

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

September 22, 2016

- 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** – The minutes of the July 28, 2016 and August 25, 2016, meetings 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, September 1, 2016, at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Karen Mundy, Will Berkley, Joe Smith, Carolyn Plumlee and Mike Owens. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee; Tom Martin; Denice Bullock; Jimmy Emmons and Cheryl Gallt; Captain Greg Lengal and Lieutenant Joshua Thiel, Division of Fire & Emergency Services; Chris Schnelle, Division of Police; and Tracy Jones and Andrea Brown, 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, September 1, 2016, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Patrick Brewer, Mike Cravens, David Drake, Carolyn Richardson, and Bill Wilson. The Committee members reviewed applications and made recommendations 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.

1. PALUMBO PROPERTIES, INC. (AMD), ZONING MAP AMENDMENT & NEWTOWN SPRINGS ZONING DEVELOPMENT PLAN

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

- a. MARC 2015-7: PALUMBO PROPERTIES, INC. (AMD) – a zone map amendment from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone, for 13.81 net (14.47 gross) acres, for property located at 564 Asbury Lane (a portion of). A conditional use is 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.

In addition to the Comprehensive Plan mission statement, the Goals and Objectives of the Plan also encourage growing successful neighborhoods (Theme A), which includes the following elements or characteristics: inviting landscape; variety of housing choices; abundant private and public open space; neighborhood focal points; and quality connections with parks, schools and stores.

The subject property is located within the boundary of the recently adopted Winburn & Russell Cave Neighborhoods Small Area Plan (WRCN SAP), which is generally south of Interstate 75, west of Newtown Pike, north of New Circle Road and east of Russell Cave Road. The Plan identifies seven guiding principles for the area that should be further considered by the Planning Commission.

The petitioner proposes this rezoning in order to construct an apartment complex for 252 dwelling units, with 504 bedrooms, a neighborhood swimming pool and clubhouse (part of a corollary conditional use request), and associated off-street parking.

The Zoning Committee Recommended: **Approval**.

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

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan, and the adopted 2016 Winburn and Russell Cave Neighborhoods Small Area Plan (WRCN SAP), for the following reasons:
 - a. The 2013 Comprehensive Plan's Goals and Objectives encourage expanded housing choices (Theme A, Goal #1); support opportunities for infill, redevelopment and adaptive reuse that respect an area's context and design features (Theme A, Goal #2a.); encourage the development of underutilized and vacant land in a compact, contiguous and/or a mixed-use sustainable manner within the Urban Service Area (Theme E, Goals #1b. and #3); encourage providing for well-designed neighborhoods (Theme A, Goal #3); and support preserving urban neighborhoods (Theme D, Goal #3c.).
 - b. The requested zone change and proposed development will utilize vacant land inside the Urban Service Area, expand housing choices within the immediate area and provide a development pattern that respects the adjacent single-family residential neighborhoods by limiting the scale and mass of the buildings.
 - c. The Winburn & Russell Cave Neighborhoods Small Area Plan (SAP) identifies seven guiding planning principles to increase transportation connectivity; increase equity for residents; promote strategies to increase home ownership and improve housing conditions; optimize the use of land to promote mixed housing types; ensure infill is well designed and sensitive to existing neighborhoods; and improve public safety.
 - d. The petitioner's proposal addresses necessary transportation connections to adjoining properties, offers market-rate multi-family dwelling units, and meets many of the design guidelines that ensure such infill is sensitive to the surrounding neighborhoods.
 - e. As part of the SAP planning process, a set of design standards was developed for multi-family developments that provide a framework for evaluating the proposed development. The site planning guidelines have been met, and based on preliminary design work, many of the open space, landscaping, and architectural design guidelines will also be met.
 - f. Adherence to the design standards should ensure a context sensitive development and therefore, agreement with many of the goals established in the 2013 Comprehensive Plan and principles of the Winburn & Russell Cave Neighborhood Small Area Plan.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

2. This recommendation is made subject to approval and certification of ZDP 2015-33: Newtown Springs, 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 land use restriction shall apply via conditional zoning:
 - a. A twenty foot (20') tree preservation area (TPA) and landscape buffer shall be established along the eastern property boundary. This buffer shall contain trees and shrubs as required by Article 18 of the Zoning Ordinance. Existing trees over 4" caliper in size shall be maintained within the TPA and buffer. Only diseased, dead and/or dying trees may be removed, and only with the Urban Forester's approval.
 - b. No pole lighting may be installed on the subject property; however, ground-level lighting, lighting for pedestrian paths and sidewalks and indirect lighting shall be permitted.

