

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

March 23, 2017

- 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 February 23, 2017 and March 9, 2017, 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, March 2, 2017, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Joe Smith, Will Berkley 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: Jim Duncan; Bill Sallee; Tom Martin; Traci Wade; Denice Bullock; Chris Bronczyk; Cheryl Gallt; Captain Greg Lengal and Lieutenant Joshua Thiel, 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, March 2, 2017, 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.

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
 - The petitioner concurs with the staff recommendations
 - Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

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. ATCHISON HELLER CONSTRUCTION, LLC ZONING MAP AMENDMENT & HARPER WOODS DEVELOPMENT PLAN

- a. PLN-MAR-17-00002: ATCHISON HELLER CONSTRUCTION, LLC (4/6/17)* – petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 11.37 net (11.76 gross) acres, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone, for 0.13 net (0.25 gross) acre, for properties located at 2311 Armstrong Mill Road and 3539 Kenesaw Drive.

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

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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, the Comprehensive Plan has established six themes and goals and objectives to support each of the themes, which include: growing successful neighborhoods (Theme A), protecting the environment (Theme B), creating jobs and prosperity (Theme C), improving a desirable community (Theme D), maintaining a balance between planning for urban uses and safeguarding rural land (Theme E) and implementing the plan for Lexington-Fayette County (Theme F).

The petitioner proposes a Planned Neighborhood Residential (R-3) zone for the subject property in order to develop a mix of single-family and townhouse residential dwelling units. The petitioner proposes 41 dwelling units for the site, for an average density of 3.57 units per net acre.

The Zoning Committee Recommended: **Postponement**.

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

1. Additional information is necessary regarding the environmental protection measures intended and required for the site, prior to the staff making a substantial recommendation to the Planning Commission.
2. The petitioner does not currently depict the connection of Beringer Drive on the corollary development plan. There is a final record plat that makes a right-of-way reservation for the extension of the roadway, which has not been address to-date. The transportation system is considered incomplete when stub streets are not extended when new development of like character and density are proposed.

- b. PLN-MJDP-17-00004: HARPER WOODS (FKA FEATHERSTONE PROPERTY, TRACT A, LOT 2) (4/6/17)* - located at 2311 Armstrong Mill Road and 3539 Kenesaw Drive. **(EA Partners)**

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the reserved right-of-way of Beringer Drive and street improvements (per the Final Record Plat) and the utilization of access easements.

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. Provide detail information on significant trees per Article 26 requirements.
8. Addition of pedestrian facilities for the townhouse development.
9. Discuss reserved right-of-way per recorded final record plat.
10. Discuss construction of street improvements per recorded final record plat.
11. Discuss proposed street system (public or private) and use of access easements.
12. Discuss conceptual stormwater detention proposed for this development.
13. Discuss proposed townhouse conflict with reserved right-of-way for cul-de-sac.
14. Discuss landscaping needed along property edges along access easements.

2. DAVID M. HARL AND JOSOPHIA D. HARL ZONING MAP AMENDMENT & UHLAN COURT SUBDIVISION ZONING DEVELOPMENT PLAN

- a. PLN-MAR-17-00005: DAVID M. HARL AND JOSOPHIA D. HARL (5/7/17)* - petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Planned Neighborhood Residential (R-3) zone, for 0.34 net (0.43 gross) acres, for property located at 1251 Red Mile Road. A conditional use permit and dimensional variances are also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner proposes to rezone to a Planned Neighborhood Residential (R-3) zone in order to maintain the existing structure on the site, and convert it to a fraternity house with associated off-street parking. A conditional use permit for a fraternity house and several dimensional variances has also been submitted with the requested zone change.

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The Zoning Committee Recommended: **Approval**.

