

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

December 19, 2013

- I. **CALL TO ORDER** – The meeting will be called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – There are no minutes to be approved 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, December 5, 2013, at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Carolyn Plumlee, Eunice Beatty and Karen Mundy. 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, Cheryl Galt, Traci Wade, Dave Jarman, Kelly Hunter and Denice Bullock, as well as Lieutenant Greg Lengal, Division of Fire & Emergency Services 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.*

- V. **ZONING ITEMS** - The Zoning Committee met on Thursday, December 5, 2013, at 1:30 p.m. in the Division of Planning Office. The meeting was attended by Commission members Carla Blanton, Patrick Brewer, Mike Cravens, David Drake, and Bill Wilson. The Committee reviewed applications, and made recommendations on zoning items as noted.

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
 - (d) Hearing closed and Commission votes on zone change petition and related plan(s)

- B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS** – Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s)

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

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1. **GREER LAND CO. – SMYRNA #2, LLC, ZONING MAP AMENDMENT & JAMES W. ATKINS, JR., PROPERTY ZONING DEVELOPMENT PLAN**

- a. MAR 2012-12: GREER LAND CO. – SMYRNA #2, LLC (2/2/14)* - petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Neighborhood Business (B-1) zone, for 2.79 net (5.05 gross) acres, for property located at 3939 Bates Creek Road.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 10) recommends Medium Density Residential future land use for the subject property, defined as 5–10 dwelling units per net acre. The petitioner proposes a Neighborhood Business (B-1) zone to develop a branch bank and a coffee shop, both with a drive-through and associated off-street parking.

The Zoning Committee Recommended: **Referral to the full Commission.**

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

1. The existing Agricultural-Urban (A-U) zoning for the subject property is appropriate for the subject property, given that 100% of the property is currently located within a Special Flood Hazard Area (either floodway or floodplain); and it is compatible with the existing residential zoning of the surrounding neighborhood, as well as the agricultural zoning of the utility sub-station to the west of the subject property. The proposed B-1 zone is inappropriate at this location because it will require significant physical alteration of the property through construction of a retaining wall, as well as re-grading the property by adding eight feet of fill in order to make it developable for commercial use that includes drive-through facilities.
 2. There have been no unanticipated changes in the immediate area of an economic, social or physical nature since the Comprehensive Plan was adopted in 2007.
 3. There is no compelling need for the commercial development proposed in this area, given that extensive development in environmentally sensitive areas is being proposed without approval by Local or State agencies, and that the Bates Creek Shopping Center exists immediately to the south and has numerous vacancies.
 4. The request to rezone property that is wholly in the FEMA Special Flood Hazard Area (100-year floodplain) is directly contrary to the recently adopted 2013 Comprehensive Goals and Objectives, Theme B. Protecting the Environment. The subject property is an environmentally sensitive area, adjacent to an EPA-designated impaired stream, West Hickman Creek. Development and grading within the floodplain are not permitted by the Zoning Ordinance, unless there is a special circumstance, and none has been identified in this location.
- b. ZDP 2012-63: JAMES W. ATKINS, JR. PROPERTY (12/13/12)* - located at 3939 Bates Creek Road.
(Vision Engineering)

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the proposed access and circulation, the CLOMR-F (floodplain), tree protection and street improvements. In addition, the Zoning Ordinance may not permit the extent of fill proposed on this site, unless a special use permit or floodplain variance is approved.

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

1. Provided the Urban County Council rezones the property B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
8. Discuss the need for improvements to Wilson-Downing Road.
9. Discuss internal circulation proposed.
10. Discuss proposed dumpster location.
11. Discuss CLOMR-F and timing of watershed study.

2. **RK HOLDINGS, LLC, ZONING MAP AMENDMENT & WOODWARD COURT SUBDIVISION PRELIMINARY SUBDIVISION PLAN**

- a. MAR 2013-18: RK HOLDINGS, LLC (2/2/14)* - petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 9.77 net (10.29 gross) acres; and from a Single Family Residential (R-1B) zone to a Planned Neighborhood Residential (R-3) zone, for 0.0 net (0.26 gross) acre, for property located at 690 Woodward Lane.

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LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 8) recommends a mixture of Low Density (LD) and Medium Density (MD) Residential future land use for the property. The petitioner proposes developing 48 single-family residential units on the subject property, at an average density of 4.9 dwelling units per acre.