These restrictions are necessary and appropriate for the subject property to ensure greater compliance with the specific Winburn & Russell Cave Neighborhoods Small Area Plan recommendations, and to better protect the surrounding neighborhoods.

b. REQUESTED CONDITIONAL USE

A private club with outdoor recreational facilities, and accessory off-street parking (in an R-1D zone).

The Staff Recommends: **Approval** of the requested conditional use, for the following reasons:

- a. Granting the requested conditional use will not harm the public health, safety or welfare, and should not adversely affect the character of the subject or surrounding properties. The proposed use will augment the residential neighborhood, because the use will provide social and recreational amenities to people who currently reside, or will reside in this area.
- b. All necessary public services and facilities are available and adequate to the subject site, provided Silver Spring Drive is completed as planned within the development. Sidewalks exist to the site, and will be augmented as development continues in Newtown Springs, and membership in this facility will not be limited to those residents. Sanitary sewer, storm water basins, fire & police protecting and all public utilities are provided in this portion of the Urban Services Area.

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

1. The subject property shall be developed according to the submitted Zoning Development Plan, or as further amended by the Planning Commission.
2. The proposed use shall be operated in accordance with the submitted justification by the applicant.
3. All necessary permits, including a Zoning Compliance Permit and Certificate of Occupancy, shall be obtained from the Divisions of Planning and Building Inspection prior to occupancy of this private club.
4. The Fayette County Health Department shall inspect and approve the pool and facility (kitchen, etc.) prior to the initial operation of the facility.
5. Off-street parking shall be provided on the approved development plan at a ratio at or exceeding one (1) space per four (4) members of this private club.

c. ZDP 2015-33: NEWTOWN SPRINGS (11/28/16)*- located at 564 Asbury Lane.

(Eagle Engineering)

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the adequacy of access to the site and density proposed.

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, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Correct notes #4, #7 and #9.
8. Denote the height of building(s) in feet.
9. Clarify square footage of all buildings relative to the lot coverage and floor area ratio.
10. Clarify proposed open space site statistic.
11. Clarify existing and proposed landscaping (and tree preservation) adjacent to single family zone.
12. Discuss adequacy and the need for improvements to Citation Boulevard.
13. Discuss possible trail linage per the Greenway Plan.
14. Discuss compliance with the Winburn/Russell Cave Road Small Area Plan, and its multi-family design criteria.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

15. Discuss note #20.

2. **COMMUNITY VENTURES PROPERTIES, LLC, ZONING MAP AMENDMENT & COMMUNITY VENTURES PROPERTIES, LLC ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-16-00007: COMMUNITY VENTURES PROPERTIES, LLC – petition for a zone map amendment from a Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone, for 0.35 net (0.54 gross) acres, for properties located at 561, 563, and 565 E Third Street; and a Downtown Frame Business (B-2A) zone, for 2.38 net (3.95 gross) acres, for properties located at 556 and 576 E Third Street; and 225, 261 and 265 Midland Avenue, and 250 Lewis Street. 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 Plan's 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. In addition, the Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The subject site is located within the boundary of the Downtown Master Plan (2007) as well as the adopted East End Small Area Plan (2009). Both plans encourage infill mixed-use development along the Midland Avenue and E. Third Street corridors.