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

1. The request Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The Goals and Objectives of the Plan recommend expanded housing choices (Theme A, Goal #1); housing options that address the market needs of all citizens (Theme A, Goal #1b.); infill and redevelopment, as well as adaptive reuse of existing structures (Theme A, Goal #2); and calls compact, contiguous and/or mixed-use sustainable development within the Urban Service Area to accommodate future growth needs (Theme E, Goal #1b.).
 - b. The proposed rezoning will allow adaptive re-use of an existing structure that already has a distinctively residential character. This will allow an additional housing option to address demand for residential Greek housing near the UK campus.
 - c. Multi-family residential dwelling units are common along both the Red Mile Road and South Broadway corridors. These residential developments are located in close proximity to the University of Kentucky and provide much needed housing for students and faculty near the university campus.
 - d. The proposed redevelopment is located within the Urban Service Area, is proposed in a compact and contiguous manner, and addresses future residential growth needs.
 - e. Residential zoning for a fraternity house in close proximity, especially within walking distance, of the University of the Kentucky serves to reduce vehicles miles traveled, as most students that live nearby walk or utilize public transit to campus.
 - f. Redevelopment opportunities exist near the intersection of South Broadway and Red Mile Road. Residential land use and redevelopment has historically been a harmonious land use in the immediate area.
2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00010: Uhlan Court Subdivision, 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. REQUESTED CONDITIONAL USE – Fraternity House.

c. REQUESTED VARIANCES

1. Reduce the minimum front yard from 20' to 4'
2. Eliminate the required 15' perimeter landscape buffer (zone-to-zone screening)

The Zoning Committee Recommended: **Postponement and Approval** (as recommended by the staff).

The Staff Recommends: **Postponement of the requested Conditional Use Permit**, for the following reason:

- a. All necessary public facilities and services are not currently available and adequate for the proposed use. Off-street parking proposed does not offer a sufficient option on the subject site for vehicular movements, without having vehicles maneuver in a planned open space (basketball court) area.

The Staff Recommends: **Disapproval (or Withdrawal) of the requested Front Yard Variance**, for the following reason:

- a. Article 3-2 of the Zoning Ordinance does not require the existing building to meet the 20' minimum setback from Red Mile Road and Uhlan Court. No structural changes are proposed to the exterior of the principal building on this lot, so the building may be converted regardless of its setback from the adjoining streets.

The Staff Recommends: **Approval of the requested Landscape Variance**, for the following reasons:

- a. There will be no adverse health, safety or welfare impact to the adjoining neighborhood or neighboring properties from this variance. The existing building and off-street parking lot will remain as it has been for the past 32 years, and only one single family residence is located within 250' of the subject site.
- b. The unusual circumstance surrounding this proposed R-3 property or to other land in this vicinity is that the height of the existing fence and landscape material will almost completely comply with the Article 18 requirements, and materially comply with the need to buffer adjacent properties from this use. The site is bordered by another fraternity-owned land use to the north, and by a large parking lot immediately to the southwest, which necessitate little additional screening beyond that already in existence.
- c. Strict application of these Zoning Ordinance requirements would constitute an unnecessary hardship to the applicant, because it would necessitate a significant construction of privacy fencing along the northern property line amongst a significant tree stand along that property line.
- d. Approval of these variances would not result in an unreasonable circumvention of the Zoning Ordinance, as the applicant has committed to retain all of the existing landscaping on the site, which adequately screens the property from most of its neighbors.
- e. The variance has been requested by the applicant prior to the re-use of their property, and thus, there is no willful violation of any existing zoning regulation by the applicant.

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

1. Provided the Urban County Council rezones the property R-3; 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, or 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 variance that the Planning Commission has approved for this property [under Article 6-4(c) of the Zoning Ordinance].
4. The property shall be additionally screened by the installation of an 18"-3' high hedge along the northwest property line, between the end of the existing retaining wall and the rear property line.

- d. PLN-MJDP-17-000010: UHLAN COURT SUBDIVISION (5/7/17)* - located at 251 Red Mile Road.
(Vision Engineering)

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

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. Division of Waste Management's approval of refuse collection locations.
6. Delete note #1.
7. Delete note #9 (duplicate).
8. Revise note #10 for the use of a gate to the approval of Fire and Emergency Medical Service.
9. Provided the Planning Commission grants the requested variances.
10. Discuss off-street parking layout, and loss of parking.

