

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

July 27, 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 June 22, 2017 meeting will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, July 6, 2017 at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Karen Mundy, 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; Cheryl Galt; Denice Bullock; Chris Bronczyk; Captain Greg Lengal, Division of Fire & Emergency Services; Chris Schnelle, Division of Police; and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

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

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

A. FINAL SUBDIVISION PLANS

- I. PLN-MJSUB-17-00026: RML-CITATION (HILLENMEYER INTEREST, LTD.) (7/27/17)* - located at 2551 Leestown Road.
(Council District 4) **(Vision Engineering)**

Note: The Planning Commission postponed this item at their May 11, 2017, June 8, 2017, and July 13, 2017 meetings.

The Subdivision Committee Recommended: **Postponement**. The staff still has concerns on the timing and provision of the required public infrastructure, and the fact that the required 30% Infrastructure Report has not yet been submitted.

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

1. Urban County Engineer's acceptance of drainage, 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. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
10. Delete note #4.
11. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
12. Delete public utilities listed in "utility contacts" listing.
13. Addition of 25' floodplain setback on plan for the rear area of Lot 1.
14. Correction of land surveyor's signature of engineer's certification (due to infrastructure dedication).
15. Delete minor Planning Commission certification.
16. Denote FFE for Lot 1.
17. Denote: There shall be reciprocal parking and access on Lots 1-3.
18. Denote: There shall be no access to Citation Boulevard from Lots 1, 2 & 4.
19. Discuss timing of proposed access easement on plan, per the submitted final development plan.
20. Discuss planned maintenance of future detention basin.
21. Discuss possible sinkhole denoted on the preliminary subdivision development plan.
22. Discuss timing of public improvements and possible waivers.
23. Discuss owner's certification.

B. DEVELOPMENT PLANS

- I. PLN-MJDP-17-00042: RML-CITATION (HILLENMEYER INTEREST, LTD.) (7/27/17)* - located at 2551 Leestown Road.
(Council District 2) **(Vision Engineering)**

Note: The Planning Commission postponed this item at their May 11, 2017, June 8, 2017, and July 13, 2017 meetings.

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

1. Urban County Engineer's acceptance of drainage, sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas and possible sinkhole.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Revise and clarify note #10.
12. Denote as a Preliminary Subdivision Plan in title, for the addition of street and access easement.
13. Addition of tree protection plan per Article 26 requirements.
14. Resolve conflict between mini warehouse building and existing AT&T easement.
15. Discuss provision of access to the detention basin for future maintenance.
16. Discuss the need for signal at the intersection of Sandersville Road and Citation Boulevard.

II. PLN-MJDP-17-00054: MANCHESTER DEVELOPMENT, LLC (DISTILLERY DISTRICT EAST, UNIT 1) (AMD) (9/3/17)* -
located at 949 and 955 Tarr Trace. (Council District 2) **(Endris Engineering)**

Note: The purpose of this amendment is to add 34 townhouses to this adaptive re-use project, and revise street names. This plan requires the posting of a sign and an affidavit of such.

Note: The Planning Commission postponed this item at their July 13, 2017 meeting.

The Subdivision Committee Recommends: **Approval**, 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 and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Provided the Planning Commission grants the requested waiver to Article 6-4(c) and Article 6-8(m) of the Land Subdivision Regulations.
11. Addition of existing crosswalk information at Oliver Lewis Way and Manchester Street intersection.
12. Revise cross-walk information at Manchester Street/Tarr Trace intersection to the approval of Traffic Engineering.
13. Addition of building lines along Tarr Trace and Oliver Lewis Way.
14. Discuss lack of sidewalk access into Units A-1-A-8, and possible need for a variance (driveway width).
15. Discuss useable open space for new townhouse area.
16. Discuss full half section improvements to Tarr Trace and its termination (terminated off site by government action).