The petitioner proposes a rezoning to create a mixed-use project with about 272,000 square feet of space. The project is planned to include retail space, a greenhouse, 102 apartment/condominium dwelling units, 30 senior living dwelling units, a senior community space, a greenhouse, professional offices, and an associated off-street parking area. Dimensional variances are requested with the zone change and a traffic impact study has also been prepared.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested Neighborhood Business (B-1) zone and Downtown Frame Business (B-2A) zone are in agreement with the 2013 Comprehensive Plan and the East End Small Area Plan, an adopted element of the Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the 2013 Comprehensive Plan recommend expanded housing choices (Theme A, Goal #1); support infill and redevelopment as a strategic component of growth and identify areas of opportunity for infill that respects the area's context and design features (Theme A, Goal #2 and #2a); provide well-designed neighborhoods and communities, including mixed-use and mixed type housing and multi-modal transportation networks (Theme A, Goal #3); support and showcase local assets to further the creation of a variety of jobs (Theme C, Goal # 1); attract the world's finest jobs, encourage entrepreneurial spirit, and enhance our ability to recruit and retain our workforce (Theme C, Goal #2); provide for accessible community services to meet the health, safety and quality of life of residents and visitors (Theme D, Goal #2); and uphold the Urban Service Area concept (Theme E, Goal #1).
 - b. East End Small Area Plan goals and objectives recommend to: create housing that is affordable, accessible and attractive to a diverse range of people (#2); promote new commercial development to create a mix of uses that respects and enhances the residential neighborhoods of the East End (#3); create a neighborhood where daily needs can be met by walking, cycling or transit (#5); ensure compatibility and encourage a complimentary relationship between adjacent land uses through strong urban design (#7); protect and enhance personal health and the environment (#9); and grow a locally based economy that offers opportunities to all residents (#12).
 - c. The SAP, as well as the Downtown Master Plan that preceded it in 2007, recommends infill mixed-use future land use along the Midland Avenue and E. Third Street corridors (p.60-62).
 - d. The proposed zone change and land uses meet these goals and objectives in that the petitioner is proposing three mixed-use structures; about 130 dwelling units, some designated for senior living; a community space for area senior citizens, a greenhouse and multiple business opportunities that respects and enhances the residential neighborhoods of the East End; and the project will help to improve the gateway into the East End and downtown Lexington.
 - e. The subject properties are located at a principal intersection that is a gateway into downtown. The proposed business zoning will help meet the vision to create a thriving, and dynamic corridor with a mixture of land uses, urban design, and density.
 - f. The proposed B-2A zone is located within the area commonly and historically thought of as "downtown Lexington," and restrictions will ensure compatibility with surrounding land uses, especially the Charles Young Community Center.

2. This recommendation is made subject to approval and certification of PLN-MJDP-16-000015: Community Ventures Properties, LLC, 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 use restrictions shall apply to subject properties:
 - a. **B-2A Zone – Prohibited Uses:**
 1. Establishments for the display, rental or sale of automobiles, motorcycles, trucks, farm equipment, or boats or supplies for such vehicles.
 2. Minor automobile and truck repair.
 3. Pawnshops.
 4. Wholesale establishments.
 5. Any type of adult entertainment, adult arcades, massage parlors, adult video stores and adult bookstores.
 6. Passenger transportation terminals (does not include bus stops).
 7. Drive-through facilities.
 - b. **B-1 Zone – Prohibited Uses:**
 1. Automobile service stations, automobile and vehicle refueling stations, and/or gas pumps.
 2. Repair of household appliances, other than computers or electronics.
 3. Outdoor miniature golf or putting courses.
 4. Circuses or carnivals, even on a temporary basis.
 5. Indoor theaters and arcades, including pinball and electronic games.
 6. Drive-through facilities.
 7. Establishments for the retail or package sale of liquor, beer or wine.

These use restrictions are necessary and appropriate for the subject properties in order to ensure compliance with the 2013 Comprehensive Plan and East End Small Area Plan, and to better protect the surrounding neighborhood and the Charles Young Community Center.

b. REQUESTED VARIANCES

1. Increase the maximum height from 35' to 50' (in the B-1 zone)
2. Reduce the minimum front yard from 10' to 5' along Withrow Way
3. Reduce the minimum off-street parking from 28 spaces to 16 spaces (in the B-1 zone)
4. Reduce the minimum front yard from 10' to 0' (in the B-2A zone)

The Staff Recommends: Postponement of the requested front yard variance from 10' to 0' in a B-2A zone, for the following reasons:

- a. Approval of this variance could compromise the integrity of the Town Branch Trail project, since no detailed construction plans have been created for that work. Building setbacks from property are justified through Zoning Ordinances to protect private property from work in public rights-of-way, and vice versa.
- b. The existing building at the corner is justified in seeking a variance to these setback requirements, but the extent of the variances requested exceeds the applicant's request.
- c. A variance to the required Midland Avenue setback could be sought in the near future from the Board of Adjustment, once more information is known about the extent of the Town Branch Trail project.
- d. The two new B-2A buildings, as proposed, can be redesigned on the site to meet the required 10' front yard.