3. **TAYLORMADE REAL ESTATE, LLC ZONING MAP AMENDMENT & WYNNDALE SUBDIVISION ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-17-00006: TAYLORMADE REAL ESTATE, LLC (5/7/17)*- petition for a zone map amendment from a Town-house Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone, for 3.77 net (4.80 gross) acres, for property located at 1580 Higbee Mill Road (a portion of). A conditional use permit is also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

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The Comprehensive Plan encourages identifying opportunities for infill, redevelopment and adaptive reuse that respect the area's context and design features (Theme A, Goal #2); providing for accessible community facilities (Theme D, Goal #2); and encourages 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 #1a., #1b. and #3).

The petitioner proposes a Planned Neighborhood Residential (R-3) zone for the subject property in order to construct a childcare center. A conditional use permit for this use has also been submitted in association with the requested rezoning.

The Zoning Committee Recommended: **Approval**.

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

1. A restricted Planned Neighborhood Residential (R-3) zone at this location would be in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan identifying opportunities for infill, redevelopment and adaptive reuse that respect the area's context and design features (Theme A, Goal #2a.); providing accessible community facilities (Theme D, Goal #2); and encouraging 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 #1a., #1b. and #3). In addition, the staff would note that the Goals and Objectives of the Plan also encourage providing for well-designed neighborhoods (Theme A, Goal #3); minimizing disruption of natural features when building new communities (Theme A, Goal #3d.); and identifying and protecting natural resources and landscapes before development occurs (Theme B, Goal #3a.).
 - b. Although not explicitly considered a "community facility" by the 2013 Comprehensive Plan, childcare centers and after-school care for children are a necessary service in support of the community's public school system, which is a

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designated community facility. Locating such uses near residential neighborhoods is appropriate to provide services to the immediate area in a convenient manner.

- c. The proposed development will utilize vacant property along Man o' War Boulevard, and such higher intensity of use is appropriate along minor arterial corridors, where the direct impact on established neighborhoods can be minimized.
 - d. By improving and utilizing the existing crossing for the South Elkhorn Creek and its floodplain, rather than modifying the FEMA floodplain, the natural features of the property can be protected in a more thorough and comprehensive manner. The proposed child care center is located outside of the FEMA 100-year floodplain, and its associated setback and riparian buffer.
2. This recommendation is made subject to the approval and certification of PLN-MJDP-17-00011: Wynndale Subdivision, Lot 2B, 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 restriction is recommended via conditional zoning for the subject property:
 - a. Multi-family residential dwelling units shall be prohibited.

This restriction is appropriate because it has been offered by the applicant in order to protect the adjacent residential properties to the north of the subject property.

- b. REQUESTED CONDITIONAL USE – Child care center.

The Zoning Committee Recommended: **Approval**.

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

- a. Granting the requested conditional use will not harm the public health, safety or welfare, and will not adversely affect the character of the subject or surrounding properties. The proposed use will be situated along Man o' War Boulevard, and screened from the nearest residential uses north of that arterial by a number of trees and some vegetation currently located in and adjacent to the existing floodplain and creek which traverses the property.
- b. This use is intended to allow an existing facility in the general area to relocate and expand on the subject site. Most traffic to and from this center will utilize Man o' War Boulevard, given existing travel patterns to the CCN facility located in the Millpond Shopping Center on Boston Road by its clientele.
- c. On-site parking will be provided on the subject site, as will a very large outdoor play area for children being cared for at this child care center.
- d. All necessary public services and facilities are available and adequate to the subject site, provided sidewalks are installed as currently proposed. Sanitary sewers, fire & police protection and all public utilities are provided in this portion of the Urban Services Area, and available to this location.