V. **ZONING ITEMS** - The Zoning Committee met on Thursday, July 6, 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, 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

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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. WYNNDALE DEVELOPMENT, LLC ZONING MAP AMENDMENT & WINDING CREEK AT MONTICELLO ZONING DEVELOPMENT PLAN

- a. PLN-MAR-17-00024 WYNNDALE DEVELOPMENT, LLC (9/3/17)*- petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Single Family Residential (R-1D) zone, for 10.14 net and gross acres, for property located at 3455 Saybrook Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The 2013 Plan's Goals and Objectives emphasize the importance of growing successful neighborhoods (Theme A), by expanding housing choices (Goal #1), supporting infill and redevelopment (Goal #2) and providing well-designed neighborhoods (Goal #3). It also recommends protecting the environment (Theme B) by reducing the community's carbon footprint (Goal #2), supporting the community's green infrastructure program (Goal #3) and implementing the adopted environmental policy (Goal #2.a.); and recommend improving a desirable community (Theme D) through preservation and enhancement of urban neighborhoods. Lastly, the Plan also advocates that infill development be context sensitive and contiguous to accommodate future growth needs and sustain the Urban Service Area concept (Theme E, Goal #1).

The petitioner proposes to develop 18 detached single-family dwelling units, which would yield a residential density of 1.78 dwelling units per acre.

The Zoning Committee Recommended: Approval.

The Staff Recommended: Approval, for the following reasons:

1. The requested Single Family Residential (R-1D) zone is in agreement with the 2013 Comprehensive Plan for the following reasons:
 - a. The 2013 Comprehensive Plan recommends infill and redevelopment that is compatible with and context-sensitive to its environment, and, in this case, with two established single-family neighborhoods.
 - b. The Plan also states that infill development can have a positive impact on neighborhoods, but only if it respects the scale, massing and size of surrounding buildings. The petitioner proposes a single-family residential zone that will promote infill of this site by contributing to the existing well-designed neighborhood (Theme A, Goals #2 and #3).
 - c. The R-1D zone will provide lots that are more in character and similar in lot frontage to those in the adjoining neighborhoods; therefore, the R-1D zone will encourage context-sensitive infill development at this location.
 - d. The 2013 Plan recommends single loaded streets when development is adjacent to greenways and open space throughout the community. The petitioner has proposed a partial single loaded street, which can provide a shared view and easier maintenance of the greenway (and floodplain) around the South Elkhorn Creek. This open design and protection of this floodplain helps to meet *Theme B: Protecting the Environment* and *Theme D: Improving Desirable Communities* of the Plan.

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- e. The proposed development is contiguous to existing development and is located within the Urban Service Area, where all utilities can easily be extended to serve the development of this site.
2. This recommendation is made subject to the approval and certification of PLN-MJDP-17-00056: Winding Creek at Monticello, 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. PLN-MJDP-17-00056: WINDING CREEK AT MONTICELLO (9/3/17)* - located at 3455 Saybrook Road.
(EA Partners)

The Subdivision Committee Recommended: **Approval**. The tree inventory information is missing from this plan submission.

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

1. Provided the Urban County Council rezones the property R-1D; 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. Addition of tree size information in tree inventory information.
7. Addition of street tree information on plan.
8. Clarify trees to be removed on Lot 19 (if any).
9. Discuss maintenance of Lot 19.
10. Discuss plan status (Preliminary Subdivision Plan).

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **ZOTA 2017-5: AMENDMENTS RELATING TO CONDITIONAL USES, DEFINITIONS, AND CLARIFICATIONS** – petition for a Zoning Ordinance text amendment to Articles 1, 3, 8, 9, 10, 12, 15, 16, 17, 22A & B, 23, and 24 of the Zoning Ordinance, to move several uses from the conditional use category to either the principal permitted or the accessory use category.

REQUESTED BY: Urban County Planning Commission

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval**.