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

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

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2007 Comprehensive Plan for the following reasons:
 - a. The Land Use Element of the Plan recommends Medium Density Residential (MD) future land use, defined as 5–10 dwelling units per net acre, for 6.84 acres of the subject property closest to Woodward Lane (front); and Low Density Residential (LD) future land use, defined as 0–5 dwelling units per net acre, for 2.93 acres of the subject property closest to the adjacent railroad (rear).
 - b. The Plan suggests a density range of between 34 and 83 dwelling units, in total, for the subject property.
 - c. The petitioner proposes to construct 48 single-family dwelling units on the site, with a residential density of 4.9 dwelling units per net acre, in agreement with the Plan's recommendation.
2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restriction is appropriate for the property via conditional zoning:
 - a. The property is to be developed with no more than 83 single-family residential units.

This use restriction is necessary and appropriate in order to maintain a character consistent with surrounding residential properties and the 2007 Comprehensive Plan Land Use Element.

- b. PLAN 2013-129P: WOODWARD COURT SUBDIVISION (2/2/14)* - located at 690 Woodward Lane.
(Council District 6) **(Vision Engineering)**

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the access, the street pattern proposed, and potential easement conflicts.

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

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Building Inspection's approval of landscaping.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree protection area(s) and required street tree information.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Denote acreage in proposed right-of-way.
10. Denote construction access.
11. Clearly delineate all easements.
12. Delete development plan notes from general notes.
13. Revise right-of-way connection to Wilderness Road right-of-way.
14. Discuss easement conflict with proposed right-of-way, detention and lots.
15. Discuss buildable area for Lots 19, 22 and 43.
16. Discuss access and possible connections to Woodward Lane and Wilderness Road.
17. Discuss gas transmission note on final record plat for adjacent property.
18. Discuss landscape buffer requirements per final record plat on adjacent property.

3. RTA FAMILY TRUST, ROYCE G. PULLIAM, TRUSTEE, ZONING MAP AMENDMENT & SCHROYER PROPERTY (RTA FAMILY TRUST) ZONING DEVELOPMENT PLAN

- a. MAR 2013-19: RTA FAMILY TRUST, ROYCE G. PULLIAM, TRUSTEE (2/2/14)* - petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone for 0.8108 net (1.0549 gross) acre; and from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 0.7561 net (0.8127 gross) acre, for properties located at 1009 and 1017 Wellington Way.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 11) recommends Professional Services (PS) future land use for the subject property. The petitioner proposes a three-story building with retail uses and a coffee shop on the first floor, and professional offices on the second and third floors. Conditional zoning restrictions are proposed by the applicant to limit

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the use of the property, and a dimensional variance to the height of the building is also being requested with this zone change request.

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

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

1. The requested Neighborhood Business (B-1) zone with conditional zoning restrictions is in substantial agreement with the 2007 Comprehensive Plan for the following reasons:
 - a. The Land Use Element recommends Professional Services (PS) land use for the subject property, and the applicant proposes over 16,000 square feet of office space within a single three-story building.
 - b. The proposed retail space and restaurant land uses are in addition to the meeting the basic land use recommendation and will provide services to the office tenants and to the immediate neighborhood.
 - c. The subject property is walkable to and from the adjoining residential neighborhoods, as well as other commercial uses in the immediate vicinity. The property is easily accessible from major urban corridors, although transit is not readily available in the area.
 - d. The Goals and Objectives of the 2007 and 2013 Comprehensive Plans support and encourage the creation of a variety of jobs and business opportunities, and the site proposes new employment opportunities within the proposed 23,300 square-foot building.
2. This recommendation is made subject to approval and certification of ZDP 2013-101: Schroyer Property (RTA Family Trust) 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 use of the subject property shall be restricted as follows:

PROHIBITED USES

- a. Automobile service stations.
- b. Repair of household appliances.
- c. Retail sale of plant, nursery or greenhouse products.
- d. Miniature golf or putting courses.
- e. Carnivals.
- f. Arcades, including pinball and electronic games.
- g. Banquet facilities.
- h. Rental of equipment whose retail sale is permitted in the B-1 zone.
- i. Outdoor live entertainment, cocktail lounges, brew-pubs or nightclubs.
- j. Upholstery shops.
- k. Circuses.
- l. Automobile and truck refueling stations.

OTHER USE RESTRICTIONS

- a. Retail sales and other uses first permitted in the B-1 zone shall be limited to the first floor of the structure.

