

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

August 24, 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 July 27, 2017 and July 13, 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, August 3, 2017 at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Karen Mundy, Carolyn Plumlee, Will Berkley and Mike Owens. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Steve Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade; Tom Martin; Cheryl Gallt; Denise Bullock; Chris Bronczyk; Lieutenant Joshua Thiel, Division of Fire & Emergency Services; Andrea Brown 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, 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, Larry Forester, 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. AFTON COMMUNITY DEVELOPMENT, LLC ZONING MAP AMENDMENT & MELODY VILLAGE, UNIT 3-C, BLK C, LOT 12 ZONING DEVELOPMENT PLAN

* **Note:** The Planning Commission continued this item at the June 22, 2017 meeting.

- a. PLN-MAR-17-00016: AFTON COMMUNITY DEVELOPMENT, LLC (AMD) (8/24/17)*- an amended petition for a zone map amendment from a Single Family Residential (R-1D) zone to a Professional Office (P-1) zone, for 0.46 net (0.558 gross)

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acres, and from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone for 4.76 net (4.98 gross) acres, for property located at 3743 Red River Road. A conditional use permit and dimensional variances are also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

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

The 2015 Armstrong Mill Road West Small Area Plan (AMWSAP) is a plan for the revitalization of the 1900[±] acre area that establishes six goals for the area. The goals focus on improving safety; improving connectivity; promoting livable neighborhoods with housing choices (while maintaining the neighborhood form) and promoting green infrastructure; improving the quality of life and health including access to affordable and healthy food; and enhancing the sense of place by creating community spaces that foster social interaction and a sense of identity.

The petitioner now proposes a mixture of High Density Apartment (R-4) and Professional Office (P-1) zoning for the subject property in order to adaptively re-use the existing two structures for an assisted living facility, medical offices, adult and child care center, and a community center. New structures are proposed for medical offices and senior housing on the site. A conditional use and dimensional variances are also requested in association with this zone change application.

The Zoning Committee made no recommendation.

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

1. A restricted High Density Apartment (R-4) zone and Professional Office (P-1) zone for the subject property is in substantial agreement with the 2013 Comprehensive Plan, and the Armstrong Mill West Small Area Plan, which was adopted by the Planning Commission, for the following reasons:
 - a. The 2013 Comprehensive Plan recommends expanding housing choices to meet the needs of disadvantage and older populations (Theme A, Goal #1c.). The petitioner proposes an elderly housing element to the project, which will meet the needs of older and/or disadvantaged residents of Fayette County.
 - b. The Plan also recommends providing accessible community facilities and services to meet health, safety, and quality of life needs of the community (Theme D, Goal #2). Assisted living facilities to support the aging population; community facilities such as adult day care, child care and community centers; and medical offices are all needed within the community in a broader sense and can be considered necessary to meet the healthcare needs of the citizens of Fayette County.
 - c. The Comprehensive Plan recommends infill, redevelopment, and adaptive reuse that respect the area's context and design features (Theme A, Goal #2). The petitioner intends to adaptively reuse the vacant Blue Grass Baptist School site for a land use that will serve the neighborhood, and encourage aging in place.
 - d. The Armstrong Mill West Small Area Plan recommends improving the quality of life and health for all residents (Goal #5). The petitioner is improving access to very limited medical services by creating an incidental office use that is open to the public, is providing services for all ages by creating a child/adult day care as part of a community center, and is improving access to healthy food through the use of a community garden on-site.
 - e. A restricted P-1 zone can be considered incidental to the primary residential zone for the property. In this way, the proposed medical office will not have a negative impact on the surrounding neighborhood.
2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions shall apply to the subject property:
 - a. **Principal Permitted uses Within P-1 zoned area shall be limited to only the following:**
 1. Offices for business, professional, governmental, civic, religious and charitable organizations.
 2. Schools for academic instruction.
 3. Medical and dental offices and clinics.
 4. Studios for work or teaching of fine arts.
 5. Places of religious assembly and Sunday schools.
 6. Nursing homes, personal care homes, and assisted living facilities.
 7. Kindergartens, nursery schools or child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain twenty-five (25) square feet per child.
 8. Beauty shops and barber shops, not exceeding 2,000 square feet in floor area, which employ no more than five licensed cosmetologists.
 9. Adult day care centers.
 - b. **Accessory Uses within the P-1 zone shall be limited to only the following:**
 1. Parking areas or structures.
 2. Non-commercial recreational uses listed in the P-1 zone.

- c. **Conditional Uses within the P-1 zone shall be limited to only the following:**
 - 1. Offices of veterinarians, and animal hospitals (without overnight boarding).
 - 2. Parking lots and structures.
- d. **Conditional Uses within the R-4 zone shall be limited to only the following:**
 - 1. Permitted conditional uses in the R-1A zone.
 - 2. Nursing homes, personal care homes, and orphanages.
 - 3. Assisted living facilities, boarding and lodging houses, and hospitality houses for more than eight (8) persons, provided that no use under this section may be less than 500 feet from another use permitted under this section.
 - 4. Community centers (without overnight accommodations).
 - 5. Kindergartens, nursery schools or child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain twenty-five (25) square feet per child.
 - 6. Parking lots, as permitted in Article 16-3 of the Zoning Ordinance.
- e. **Other Use Restrictions:**
 - 1. The P-1 zoned land shall be limited to a maximum 3,000 square-foot, one-story building. Signage for such building shall be limited to one wall-mounted, non-illuminated sign, and shall be a maximum of ten (10) square feet in size.
 - 2. The R-4 zoned land shall be limited to a maximum of 60,000 square feet of total floor area.
 - 3. A landscape buffer of at least fifteen (15) feet in width shall be provided along the southern and eastern property boundaries, with plantings as specified by Article 18-3(a)(1)2 of the Zoning Ordinance, including a 6-foot tall privacy fence.
 - 4. Outdoor lighting shall be shielded and directed away from any adjacent residential zone. Lighting attached to a pole or any structure shall be a maximum of twenty (20) feet in height.
 - 5. No drive-through facilities shall be permitted on the subject property.