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

1. The proposed text amendment will have multiple benefits; e.g., it will adjust the Planning staff's workload so that more time can be spent on reviewing the more complex or problematic appeals and providing sound, defensible findings and conditions; it will help to provide better government service by not requiring applicants to go through a long, potentially arduous, cumbersome and/or expensive process; and it will reduce the number of applications to the Board of Adjustment by eliminating many conditional uses that are routinely approved by the Board. This, in turn, will allow the Board (or, in some instances, the Planning Commission) to focus on more difficult appeals that have the potential for adversely impacting surrounding properties.
2. Replacing the term "church" with "place of religious assembly" is a timely update to the Zoning Ordinance. The term "church" is generally associated with the Christian faith, whereas "place of religious assembly" indicates a more inclusive concept of the various world religions, many of which are present in Lexington due to the diversity of its population.
3. Adding a definition of "personal care home" to the Zoning Ordinance will help to clarify the difference and levels of care between an assisted living facility, a personal care facility and a nursing home. At least one personal care facility is located in Lexington and has been in existence since the 1950s. Because it is listed in the Zoning Ordinance as a conditional use, it is logical to provide a definition.

VI. COMMISSION ITEMS

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

A. Long Range Planning Activity Report

Imagine Lexington

Staff presented the draft the Goals and Objectives for the 2018 Comprehensive Plan Update, *Imagine Lexington* to the Planning Commission at the June 15th Work Session. Staff set up a Google Survey so that Planning Commission members could denote which items they wished to discuss further. Staff will use this feedback to set aside Goals and Objectives of which re-

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quire further discussion so that future Work Session conversations can be concentrated on these items and the process maintains efficiency.

Staff conducted research and prepared a report for the Planning Commission on three different growth scenarios for Lexington-Fayette County, a Status-Quo growth scenario, a Conservative Growth Scenario and a Transit-Oriented Growth Scenario. These scenarios included analysis of vacant land development as well as commercial land redevelopment that varied in intensity. These growth scenarios were presented to the Planning Commission at the June 29th, 2017 Work Session and are available on the Resources Page of www.imaginelexington.com.

Staff continued to update information hosted on *Imagine Lexington's* website, www.imaginelexington.com. Studies, plans, data and presentations are all available so the public to access. Staff's desire is to make the website user friendly and attractive so that it serves the public and any interested parties to the best of their ability.

Staff continues to maintain *Imagine Lexington's* three social media sites – Facebook, Twitter and Instagram. Staff will continue to share photos and information as 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.

Rural Land Management Plan

Staff continued to work on the Rural Land Management Plan Update.

Greenspace Commission

Staff and the Greenspace Commission met and attended a field trip to Hidden Haven Farm.

Adobe InDesign

Staff attended four days of training for Adobe InDesign so that *Imagine Lexington*, the 2018 Comprehensive Plan Update, can be designed and assembled in a modern and attractive manner. Staff wishes to serve the public in every way possible and having a document that is easy to navigate and fun to read is key for the success of *Imagine Lexington* and the future of the City of Lexington. A higher level of engagement and understanding of the public in the planning process is one of Staff's main goals with *Imagine Lexington*.

APA Audio Conferences

For many years, Staff has hosted APA Audio Conferences for continuing-education credits for both LFUCG and AICP. There were four APA Audio Conferences hosted in the month of June, whose titles were as follows: *Women in Planning: Leadership & Empowerment*, *A Road Map for Age-Friendly Communities*, *Economic Development for Everyone*, and *Intellectual Property and the Creative Commons*.

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 Report

1.1 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.
- Attended Commission for People with Disabilities.
- Attended LFUCG Corridors Commission.
- Attended LFUCG/KYTC Operation and Maintenance Coordination Meeting.
- Attended 4 weekly repaving meetings with Streets and Roads.
- Attended University of Kentucky Bicycle Advisory Committee Meeting.
- The MPO website had 981 visits from 751 users and 1,940 page views in June.
- The MPO's Twitter site had 2,056 followers in June.
- The MPO's Facebook page grew by 14 likes to 822 in June. The page had 74 engaged users and reached 1,039 users.
- Attended Title VI compliance meeting with various LFUCG departments.
- Attended LFUCG coordination meeting concerning KYTC SHIFT program in preparation for TPC meeting.
- Attended District 7 coordination meeting concerning KYTC SHIFT program.
- Attended meeting with ASHE representatives to coordinate LFUCG representatives hosting a presentation at their monthly meeting.