These restrictions are appropriate and necessary in order to permit only less intense land uses adjacent to a proposed single-family residential area, and because the applicant has proposed such limitations.

b. **REQUESTED VARIANCE**

Increase the maximum height of a building in the B-1 zone from 25 feet to 60 feet.

The Staff Recommends: **Approval of the requested height variance**, for the following reasons:

- a. Granting the requested variance should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. Tall office buildings are common in areas such as this, which have been recommended for Professional Services use by the Comprehensive Plan.
- b. Granting this request will not allow an unreasonable circumvention of the Zoning Ordinance, but rather will provide a means to allow the applicant to design an architecturally significant signature building for this commercial area. Again, tall office buildings exist in Professional Service areas.
- c. The special circumstances that apply to the subject properties that serve to justify the variance are architectural considerations and the proposed drive-through facilities that dictate the need for a height greater than 25' or 35'.
- d. Strict application of the requirements of the Zoning Ordinance would create an unnecessary hardship to the applicant, as considerable effort and forethought have gone into the design of the building.
- e. The need for the variance was recognized during the normal design process for the building. Thus, there is not any willful violation of the Zoning Ordinance associated with this request.

This recommendation of approval is made subject to the following conditions:

1. Provided the Urban County Council rezones the properties B-1; otherwise, any Commission action of approval of this variance is null and void.
2. Should the property be rezoned, it shall be developed in accordance with the approved Development Plan, as amended by a future Development Plan approved by the Commission, or as a Minor Amendment permitted under

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Article 21-7 of the Zoning Ordinance.

3. A note shall be placed on the Zoning Development Plan indicating the variance that the Planning Commission has approved for this property (under Article 6-4(c) of the Zoning Ordinance).
 4. The building shall be limited to no more than 3 stories in height.
 5. The maximum height of the top of the main roof's cornice shall be no more than 50' in height, with noted exceptions to allow a central feature on the front and rear facing walls that shall be no more than 60' in height.
- c. ZDP 2013-101: SCHROYER PROPERTY (RTA FAMILY TRUST) (2/2/14)* - located at 1009 and 1017 Wellington Way.
(Wheat & Ladenburger)

Note: This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Provided the Urban County Council rezones the property B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Denote construction access location.
8. Denote that the 3rd floor of this building may not be used for residential purposes.
9. Discuss temporary access easement from adjoining property (DP 2010-82).
10. Discuss proposed dumpster location.

4. **ANDERSON CAMPUS RENTAL PROPERTIES ZONING MAP AMENDMENT & LYNN GROVE ADDITION ZONING DEVELOPMENT PLAN**

- a. MAR 2013-20: ANDERSON CAMPUS RENTAL PROPERTIES (2/2/14)* - petition for a zone map amendment from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 1.206 net (1.542 gross) acres, for properties located at 164-200 Simpson Avenue (even only); 1103-1111 Fern Avenue (odd only); and 1106 & 1108 Stillwell Avenue.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 4) recommends Medium Density Residential (MD) future land use for the 17 parcels that comprise the property. The applicant proposes redeveloping the subject property with two apartment buildings for a total of 39 dwelling units, with 51 bedrooms, and associated off-street parking.

The Zoning Committee did not make a recommendation on this request.

The Staff Recommended: **Approval**, for the following reason:

1. The requested High Density Apartment (R-4) zoning for the subject property is not in agreement with the 2007 Comprehensive Plan's recommendation for Medium Density Residential land use, defined as 5–10 dwelling units per net acre. However, two recent zone change requests (in 2012 and 2013) have been granted in the immediate area that have resulted in a major change of a physical and economic nature, altering the basic character of the area. These two zone changes were not anticipated by the 2007 Comprehensive Plan. The rezoning of nearby properties to the R-1T and R-4 zones has increased the permitted density of land use in this area over that recommended by the Plan.
 2. This recommendation is made subject to approval and certification of ZDP 2013-103: Lynn Grove Addition prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. ZDP 2013-103: LYNN GROVE ADDITION (2/2/14)* - located at 164-200 Simpson Avenue (even only), 1103 – 1111 Fern Avenue (odd only) and 1106 & 1108 Stillwell Avenue.
(Barrett Partners)

The Subdivision Committee did not make a recommendation on this request.

The Technical Committee and Staff Committee Recommended: **Postponement**. There were concerns about the plan meeting the requirements for the requested R-4 zone.