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

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
 2. The subject property shall be developed according to the submitted Zoning Development Plan, or as further amended by the Planning Commission.
 3. The proposed use shall be operated in accordance with the submitted application provided by the applicant.
 4. All necessary permits, including a Zoning Compliance Permit, Fence Permit and Certificate of Occupancy, shall be obtained from the Divisions of Planning and Building Inspection prior to occupancy of this child care center.
- c. PLN-MJDP-17-00011: WYNNDAL SUBDIVISION, LOT 2B (5/7/17)* - located at 1580 Higbee Mill Road.
(Vision Engineering)

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

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. Clarify TPP to match 55% canopy to be provided (denote tree removal area).
8. Complete tree inventory information (tree diameters required by Article 26 of the Zoning Ordinance).
9. Addition of pedestrian access to the cross-section CC.
10. Resolve emergency access during 100-year flood event.
11. Resolve future maintenance of 20' access easement.

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C. FULL PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS

1. **ZOTA 2016-5: AMENDMENT TO ARTICLE 23A-10: SUPPORTIVE USES AS A SPECIAL PROVISION IN THE ECONOMIC DEVELOPMENT (ED) ZONE** – petition for a Zoning Ordinance text amendment to Articles 23A-10 for supportive uses within the Expansion Area.

REQUESTED BY: Urban County Planning Commission

PROPOSED TEXT: Copies are available from the staff.

OPTION 1

23A-10(j) SPECIAL PROVISIONS

12. Supportive uses shall be principal permitted uses, regulated subject to the following requirements:
- Supportive uses shall only be developed and constructed either concurrently with or post-construction and occupancy of at least one other principal permitted use listed in 23A-10(b).
 - Supportive uses shall not exceed a maximum of twenty percent (20%) of the otherwise permitted floor area within a development, as identified on the associated final development plan.
 - Residential land uses shall not exceed a maximum of fifteen percent (15%) of the otherwise permitted supportive use floor area by 23A-10(j)(12)(b) above.
 - For tracts of ED zoned land under 10 acres, which are contiguous to or across the street from land designated or zoned ED, but which are under separate ownership and under a separate development plan, supportive uses shall be principal permitted uses, not subject to the provisions of Subsections 12(a), 12(b) and 12(c) above.

OPTION 2

23A-10(d) CONDITIONAL USES

5. Supportive uses, as further regulated by Article 23A-10(j).

23A-10(j)SPECIAL PROVISIONS

12. Supportive uses shall be principal permitted uses, regulated subject to the following requirements:
- Supportive uses shall only be developed and constructed either concurrently with or post-construction and occupancy of at least one other principal permitted use listed in 23A-10(b).
 - Supportive uses shall not exceed a maximum of twenty percent (20%) of the otherwise permitted floor area within a development, as identified on the associated final development plan.
 - Residential land uses shall not exceed a maximum of fifteen percent (15%) of the otherwise permitted supportive use floor area by 23A-10(j)(12)(b) above.
 - For tracts of ED zoned land under 10 acres, which are contiguous to or across the street from land designated or zoned ED, but which are under separate ownership and under a separate development plan, supportive uses shall be conditional uses, not subject to the provisions of Subsections 12(a), 12(b) and 12(c) above.

The Zoning Committee made no recommendation on the proposal.

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

- The proposed text amendment that has been drafted to Article 23A-10 is entirely dependent upon its predecessor being adopted by the Urban County Council. Since the Council has delayed consideration of the parent ZOTA, this request should be delayed until that outcome is known.
2. **ZOTA 2016-7: AMENDMENTS TO ARTICLE 8-24 FOR THE OFFICE, INDUSTRY AND RESEARCH PARK (P-2) ZONE** – petition for a Zoning Ordinance text amendment to Article 8-24 to allow additional uses in the P-2 zone.

REQUESTED BY: University of Kentucky

PROPOSED TEXT: Copies are available from the staff.