The Staff Recommends: Approval of a height variance from 35' to 44', and approval of the other two requested variances in a B-1 zone, for the following reasons:

- a. There will be no adverse health, safety or welfare impact to the adjoining neighborhood from these variances. The height variance is necessary to add a roof feature on the proposed building, and to allow it to have a pitched roof, as have others in the East End neighborhood. Parking will be available on the street and across the street in the future, and Withrow Way will be improved with curb, gutter and sidewalk once the B-1 building is completed. There will be no adverse impact to the Isaac Murphy Memorial Garden, directly across Nelson Avenue from this location.
- b. The unusual circumstance surrounding the proposed B-1 property is that it is encumbered by three (out of four) front yard requirements, which is rare for a single building, even in and near the downtown area.
- c. Strict application of the Zoning Ordinance would make the B-1 building less interesting and diverse from other (smaller) buildings in the general vicinity, with the exception of the applicant's building directly across East Third Street from this location. The applicant firmly believes that this project is infeasible without the granting of these variances.
- d. Approval of these variances would not result in an unreasonable circumvention of the Zoning Ordinance, as other commercial and mixed use buildings within ¼ mile of this location are similarly situated and/or deficient in off-street parking on their lots.
- e. The variances have been requested prior to construction and development of the property, and thus, there is no willful violation of any existing zoning regulation by the applicant.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

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

1. Provided the Urban County Council rezones the property 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 Article 21-7 of the Zoning Ordinance.
3. A note shall be placed on the Zoning Development Plan indicating the variances that the Planning Commission has approved for this property [under Article 6-4(c) of the Zoning Ordinance].
4. Prior to obtaining an Occupancy Permit, the applicant shall obtain a Zoning Compliance Permit from the Division of Planning.
5. The parking lot shall be screened and landscaped as required by Article 18 of the Zoning Ordinance.
6. A pedestrian crosswalk shall be installed by the applicant across Withrow Way at the corner of East Third Street, to the approval of the Division of Traffic Engineering.

- c. PLN-MJDP-16-00015: COMMUNITY VENTURES PROPERTIES, LLC (10/30/16)* - located at 561 E. Third Street. **(Carman & Assoc.)**

The Subdivision Committee Recommended: Postponement. There were some questions regarding the requested variances and compliance with the open space requirements of the zone.

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

1. Provided the Urban County Council rezones the property B-2A/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. Urban Forester's approval of tree inventory map.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Denote: No building permit shall be issued unless and until a final development plan is approved by the Planning Commission.
7. Documentation of Division of Water Quality's approval of the Capacity of Assurance Program requirements, prior to plan certification.
8. Dimension the proposed buildings.
9. Denote building height in feet.
10. Clarify lot coverage and floor area ratio in site statistics.
11. Delete rear and side yard no limitation references.
12. Provided the Planning Commission grants the requested variances.
13. Denote adjoining property owner's information for B-1 property.
14. Delete notes #4 and #11.
15. Denote compliance with the Downtown Streetscape Master Plan will be achieved at time of Final Development Plan.
16. Dimension exterior of all buildings.
17. Denote required open space area per B-2 requirements.
18. Delete TPA information and replace with required Tree Inventory.
19. Discuss right-of-way and Legacy Trail on Midland Avenue.
20. Discuss timing of the construction of the proposed B-1 and B-2A properties.
21. Discuss street improvements and two way movement on Lewis Street.
22. Discuss stormwater detention and water quality measures.
23. Discuss environmental easement (covenant) under Building B.
24. Discuss sanitary sewer easement under Building B.
25. Discuss use of small building behind Building C.

C. FULL PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. ZOTA 2016-3: AMENDMENTS TO ARTICLES 8-16 TO ALLOW RECREATIONAL FACILITIES AS PRINCIPAL USES IN THE B-1 ZONE – petition for a Zoning Ordinance text amendment to Articles 8-16 to allow recreational facilities and uses operated by non-profit organizations.

REQUESTED BY: Transylvania University

PROPOSED TEXT: (Note: Text underlined is an addition, and text ~~stricken through~~ is a deletion to the current Zoning Ordinance.)