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

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.

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3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
7. Addition of metes and bounds description.
8. Denote construction access location.
9. Addition of tree inventory.
10. Denote building heights in feet.
11. Denote reciprocal parking and access.
12. Relocate dumpsters closer to main building (on the same lot).
13. Denote adjoining zone information (R-1D).
14. Denote that compliance with Article 15-7(a) requirements shall be demonstrated at the time of the Final Development Plan.
15. Discuss need for storm drainage and detention.
16. Discuss improvements to street frontages.
17. Discuss need for sidewalks from building to Simpson Avenue right-of-way.
18. Discuss landscape buffer adjacent to single family lots.
19. Discuss 5' landscape buffer for Building #2 and possible variance.
20. Discuss proposed parking in the side yard and possible variance.
21. Discuss useable open space.

5. **DR. ANDREW P. SCHROYER, D.V.M., ZONING MAP AMENDMENT & DOZIER PROPERTY ZONING DEVELOPMENT PLAN**

- a. MAR 2013-21: DR. ANDREW P. SCHROYER, D.V.M. (2/2/14)* - petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 3.57 net (3.57 gross) acres; and from an Agricultural Urban (A-U) zone to a Professional Office (P-1) zone, for 1.47 net (1.77 gross) acres, for property located at 3581 Harrodsburg Road.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan recommends Low Density Residential future land use for the subject property, which is defined as 0-5 dwelling units per net acre. The petitioner proposes to rezone the front 1½ acres of the property to P-1 in order to develop a new office building, and the remainder of the subject property for a single-family residential development of 16 lots.

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

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

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2007 Comprehensive Plan, for the following reasons:
 - a. The Plan recommends a Low Density Residential land use for this portion of the subject property, defined as 0-5 dwelling units per net acre.
 - b. The petitioner proposes 16 single family lots on 3.57 net acres, and a density of 4.48 units per acre.
 2. The existing Agricultural Urban (A-U) zone is inappropriate, and the requested Professional Office (P-1) zone is appropriate for the front 1.5 acres of the subject property, for the following reasons:
 - a. The site is too small to yield a productive agricultural use, and has not been farmed for many years.
 - b. P-1 zoning would permit an office building to be developed in a manner consistent with other existing office buildings in this general area. Several of those are adjacent to low density residential uses.
 - c. The P-1 zone could be accessed from the Wellington Way collector street via Palomar Centre Drive, which serves most other professional office uses located in this general vicinity.
 - d. A "step-down" in land use intensity would result from this proposed development pattern, with offices abutting lower density residential uses.
 3. This recommendation is made subject to approval and certification of ZDP 2013-102: Dozier Property, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of any Planning Commission approval.
- b. ZDP 2013-102: DOZIER PROPERTY (2/2/14)* - located at 3581 Harrodsburg Road.
(S. Mark McCain)

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Provided the Urban County Council rezones the property R-3 & P-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.

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3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Department of Environmental Quality's approval of environmentally sensitive areas.
8. Revise note #9 to read: Lots 2-16 shall be limited to one single family dwelling unit per lot.
9. Discuss proposed detention conflict with zone-to-zone screening requirements.
10. Discuss access proposed to Harrodsburg Road.
11. Clarify extent of tree protection proposed (in site statistics) for 50' T.P.E on site.

VI. COMMISSION ITEMS

- A. ANNUAL REPORT FOR THE COURTHOUSE AREA** – The Commission will hear from Dr. Derek Paulsen, who will present the required Annual Report from the Courthouse Area Design Review Board.
- B. REQUEST FOR INITIATION OF ZONING ORDINANCE TEXT AMENDMENT** – The staff will request Planning Commission initiation of a Zoning Ordinance text amendment to Article 5-2(a), related to Zoning Compliance Permits.