The proposal to modify the P-2 zone is directly a result of the UK Master Plan completed in 2009. The proposed changes are as follows:

- Modify the name of the zone to University Research Campus (P-2) Zone and update the intent of the zone accordingly;
- Add hospitals and veterinary/animal clinics and laboratories as principal permitted uses;
- Create a category of "Supportive Uses," which includes townhouses; multi-family residential; restaurants, brew-pubs and banquet facilities without live entertainment; hotels/motels; and designated retail sales and mixed-use areas;
- Move hotels and motels from a principal permitted use to a supportive use;

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- Delete automotive service stations; gas pumps without an on-site employee; automobile and vehicle refueling stations; incidental residential dwellings (caretaker); and ecotourism activities as supportive, accessory or conditional uses;
- Clarify that the designated retail sales area may also be a mixed-use area;
- Add outdoor patio areas as an accessory use; add outdoor live entertainment as a conditional use;
- Adjust the list of prohibited uses based upon other use changes, add establishments for the storage, display, rental or sales of any type of vehicle as a prohibited use;
- Eliminate minimum lot requirements, reduce front yard requirement on collector and local streets within a park to 5', and reduce side yard requirement to 15';
- Reduce useable open space requirement to 40% across the entire P-2 zoned development;
- Increase maximum floor area ratio from 0.5 to 0.75;
- Increase maximum height of buildings to 120';
- Add parking standards for new uses;
- Provide more flexibility in landscaping requirements; eliminate requirement for 25 trees/acre; and provide for screening adjacent to residential structures;
- Require a summary report from the design committee in conjunction with any final development plan presented to the Planning Commission for consideration;
- Allow parking in required side and rear yards;
- Limit the allowable supportive use land area to a maximum of 15% of the overall P-2 development;
- Provide for phasing of supportive uses either concurrent or after construction of other principal permitted uses; and maintain 75%/25% ratio of uses until at least 250,000 square feet of other research campus uses are constructed.

The Zoning Committee Recommended: **Approval**.

The Staff Recommends: **Approval of the Staff Alternative Text**, for the following reasons:

1. The University of Kentucky has a proven track record of economic development, with over 1.3 million square feet of space that actively supports 56 organizations and over 2,000 employees in the Coldstream Research Campus. This text amendment will allow the University to more effectively compete with similarly situated research parks across the United States.
 2. The proposed text amendment will allow for a higher intensity use of the research campus and allow additional supportive uses, such as a mixed-use village and residential dwelling units, while still providing significant areas of open space.
 3. The proposed text amendment will rename the zone to the "University Research Campus (P-2) Zone" to support the university in implementing their Master Plan for the Coldstream Research Campus. After 25+ years, there is the only one in Lexington-Fayette County with this zoning designation.
3. **ZOTA 2017-2: BANQUET FACILITIES IN THE COMMUNITY CENTER (CC) ZONE** – petition for a Zoning Ordinance text amendment to Article 23A-9 to allow banquet facilities as a principal use in the CC zone.

REQUESTED BY: Joel Brown

PROPOSED TEXT: (Note: Underlined text indicates an addition to the current Zoning Ordinance; and ~~strikethrough text~~ indicates a deletion from the current Zoning Ordinance.)

23A-9 COMMUNITY CENTER (CC) ZONE

23A-9(b) PRINCIPAL USES

31. Banquet facilities.

The Zoning Committee Recommended: **Approval**.

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

1. The proposed text amendment will add banquet facilities as a principal permitted use in the Community Center (CC) zone. As long as outdoor live entertainment is not included, the use will complement the other principal permitted uses that are allowable in the zone.

VI. COMMISSION ITEMS

- A. **PFR 2017-2: LEXINGTON BLUE GRASS AIRPORT** - a Public Facility Review to improve the existing Rental Car Facility at the Lexington Blue Grass Airport (LEX) with improvements of water quality areas, extending Air Freight Drive to add cul-de-sac for a turnaround point for service and emergency vehicles and to construct new buildings for office and other structures for accessory uses.