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- Attended "Wellness" stakeholder meeting for Parks & Recreation Master Plan.

1.4 Staff Development

- Attended a webinar titled "Kentucky Air Quality Update."
- Attended Webinar titled "The Near Miss Project: Quantifying Cyclist Comfort and Safety."
- Attended Webinar titled "A Road Map for Aging Communities."
- Attended Social Media Training hosted by LFUCG.

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.
- Worked with consultants to schedule a presentation for June's CM committee meeting in regard to Beaumont Area Traffic Study.
- Contacted UK staff to schedule an update report for June's CM committee meeting regarding Transportation and Traffic data source comparison and analysis.
- Worked with KYTC and Traffic Engineering staff on ITS-CMS project coordination.
- Reviewed a research article titled "2017's Best & Worst Cities to Drive in."
- Reviewed a research article titled "How Technology Can Eliminate Traffic Congestion."
- 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

- Staff familiarized and is continuing to learn to run the model for upcoming Planning updates.
- Staff continued work on the state-wide SHIFT program and completed recommendations (in coordination with the TTCC) for which projects to "boost".
- Attended "Businesses" public input meeting for the Beaumont Area Traffic Study.

2.3 Air Quality Activities

- Updated air quality monitoring spreadsheets for the Year 2017 forecast season.
- Conducted daily air quality index forecasts using ozone and PM2.5 models.
- Posted air quality index (AQI) 4-day forecast results to the website daily.

3.1 Transportation - Land Use Impact Analysis

- Provided assistance and answered inquiries on various potential Traffic Impact Studies.
- Reviewed, reported and presented to the Planning Commission about 2 traffic impact studies that were filed in conjunction with zone change requests.
- Provided support concerning transportation and land use issues on various development applications in Fayette County.
- Attended LFUCG Comprehensive Plan meetings regarding the Goals & Objectives.

3.2 Multimodal/Transportation Enhancement Planning

- Responded to approx. 28 citizen/agency requests for information on bike and pedestrian issues.
- Worked on various intersection safety design projects and bike facility maintenance projects funded by MAP money for FY 2016.
- Reviewed and submitted comments in Plan Tracker for 23 plans for bike and pedestrian circulation requirements.
- Corresponded on 8 plans approved by the planning commission for compliance with conditional signoff requirements.
- Attended Conference call with Lime Bikes on the potential for bike share in Lexington.
- Held calls with the consulting team for the Bike and Pedestrian Master Plan (BPMP) update to discuss plan progress and ongoing community outreach.
- Met with Bluegrass ADD and Bluegrass Tomorrow to discuss regional trail connections as it relates to the BPMP.
- Met with the Community Land Trust to discuss connection to the Davis Bottoms area trail system and park as it relates BPMP.
- Attended Parks and Recreation Master Plan public meeting to seek input on the BPMP.
- Held Meeting with Noli CDC to gather public input for the BPMP.
- Conducted a public input meeting in Jessamine County for the BPMP.
- Conducted stakeholder meeting with Commission for People with Disabilities for the BPMP.