VII. STAFF ITEMS

A. Planning Services Activity Report

- During the month of October, the Planning Services staff processed 7 zoning map amendments and 3 text amendments to the Zoning Ordinance. Also, 21 Board of Adjustment cases were processed for the Board's October meeting. Some 30 subdivision and development plans were also processed and reviewed by Planning Services staff in October. All of the new staff reports for these items were forwarded to those appellants at least five working days in advance of scheduled public meetings and public hearings.
- Processing of the above items included attendance and/or preparation of materials and presentations for the following: Technical, Subdivision and Zoning Committee meetings, one Planning Commission public hearing, one Planning Commission public meeting, one Planning Commission work session and one Board of Adjustment public hearing. In addition, the staff held two pre-application conferences for zoning applications, and several other pre-application meetings for subdivision plans, development plans and various appeals to the Planning Commission and Board of Adjustment.
- In October, there were 14 updates made to the Registered Neighborhood Association data base, and Planning Services staff assisted 191 unscheduled "walk-in" visitors to the office, all of which were served within 15 minutes of their arrival. Those office visitors were placed with a professional planning staff member in an average of 1.06 minutes. Much of the remainder of the staff's time was spent answering numerous telephone and e-mail inquiries from citizens concerning zoning regulations, subdivision plans, Board of Adjustment (BOA) appeals, development plans and related items, or posting applications and submitted plans on the Division of Planning web-page.
- Senior Planner Traci Wade began meeting with Ann Bowe, Chair of the Tree Board, about possible updates to the LFUCG Planting Manual in November. A second meeting is scheduled for January.
- Senior Planner Jimmy Emmons is pleased to report that, as of November 2013, a total of 14 sites have been approved and are being evaluated under Lexington's Petroleum and Hazardous Substance Brownfield Assessment Grant. Of those 14 sites, nine of the grantees have been clustered in the Manchester Street corridor and the Newtown Pike corridor near West Third Street. Both of these areas have been targeted for and included in several redevelopment efforts within the past several years. The environmental assessments that are being done as a part of this grant will help bolster those redevelopment efforts. The grant allows for phase 1 & 2 environmental assessments and can be used to create a clean up plan should the results of the investigations warrant it. If clean up is necessary, additional grant money can be applied for as well. As always, if a property owner is interested in participating in this grant program, they can contact either Jimmy or Tom Webb in the LFUCG Department of Environmental Quality.

B. Zoning Enforcement Activity Report

- Citizen complaints related to zoning issues dropped sharply in November, with only 23 new complaints received. Those new cases investigated in November were in addition to 48 unresolved complaints that were carried over from October. Of the 71 complaint cases worked on in November, six were determined not to involve any zoning violations. A total of 27 cases were resolved, meaning that the necessary actions were taken by a property owner and/or tenant to bring a property into compliance.

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- During November, 71 conditional uses were inspected, and all were determined to be in substantial compliance. Many of these were determined to have conditions that have been “permanently satisfied”, so they have been added to our new data base of conditional uses that will not routinely be inspected once per year. That data base now includes over 100 such conditional uses, which represents a significant portion of the 700 or so conditional uses that have historically been routinely inspected annually.
- Staff participated in a “Listening Session” on the evening of November 4 at Central Christian Church, held for the purpose of presenting to the general public a few possible sites for the relocation of the Community Inn. Each site was described at a series of booths, and participants had the opportunity to comment on each of the presented sites and vote for a preferred site.
- Staff began exploring different ways that Lexington-Fayette County could be split up into four areas so that each of the enforcement section’s four inspectors will have a designated area on which to focus. This task is one aspect of an overall effort to implement a more proactive enforcement strategy and not just sit back and wait for the next complaint to come in. It is hoped that this approach will give each inspector a sense of “ownership” in a particular area, and also give them the chance to develop good working relationships with owners of specific properties that fairly routinely have had zoning compliance issues. It is anticipated that a map with the four focus areas identified will be finalized in December.

C. Long Range Planning Activity Report

- Comprehensive Plan – The Planning Commission adopted the 2013 Comprehensive Plan by unanimous vote at a public meeting in the Council Chambers on November 14. Their discussion included consideration of the comments that were made at the public hearing two weeks earlier. The next activity related to the 2013 Comprehensive Plan will be to create an Implementation element that will outline and prioritize tasks and projects that were identified in the Plan. The draft Implementation element will be presented to the Planning Commission at a work session on January 23, 2014.
- Bluegrass Regional Planning Commission – Staff attended a meeting of the Bluegrass RPC at the offices of the Bluegrass ADD. Tom FitzGerald, Director of the Kentucky Resources Council addressed local zoning issues regarding the gas pipeline currently working its way through the Bluegrass affecting multiple cities and counties in central Kentucky. KRC is a non-profit environmental advocacy organization that provides free legal, strategic, and policy assistance to individuals, organizations, and communities concerning environmental quality, resource extraction, and energy and utility issues. Members of the ADD’s Natural Resources and Environmental Protection Advisory Committee also attended the presentation.
- Greenspace Commission – The Greenspace Commission attended the LexGreen Breakfast along with other Lexington citizens who are committed to environmental improvement. Several awards from the LFUCG Environmental Commission were presented. The breakfast was held at UK’s E.S. Good Barn.
- Development Review – Staff conducted a variety of development review duties and meetings, conducted field work, and coordinated greenway and greenspace development issues.
- General Work Activities – Using GIS, and Census data, staff created maps and data sets for the Urban County Council, other LFUCG Departments, and agencies and officials outside the government. Staff also attended LFUCG-sponsored trainings and Webinars.