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SUMMARY FINDINGS: - The improvements to the public facilities (redevelopment) for the car rental facilities at the Lexington Blue Grass Airport (LEX) will be consistent with this Rural Activity Centers other public uses land use recommendation (RLMP).

There are no Goals or Objectives of the Comprehensive Plan that are in opposition to the redevelopment for Lexington Blue Grass Airport (LEX) Rental Car Facility. Several Goals and Objectives, as well as the text of the Plan, support the project, as does *Destination 2040*. There is no longer a Land Use Element for the Comprehensive Plan; however, the previous Rural Land Management Plan recommended other public uses in this Rural Activity Center.

The redevelopment of this area will complement the Lexington Blue Grass Airport (LEX) with new structures and state of the art facilities. Once the project has been completed, the Rental Car Facility at the Lexington Blue Grass Airport (LEX) will benefit the city of Lexington with better service for the community and those that visiting our community.

- B. INITIATION OF TEXT AMENDMENTS FOR THE TRANSFER OF COMMERCIAL LANDSCAPE ADMINISTRATION & ENFORCEMENT** – The staff will request that the Planning Commission initiate a text amendment to Articles 5, 8-1, 18, and 26 of the Zoning Ordinance, as well as Article 6-10 of the Land Subdivision Regulations to allow the LFUCG Division of Environmental Services to assume the duties of the former Landscape Examiner in the Division of Building Inspection. If initiated, the requisite public hearing would be scheduled sometime in the spring of this year.

- VII. STAFF ITEMS** – The staff will report at the meeting.

Long Range Planning Activity Report

Imagine Lexington

Staff organized and hosted five public input meetings throughout the first three weeks of February. Around 200 people attended the various meetings and much input was collected. Staff collected input in myriad of ways. First, all staff had designated note paper to record comments and questions from the public. Second, Staff designed an interactive form of public input by providing comment cards called “*Imagine Lexington Arrows*” that prompted participants with the statement, “I Imagine Lexington...” The intent of the *Imagine Lexington Arrows* was to hear how, and with what, members of the public imagined Lexington in the future. The third and final way for the public to leave their input is through the *Imagine Lexington* Public Input Form. Available online through the end of March 2017, the Public Input form was also available in paper form at each of the five meetings.

Staff, along with Director of Planning, Jim Duncan, AICP, presented *Imagine Lexington* to Fayette County Neighborhood Council at their Comprehensive Plan workshop hosted at the Unitarian Universalist Church on Clays Mill.

Staff continues to maintain *Imagine Lexington's* three social media sites – Facebook, Twitter and Instagram. Staff shared photos from all of the public input meetings and will continue to share photos and information as On the Table and other events and meetings occurs. Staff's intent is to be as transparent as possible and keep the public informed and aware of what all the Division of Planning is a part of.

On the Table

Staff met weekly with partners Blue Grass Community Foundation, Leadership Lexington and Fayette County Public Schools to organize and plan On the Table and any additional meetings and events. One of these events was an information session hosted by Staff and partners at the Hamburg YMCA for neighborhood associations and their representatives to come and learn about why and how they can participate in On the Table.

Housing Market Demand Study

Staff, along with consultants, held a Steering Committee meeting for the Housing Market Demand Study.

Transylvania University Sustainability Summit

Staff has been asked by Transylvania University to put together a program for their Sustainability Summit on April 4th, 2017. The Summit will be an opportunity for high school students from all around Fayette County to be on campus for a day and learn about sustainability initiatives. Staff has been asked to talk about planning and how sustainability is incorporated into all aspects of planning – social, economic and environment sustainability. Staff began plans for their program and is excited to be able to show high school students what it means to be a city planner.

Retrofitting the RETRO: Rediscover Southland

Staff presented at the Southland Annual Meeting held at Olieka Shrine Temple about the Retrofitting the RETRO project that is led by the Division of Planning and in collaboration with students at the University of Kentucky (Department of Landscape Architecture, Interior Design and Historic Preservation).