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- Met with LFUCG Public Information Office to begin work on traffic education videos.
- Met with Social Cycling Lexington to give input on forming a bicycle advocacy group for Lexington.
- 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.
- Awarded and distributed prizes for the Lexington Bike Challenge through the Love to Ride platform.
- Continued work on Cooper Dr bike lane improvements from Sports Center Dr to the edge of UK campus.
- Met with Lexington Community Health Partnership (Lex-Chip) sub-committee LexBeWell to assist with the development of an inventory of community resources and activities to support better food choices, improved nutrition, and increased physical activity.
- Detailed and mapped issues brought forward by the Bluegrass Cycling Club regarding signal timing, trail safety and maintenance on the US68 trail.
- Worked with KTYC Central Office on Jessamine County TAP design funds for two trail projects.
- Continued work on the bike rack installation project for District 3.
- Coordinated with KYTC and KIPDA concerning the Critical Urban Freight Corridors designation, reviewed and negotiated Lexington/Jessamine Counties freight needs.

3.3 Transit Planning

- Staff attended Via Creative board meeting as Co-Chair.
- Coordinated design and placement of transit shelter for Winburn Dr @ Community Action Center slated to be built in 2017. Held meeting onsite. Vetting contractor bids.
- Conducted meetings with Living Arts and Sciences administrators and Lextran to gauge feasibility of bus shelter on LASC property.

3.4 Mobility Coordination

- Concluded spring marketing campaign at the end of June. 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) and Transportation Technical Coordination Committee (TTCC).

4.2 Transportation Improvement Programming (TIP)

- No activity to report.

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.

C. Zoning Compliance Planning Activity Report

Enforcement

The typical spring and early summer upward trend in zoning complaints continued in June, with 68 new case investigations initiated. Over 63% of the new cases involved signage and illegal business activities in residential areas. A number of sight triangle problems (generally related to vegetation interfering with driver visibility at intersections) were also addressed. A total of 76 cases were resolved in June, meaning that necessary actions were taken by a property owner or occupant to fix a zoning compliance problem. During June, 34 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 June, 55 such permits were issued. Technical assistance was also provided to the Division of Building Inspection (at weekly "Review Board" meetings) in review of 9 applications for new commercial or multi-family building construction, and 17 applications for remodel activity, "fit-ups" or change in use requests.

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A Zoning Compliance Permit/Sign-Off was issued for a proposed residential expansion on Holiday Road involving two nonconforming structures (the main residence and an accessory building) that do not satisfy current setback requirements. The resulting issuance of a building permit for the expansion has been contested by an adjoining property owner, and that appeal will be considered by the Board of Adjustment at the July 28th public hearing.

Board of Adjustment

Nine applications/appeals were fully considered by the BOA at the June 30 public hearing, consisting of three variance, three conditional use and three administrative appeal requests. All of the variance and two of the conditional use requests were approved. A conditional use request to establish an athletic club facility in a Heavy Industrial (I-2) zone on South Forbes Road was disapproved, primarily due to parking and traffic safety concerns.

Of the administrative appeals, two involved the transfer of unused sign square footage (one for a projecting sign at a restaurant in the new Summit mixed use development, and one for a freestanding sign at the new Bluegrass Stockyards), and both of those were approved. The other appeal was to change the legal nonconforming iron storage use at an industrial property on East Seventh Street to a Pull-A-Part facility, which was also approved.

A request to allow an oversized accessory building on a residential property on Swigert Avenue received considerable neighborhood opposition, with concerns expressed regarding negative impacts on the overall character of the area, water drainage problems and potential health issues relating to building and animal grazing over a recently improved septic system. Due to the diverse mix of property types along Swigert Avenue, which sits right at the Urban Service Area boundary, the Board was especially challenged by that appeal. No final action was taken, and consideration by the Board will be continued at the July 28th hearing.

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 August 2017

Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	August	3, 2017
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	August	3, 2017
Subdivision and ND-1 Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	August	10, 2017
Work Session, Thursday, 1:30 p.m., 1:30 p.m., 2nd Floor Council Chambers.....	August	17, 2017
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	August	24, 2017
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	August	30, 2017
Work Session, Thursday, 1:30 p.m., 1:30 p.m., 2nd Floor Council Chambers.....	August	31, 2017

X. ADJOURNMENT

TLW/TM/WLS/dw