D. Transportation Planning Activity Report

1.1 Surveillance –

- The MPO staff continues to monitor the Comprehensive Plan(s) and land development activities through participation in the LFUCG Division of Planning activities and monitoring Fayette and Jessamine County news media and their respective legal ads on a daily, weekly, and monthly basis.
- Staff attended the Blue Grass Airport Board Meeting.

1.2 Title VI/ADA –

- Compiled Census data and mapping on persons living below the poverty level, minorities, disability and elderly to inform MTP project ranking process.

1.3 Participation Process –

- MPO Website Development – In November, the MPO website had 133 unique visitors; 195 visits; and 659 page views.
- The MPO’s Twitter site increased by 11 followers to 1,662 during November.
- The MPO’s Facebook fan page increased by 1 like to 567; reached 2,651 unique users and had 488 total daily impressions in November.
- The Lexington Area MPO YouTube channel has a total of 28 videos; 19 subscribers; 32,889 lifetime views with 194 views in November.

- Solicited input on transportation needs and issues from 25 regional transportation stakeholders to inform the MTP update.
- Presented MTP survey findings to BGADD Transportation Coordination Committee and solicited input on regional transportation issues.
- Updated various Transportation Planning pages on www.lexingtonky.gov

1.4 Staff Development –

- Staff attended webinar training on CMAQ Interim Guidance.

2.1 Congestion Management Process (CMP) –

- Staff continued to work with the Kentucky Transportation Center (KYTC) and Kentucky Transportation Cabinet (KYTC) staff to process the GPS-probe speed data and calculate congestion management criteria and performance measures.
- Staff continued to work on ranking the congested road segments of MPO area using processed GPS-probe speed data and calculated travel time index (TTI) performance measures.
- Staff worked to categorize congestion level of road segments based on TTI for the purpose of metropolitan transportation plan project prioritization process.
- Staff worked on ranking the LexMPO area top ten worst congested road segments during AM and PM peaks and created maps to show the congested road segments.
- Staff continued to participate in the administration of the Downtown Traffic Movement and Revitalization Study and attended meetings with various stakeholders.

2.2 Transportation Plan Update –

- Staff continued weekly MTP update meetings.
- Staff gathered transportation system information and began using the analysis tool to rank potential MTP projects.
- Staff requested cost estimates for LFUCG projects.
- Staff continued work on graphic layout work for the 2040 MTP.
- Staff continued work on text and data for the 2040 MTP.

2.3 Air Quality Activities –

- Staff continued to monitor air quality issues.
- Staff continued to request and process air quality monitor readings from the Division for Air Quality.
- Staff continued to coordinate Congestion Mitigation and Air Quality (CMAQ) fiscal year 2013 project applications.
- Staff attended an Empower Lexington steering committee meeting.

3.1 Transportation - Land Use Impact Analysis

- Reviewed two (2) zone changes, two (2) zoning development plans and six (6) zoning ordinance text amendments and participated in one (1) zoning review meeting. Board of Adjustment cases (to include the review of four (4) variance appeals, six (6) conditional use/variances, and no administrative reviews
- Monitored Urban County Zoning, Subdivision Regulations, and related manuals as necessary for the Planning Services Section's continual and on-going procedural and infrastructure improvement process; meet once a month to discuss traffic, land-use, on-site/off-site issues, and related regulatory requirements.
- Reviewed the *Jessamine Journal's* legal ads for Jessamine County, the City of Nicholasville, and the City of Wilmore's proposed land use changes and zoning proposals, and monitored for transportation and related traffic issues in November.
- Provided three (3) trip generation assessments for private developer zone change pre-applications.
- Traffic counts were provided to two (2) citizens and two (2) trip generation assessments were provided to zone change applicants and to one (1) LFUCG staff during this period.
- Reviewed (17) development plans for bike and pedestrian facilities and ADA compliance.
- Reviewed construction plans for Polo Club Blvd and proposed solutions for road striping for review by transportation engineering.
- Developed striping plan for Zandale Drive and summary of process for striping for Director of Planning.