Courthouse Area Design Review Board

Staff received two applications – one was approved and the other was postponed at the February 8th Courthouse Area Design Review Board Public hearing. The next day, Staff presented the Courthouse Area Design Review Board annual report to the Planning Commission.

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Greenspace Commission

Staff met with the Greenspace Commission for their monthly meeting and reviewed the Greenspace Survey, discussed On the Table and reviewed the Goals and Objectives from the 2013 Comprehensive Plan.

Congestion Management Committee

Staff presented *Imagine Lexington*: the 2018 Comprehensive Plan Update to the Congestion Management Committee.

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.

B. Transportation Planning Activity Report1.1 Inventory/Monitor; Title VI/ADA; Participation; Coordination/Consultation

- Attended Director-Manager meetings at LFUCG Division of Planning.
- Conducted MPO / Transportation Section staff meetings.
- Attended LFUCG Pedestrian Safety Work Group meeting.
- Attended Commission for People with Disabilities
- Attended LFUCG Corridors Commission
- Attended four public input meetings for the LFUCG comp plan
- Attended Bluegrass ADD Regional Transportation Committee
- Attended Jessamine County Transportation Task Force Meeting.
- Attended University of Kentucky Bicycle Advisory Committee Meeting
- The MPO website had 729 visits from 561 users (72% new users) and 1,711 page views.
- The MPO's Twitter site had 2,047 followers in February.
- The MPO's Facebook page grew by 15 likes to 702 in February. The page had 176 engaged users and reached 8,849 users in February.

1.4 Staff Development

- Attended webinar: Bicycling innovations for small towns and rural communities.
- Attended webinar: Protected Bikeway Design, Intersection Design & Operation.
- Attended ArcGIS Online, Training.
- Attended ArcGIS Online – Community Analyst Training.

2.1 Congestion Management Process (CMP)

- Worked on spreadsheets to document annual congestion trends on selected corridors in the CM network using BlueTOAD system Travel Time Index (TTI) data.
- Met with Long Range Planning staff to prepare and schedule a presentation for the CM committee meeting in regard to Imagine Lexington 2018 Comprehensive Plan.
- Reviewed the Victoria Transport Policy Institute publication titled Smart Congestion Relief which address comprehensive evaluation of traffic congestion costs and congestion reduction strategies.
- Used live and typical Google Traffic maps to document 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.

2.2 Transportation Plan Update & Implementation

- Transportation provided support for development and implementation of plans, studies and projects including: LFUCG Comprehensive Planning.
- Staff familiarized and is continuing to learn to run the model for upcoming Planning updates.
- Provided information about KYTC functional class adjustments per MPO perspective.
- Staff recommended sponsorships for the state wide SHIFT prioritization process, including coordinating efforts with District 7, and presenting the recommendations to the TTCC and the TPC.
- The TPC approved the 22 sponsorships under SHIFT on 2/22/2017.
- Staff coordinated with Fayette and Jessamine County Engineering, District 7, and Fayette County Traffic Engineering to review all the sponsored projects PIF information, creating, correcting and completing PIFs as necessary for sponsorship.

2.3 Air Quality Activities

- Received air quality monitor readings of Year 2016 and recorded the readings into the spreadsheets to compare forecasted levels with actual monitored readings.

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- Prepared air quality monitoring spreadsheets for the Year 2017 forecast season.

3.1 Transportation - Land Use Impact Analysis

- Provided assistance and answered inquiries on various potential Traffic Impact Studies, but no developments were filed in February that required a traffic study.
- Provided support concerning transportation and land use issues on various development applications in Fayette County.