ARTICLE 8-16: NEIGHBORHOOD BUSINESS (B-1) ZONE

8-16(b) Principal Uses (Other uses substantially similar to those listed herein shall also be deemed permitted.)

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

42. Recreational facilities and uses operated by non-profit organizations.The Zoning Committee Recommended: **Postponement**.The Staff Recommends: **Disapproval**, for the following reasons:

1. The proposed "recreational facilities" land use was recently considered through a lengthy text amendment process which only recently culminated for recreational and tourism land uses across the entire county in every zoning category. Through that process, the question about recreational facilities and outdoor athletic fields was discussed by a Council Ad-hoc Work Group, the Planning Commission and the Urban County Council in depth. Some expansion of recreational uses was deemed appropriate, but outdoor recreation was determined to be appropriate in more intense business zones, such as the Highway Services Business (B-3) zone.
2. The proposed text amendment would introduce outdoor uses in a zone that is typically located in and near residential neighborhoods and where outdoor uses are currently not allowed due to noise, lighting, traffic and parking impacts. The proposed use is not generally compatible with the other uses within the Neighborhood Business (B-1) zone and generally does not the best use of the community's neighborhood business zoned land. Recreational facilities will not generate employment opportunities or personal services for the surrounding neighborhoods, or other revenue for the county like retail sales, restaurants, offices, banks, and other similar business uses.
3. The petitioner's proposed text amendment is not clear and is too broad, as proposed. The text is not clear about what other "uses" might be permitted by this text addition to the Zoning Ordinance. The proposal could be read to allow any use operated by a non-profit organization or to allow any accessory uses to the recreational facility. Additionally, if they must be "operated by a non-profit organization," this puts more pressure on the government to review the owner and operator's financial and/or business structure, which has less to do with the land use of the property.

VI. COMMISSION ITEMS**VII. STAFF ITEMS**

- A. PLAN 2013-122F: SOUTHEND PARK, UNIT 1, SECTION 1 (12/20/16)* - located in the 700 & 800 blocks of De Roode Street. (Council District 3) **(Hall-Harmon & LFUCG Engineering)****

Note: The Planning Commission approved this plan at their November 14, 2013 meeting, subject to the following conditions:

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 protection area(s) and required street tree information.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Denote: Lots 1-4 shall be developed in accordance with the approved Final Development Plan.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Complete owners' certification information per the Land Subdivision Regulations.
11. Provided the Planning Commission grants a waiver to Articles 4-7(d)(1) and 4-7(d)(9) of the Land Subdivision Regulations.
12. Review by Technical Committee prior to plan certification.

Note: The Planning Commission approved a one-year extension on October 9, 2014, subject to the original conditions 1-7 & 9, noting the prior approval of the waiver by the Commission. On March 13, 2014, the Commission also approved the requested waivers to the Land Subdivision Regulations, for these reasons:

1. Not granting the waivers would constitute an exceptional hardship for the applicant by impeding the development of the affordable housing component of the project.
2. Granting the waivers will not negatively impact public health and safety, as the completion of the public improvements will be completed; and warranties on the improvements will be provided by the standard contractual procedures utilized and required by the applicant.
3. Granting the waivers complies with 1-5(c) of the Land Subdivision Regulations that encourages waivers that facilitate infill and redevelopment projects.

Note: A Section of this plat (for lots 1-4) was recorded on March 17, 2014. The Planning Commission granted a one-year extension to the unrecorded portions of this plan on October 8, 2015. The LFUCG Division of Engineering now requests another one-year extension of the prior approval for the unrecorded Section of this plat.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

Since this approval will expire prior to the Commission's October 13, 2016 meeting, the staff recommends that the Commission re-approve the unrecorded section of this plat at today's meeting, noting the previously approved Waivers to the Land Subdivision Regulations granted by the Commission.

The Staff Recommended: Reapproval for the unrecorded Section of this plat, subject to the original conditions 1-7 & 9, noting the prior approval of the waiver by the Commission.

B. Long Range Planning Activity Report

Greenspace Commission – Staff and the Greenspace Commission had their monthly meeting and went on a field trip to visit naturalized greenways in Fayette County in order to examine and understand their different types and purposes.