3.2 Multimodal/Transportation Enhancement Planning –

- Responded to citizen/agency requests for information on bike and pedestrian issues.
- Responded to citizen/agency requests for bike maps and new bike lanes.
- Responded to citizens concerns over poor conditions in bike lanes.
- Observed vehicle behaviors created by new striping conditions at various locations.
- Researched and pursued opportunities for cycle track phone application for tracking bicycle usage in Fayette and Jessamine Counties.
- Attended Planning Technical committee meeting to address bicycle and pedestrian circulation for new plans submitted to LFUCG.

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

- Reviewed and approved Plans for bicycle and pedestrian circulation on PlanTracker as sign off for LFUCG division of Planning.
- Continued distribution efforts for the Share the Road Campaign in partnership with UK, LFUCG Police, BPAC and County Attorney Office. This included billboards, bus ads, web materials, posters and press outreach.
- Attending Meeting as MPO/LFUCG representative for Arboretum bike trail.
- Research on other communities initiatives for promoting bicycling and pedestrian movement and safety.
- BPAC meeting agenda, minutes.
- Participated in the UK bicycle advisory committee meeting.
- Reviewed and followed up on a Share the Road sign request in Jessamine County on three state routes.
- Map and ranking criteria for commissioners request for a bike connectivity plan for on road and separated facilities.
- Responded to Jessamine County resident regarding bicycle safety in Jessamine County and poor shoulder conditions along 27.
- Worked with parks and recreation to install a bike rack at 311 Upper Street for a local business.
- Distributed share the road materials in Jessamine county.
- Gave presentation to the Obesity Action Team sub committee to the community health improvement plan on bike and pedestrian infrastructure and smart planning for community health.
- Responded to requests regarding safety and infrastructure for the Mayor's office in response to recent collisions and fatalities.
- Continued work on five-year bike plan for the Commissioner.
- Distributed letters to 110 property owners and residents on Woodland Avenue regarding the installation of bike lanes along this corridor.
- Staff had a phone freight assessment audit with FHWA.

3.3 Transit Planning –

- Staff coordinating with KYTC, District-7 and landowners to establish CMAQ funded bus shelter on Southland Drive and Leestown Road; Bidding for contractors will start in February 2014..
- Staff attended monthly Lextran board meeting.
- Staff assisting Corridors Commission with project to define corridors – completed and presented map.
- Staff assisting Councilmember Akers in finding suitable site for bus shelter on Georgetown Rd investigating suitable shelter site on the corridor.
- Staff attended Art in Motion board meeting.
- Staff attending local Food Percolator meetings discussing local food distribution issues.
- Staff attended webinar "Connecting Kentucky's Food System Online Workshop"
- Communicated Lextran's desired specs for two shelters to serve the proposed new sheltered bus stop area on the proposed redevelopment area of Fayette Mall. Added note on DP-2013-73
- Staff coordinating Government funding efforts for Gardenside Bus Shelter restoration project.

3.4 Mobility Coordination –

- Staff continued promotion and site development at www.moveitpeople.com including addition of new Rideshare program and creation of a Facebook page.
- Processed in-kind match documentation for FY 2013-2014 mobility office funding contract.
- Met with Lextran and Lexpark to discuss future marketing partnerships & initiatives.

3.5 Travel Demand Modeling and Project Forecasting –

- Staff continues to maintain the TransCad Travel Demand Model (TDM).
- Staff reviews and runs the model and in contact with KYTC and consultants to improve the model or solve some issues

4.1 Program Administration –

- Committee meeting packets were drafted for Transportation Planning/MPO meetings held in the month: the Bicycle Pedestrian Advisory Committee (BPAC).

4.2 Transportation Improvement Programming (TIP) –

- No significant activities to report

4.3 Unified Planning Work Program (UPWP)

- No significant activities to report

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early re-hearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

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IX. MEETING DATES FOR JANUARY, 2014

Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	January 9, 2014
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	January 9, 2014
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	January 16, 2014
Planning Commission Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	January 23, 2014
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	January 29, 2014
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	January 30, 2014

X. ADJOURNMENT

TLW/TM/CT/BJR/BS/src

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