods, and may provide a support or service use in the area that is not currently available.
2. The requested Neighborhood Business (B-1) zone is appropriate for this location since it is located directly across from the major tourist attraction currently located in the corridor.
3. With appropriate conditional zoning restrictions, the Neighborhood Business (B-1) zone will continue to provide an appropriate land use transition between the B-3 zoning across North Broadway (ball park) and the residential land uses further to the southeast of this location, promoting the Plan's emphasis on protecting existing neighborhoods.
4. This recommendation is made subject to the approval and certification of ZDP 2015-22: Fairlawn Subdivision Lots 19-22, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
5. Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses shall be prohibited on the subject property:
  - a. Automobile Service Stations
  - b. Miniature Golf and Putting Courses
  - c. Car Washes
  - d. Outdoor Live Entertainment
  - e. Drive-through facilities.

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