Greenspace Survey – Staff worked with the consultant, The Matrix Group, on the preparation and distribution of the Greenspace Survey and its contract.

Bluegrass Tomorrow – Staff presented the current status and next steps of trails and greenways within Fayette County at Bluegrass Tomorrow's Trails & Greenways Summit.

Infill & Redevelopment – Staff obtained data and compiled a report for the Infill & Redevelopment Steering Committee regarding demographic changes over the life of the Steering Committee for the October 2016 meeting.

Fayette-County Public Schools – Staff attended and represented the Division of Planning on the FCPS's weekly steering committee meetings in order to discuss their facilities master plan. These meetings will continue on through the fall.

Courthouse Area Design Review Board – Staff and the Board met for their quarterly hearing on August 10th. They had one applicant, CentrepoinTE, whose application was reviewed and approved by the Board.

Parks & Recreation's Strategic Master Plan – Staff attended and represented the Division of Planning at the kick-off meeting for Parks & Recreation's Strategic Master Plan, which is to be completed by early 2018.

Retrofitting the RETRO – Staff presented the Retrofitting the RETRO project to the students at the University of Kentucky's Interior Design, Historic Preservation, and Landscape Architecture programs. The goal of Retrofitting the Retro is to examine the current conditions of the Southland Drive area and propose ways to improve it for all users. As their class project, students will explore the history of and design solutions to retrofitting the suburban strip mall typology. This is an academic exercise that will explore how best to enhance the limiting physical characteristics of a retro strip center and will recommend light and affordable physical design solutions to retrofit the existing build environment.

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.

C. Transportation Planning Activity Report

1.1 Inventory/Monitor; Title VI/ADA; Participation; Coordination/Consultation –

- Contacted project sponsors concerning opening of the CMAQ and TAP application cycle.
- Attended Director-Manager meetings at LFUCG Division of Planning.
- Conducted MPO / Transportation Section staff meetings.
- Attended LFUCG Pedestrian Safety Work Group meeting.
- Attended statewide transportation meeting in Frankfort.
- Attended Blue Grass Airport Board meeting.
- Compiled and prepared a report on the transportation needs and concerns for people who are aging or disabled per community survey.
- Attended LFUCG/KYTC D7 operations and maintenance coordination meeting. Attended Jessamine County Transportation Task Force Meeting.
- Attended 5 Spring Paving Meetings with Streets and Roads, Traffic Engineering.
- The MPO website had 481 visits from 359 users (68% new users) and 946 page views.
- The MPO's Twitter site increased by 13 follower to 2,037 followers in August.
- The MPO's Facebook fan page had 677 likes in August. The page had 20 engaged users and reached 214 users in August.

1.4 Staff Development –

- Attended Webinar: Towards Vision Zero: Tools and Tips for Achieving Target Speeds in Your Community Attended training "Effective Communication and Networking Strategies for Government through Social Media".

2.1 Congestion Management Process (CMP) –

- Worked on spreadsheets to document monthly and annual congestion trends on selected routes in the CM network using BlueTOAD system Travel Time Index (TTI) data.
- Worked on the presentation for the 15th National “Tools of the Trade” Conference on transportation planning for small and medium-sized communities.
- Reviewed Man o’ War Small Area Study Report prepared by URS for KYTC and LFUCG.
- Scheduled AECOM staff and UK faculty/student to make presentations at the CMC meeting.
- Contacted Stantec staff to schedule and prepare a project presentation for the October CMC meeting.
- Used live and typical Google Traffic maps to document monthly and annual congestion trends at most congested time-of-day in a week and most congested month in a year for recurring congestion, such as bottlenecks and poor signal timing.
- Used live google traffic map to document congested road segments for non-recurring congestion, such as incidents, bad weather or special events.
- Reviewed statistical studies in regard to traffic volume and vehicle miles traveled trends.

2.2 Transportation Plan Update & Implementation –

- Presented MTP Amendment #2 to the TPC for approval. The amendment reconciled the MTP to the new TIP.

2.3 Air Quality Activities –

- Continued to monitor air quality issues.
- Contacted Dr. Cobourn concerning issues with the air quality forecasting tool.
- Continued air quality forecasts and posting results to the website.
- Reviewed World Air Quality Index (AQI) website interactive map that shows the AQIs in Lexington area.