3.2 Multimodal/Transportation Enhancement Planning

- Responded to approx. 20 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 20 plans submitted to planning services for bike and pedestrian circulation requirements.
- Corresponded on 14 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.
- Worked to update GIS data for the LAMPO Bike and Pedestrian Master Plan Update.
- Attended meeting to discuss foundational issues for the Town Branch Commons Project.
- Work with Computer services GIS department to collect and distribute GIS data to the Bike and Pedestrian Master Plan update project team.
- Meeting with Visit Lex and Zagster to discuss the next steps for bike share public private partnership.
- Held Project Kick-off Meeting for the Bike and Pedestrian Master Plan Update with in house group and consulting team.
- Attended Town Branch Commons Technical Committee Meeting.
- Meeting with Philip Hanrahan and Andrea Pompei to discuss regional connections from Fayette County to Paris along the Paris Pike Corridor.
- Gave 3 presentations about transportation planning (Bike and Ped) to the Lexington Montessori School students.
- Met with Gresham Smith and AECOM to discuss approach to KYTC for the Town Branch Commons.
- Had meetings with LFUCG Engineering and the Mayor's office to discuss the Alumni Drive separated bike lane project.
- Met with the DDA to discuss possible overlaps for the Parking Lot Diaries Project and May Bike Month Events.
- Reviewed and paid invoices for bikelane striping and signage projects.
- Gathered and distributed data requests from ALTA for the Bike and Pedestrian Master Plan Update.
- Continued Work with My City Bikes for the Life is a Cycle ride event on May 15th.
- Continued work on the bike rack installation project for district 3.
- Continued work with the DLC for the Bike Lexington Family Fun Ride.
- Worked with GIS to evaluate bike and pedestrian collision data for the last five years.
- Held Phone Kick-off meeting with Alta planning team for the Bike and Pedestrian Master Plan Update.

3.3 Transit Planning

- Installed new art in Bluegrass Stop on Newtown Pike with the *Via Creative* group.
- Staff attended Via Creative board meeting as Co-Chair.
- Coordinating design and placement for transit shelter for Winburn Dr @ Community Action Center.

3.4 Mobility Coordination

- Launched Spring marketing campaign including updates to website, TV and social media. The campaign is promoting the MPO website and FB page rather than the Move it People site this season. See stats in 1.1.

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), Transportation Technical Coordination Committee (TTCC) and the Transportation Policy Committee (TPC).

4.2 Transportation Improvement Programming (TIP)

- Monitored TIP program projects for needed adjustments.

4.3 Unified Planning Work Program (UPWP)

- Utilized 2017 UPWP for program element tasks and reviewed comparison of hours/funding budgeted versus expended to date.
- Worked on Draft 2018 UPWP.

C. Zoning Compliance Planning Activity ReportEnforcement

The winter downward trend in zoning complaints continued in February, with just 28 new case investigations initiated. A little over 50% of the new cases involved illegal business activities in residential areas. A total of 20 cases were resolved, meaning that necessary actions were taken by a property owner or occupant to fix a zoning compliance problem. During February, 28 conditional uses were inspected, and all were determined to be in substantial compliance.

Permitting

Since January 1, 2012 Zoning Compliance Permits have been required before a building or premises can be occupied for a specific use or a change in use, with some exceptions for agricultural uses and single family or two-family residences. In February, 50 such permits were issued. Technical assistance was also provided to the Division of Building Inspection (at weekly "Review Board" meetings) in review of 14 applications for new commercial or multi-family building construction, and 22 applications for remodel activity, "fit-ups" or change in use requests.

Board of Adjustment

Six applications/appeals were presented to the BOA at the February 24th public hearing, consisting of one variance, three conditional use requests and two administrative appeals. All six requests were approved. Just one (a proposed rest home expansion on Duke Road) generated any questions/concerns from surrounding property owners. One of the administrative appeals was for freestanding signage needs at the mixed use development known as "The Summit", at the corner of Nicholasville Road and Man O' War Boulevard.

- 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 April, 2017

Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	April	6, 2017
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	April	6, 2017
Subdivision and ND-1 Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	April	13, 2017
Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	April	20, 2017
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	April	27, 2017
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	April	26, 2017

X. ADJOURNMENT

TLW/TM/WLS/dw

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