3.1 Transportation - Land Use Impact Analysis –

- Continued to provide assistance on two previously filed TIS and reviewed two new TIS reports.
- Provided assistance and review to LFUCG as a part of the Corridors Commission.

3.2 Multimodal/Transportation Enhancement Planning –

- Responded to approx. 24 citizen/agency requests for information on bike and pedestrian issues.
- Worked on various intersections safety design projects and bike facilities maintenance projects funded by MAP money for FY 2016.
- Reviewed and submitted comments in plan tracker for 9 plans submitted to planning services for bike and pedestrian circulation requirements.
- Corresponded on 12 plans approved by the planning commission for compliance with conditional signoff requirements for approval.
- Prepared Meeting Agenda and Minutes for the Bicycle and Pedestrian Advisory Committee.
- Organized and developed reports from the Metro Count Data counters on the Arboretum Woods Trail and the Legacy Trail and reported to BPAC, UK and LFUCG Engineering.
- Continued work on the RFP for the LAMPO Bike and Pedestrian Master Plan Update.
- Met with Jessamine County and Nicholasville officials to discuss Transportation Alternatives grant funding for projects on the 29/39 road corridor.
- Gave presentation to Nicholasville council to get resolution for grant match funding for TA projects.
- Gave presentation to Jessamine fiscal court magistrates to get resolution grant match funding for TA projects.
- Worked with UK during Pedalpaloosa cycling education event for new incoming students at UK.
- Gave presentation on trail projects and multimodal progress in Fayette and Jessamine Counties at the Bluegrass Trails and Greenways Summit.
- Continued work on experimental bike box locations and implementation.
- Continued work for conducting multi modal counts using Placemeter.
- Consulted with Parking Authority for bike rack locations and selection of bike racks.
- Began discussion with UK regarding interactive active transportation map project.
- Developed striping plans for multiple road corridors for installation with repaving projects.
- Conducted a bike rodeo as a part of the Wonderland Ride to benefit the E-7 Kids Café project. Train kids from ages 5-10 how to properly use hand signals and obey traffic signs in a closed road course. .
- Managed Cycle Tracks smart phone application data.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

- Met and coordinated weekly with Streets and Roads to discuss upcoming repaving projects and impacts.
- Worked on critical freight network and continued working on commercial vehicle crash data for the MPO area including development of a map to depict these locations/patterns/trends.
- Continue working on commercial vehicle crashes for Jessamine and Fayette County for freight.

3.3 Transit Planning –

- Working with LexArts to create a new unique group that will help to promote and build creative bus stops, benches and bike racks.
- Attended meeting with Art in Motion board of directors to plan for future multi-modal art advocacy group.
- Working with UK architecture professor on Winburn Community Center bus stop project.
- Reviewed and submitted Functional Class designations to KYTC for MPO area.
- Creating and testing program for Online GIS based bus inventory program to implement a comprehensive inventory of all bus stops in Lexington.

3.4 Mobility Coordination –

- Worked to renew contract for FY 2016-2017 marketing campaign.
- Move it People Facebook grew by 1 like to 2,786; had 12 engaged users and reached 351 users in August –reflecting time lag in marketing efforts.

3.5 Travel Demand Modeling and Project Forecasting –

- No activity to report.

4.1 Program Administration –

- Committee meeting packets were drafted for Transportation Planning/MPO meetings held in the month: Bicycle Pedestrian Advisory Committee (BPAC), Congestion Management Committee (CMC), and Transportation Policy Committee (TPC).

4.2 Transportation Improvement Programming (TIP) –

- Monitored TIP program projects for needed adjustments.
- The FY 2017 through FY 2020 TIP was presented to the TPC and approved. The new TIP was distributed to federal and state partners.

4.3 Unified Planning Work Program (UPWP) –

Utilized UPWP for program element tasks and reviewed comparison of hours/funding budgeted versus expended to date.

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.

IX. MEETING DATES FOR September and October, 2016

Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	September 29, 2016
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	October 6, 2016
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	October 6, 2016
Subdivision and ND-1 Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	October 13, 2016
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	October 27, 2016
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	October 26, 2016

X. ADJOURNMENT

TLW/TM/WLS/dw

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.