These use and buffering restrictions are appropriate and necessary to ensure greater compliance with the 2013 Comprehensive Plan, and to protect the adjoining residential land uses from development that is out of character with the existing neighborhood.

- b. **REQUESTED CONDITIONAL USE**
 - 1. Community center
 - 2. Child care and adult day care facility
 - 3. Assisted living/personal care facility
- c. **REQUESTED VARIANCES**
 - 1. Eliminate zone-to-zone landscape screening requirements internal to site
 - 2. Elimination of one interior landscape island of 700 square feet from the vehicular use area (VUA) in the proposed P-1 portion of the property

The Zoning Committee made no recommendation.

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

- a. Granting the requested conditional uses should not adversely affect the subject or surrounding properties. The uses proposed are, in general, advocated by the Armstrong Mill West Small Area Plan, and will coincide with and help to facilitate the adopted goals of the Plan. Additionally, the property was previously occupied by a school for academic instruction. Traffic from the proposed three conditional uses, even with the other uses proposed, should not be much (if any) more than was experienced when it was used as a school.
- b. All necessary public services and facilities are available to and either are or will be adequate to serve the subject property, in part because the two existing buildings will be adaptively re-used as part of the proposed redevelopment of the property.

The Staff Recommends: **Postponement of the requested landscape variances,** for the following reason:

- a. The Landscape Review Committee has not had an opportunity to review the requested variances. The next scheduled meeting is on August 15; and if a quorum is present, a recommendation on the requested landscape variances will likely be made. Although the staff sees the requested variances as logical and justified, until that meeting occurs, it is best to defer a substantive recommendation.

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This recommendation of **Approval** is made subject to the following conditions:

1. Should the subject property be rezoned to R-4 and P-1, it shall be developed according to the submitted Zoning Development Plan, or as further amended by the Planning Commission. A minimum 15-foot landscape buffer, as required by Article 18 of the Zoning Ordinance, shall be implemented along the eastern property line where it adjoins residential properties/zoning.
2. All necessary permits, including a Zoning Compliance Permit, Building and Paving permits and a Certificate of Occupancy, shall be obtained from the Divisions of Planning and Building Inspection prior to any construction, and prior to occupancy of the new facilities.
3. Provided the landscape variances for the elimination of the interior zone-to-zone screening and the elimination of the 700 square-foot landscape island are granted, the new parking lot and driveway shall be paved, with spaces delineated, and landscaped/screened in accordance with Articles 16 and 18 of the Zoning Ordinance.
4. The final design of the parking lot, access drive and internal circulation shall be subject to review and approval by the Division of Traffic Engineering.
5. A storm water management plan shall be implemented in accordance with the requirements of the adopted Engineering Manuals, subject to acceptance by the Division of Engineering.

- d. PLN-MJDP-17-00035: MELODY VILLAGE, UNIT 3-C, BLK C, LOT 12 (8/24/17)* - located at 3743 Red River Drive.
(Abbie Jones Consulting)

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the lack of site statistical information, building dimensions, tree inventory information and the inability to verify off-street parking compliance.

1. Provided the Urban County Council rezones the property P-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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. Clarify parking generator for proposed legal P-1 uses and provide both required and proposed parking numbers in site statistics.
6. Increase font size for owner/Planning Commission certifications.
7. Resolve difference between P-1 FAR and lot coverage limitations, given two-story development proposed.
8. Alter the plan status to be for a preliminary development plan, and reflect in title.
9. Clearly delineate all the area(s) proposed for underground detention.
10. Remove the "elderly housing" dwelling units from plan and designate them as "assisted living" units, and alter all site statistics accordingly.
11. Correct site statistics for square footages based upon proposed buildings.

2. **NEWTONS' ATTIC ZONING MAP AMENDMENT & NEWTON'S ATTIC – FT. SPRINGS PROPERTY ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-17-00025: NEWTON'S ATTIC (10/1/17)*- petition for a zone map amendment from an Agricultural Rural (A-R) zone to a Neighborhood Business (B-1) zone, for 1.16 net and gross acres, and from a Neighborhood Business (B-1) zone to an Agricultural Rural (A-R) zone, for 1.16 net (2.71 gross) acres, for property located at 4974 Old Versailles Road (a portion of). A conditional use permit and dimensional variances are also requested

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment; promoting successful, accessible neighborhoods; and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World. The 2013 Comprehensive Plan also recommends developing incentives to retain, restore, preserve and continue the use of historic sites and structures, rural settlements and commercial structures (Theme D, Goal #3c.); and supporting the agricultural economy, horse farms, general agricultural, and the character of the Rural Service Area (Theme E, Goal #2).

The Rural Land Management Plan, adopted by the Planning Commission in 1999, identified the rural settlements for planning purposes and recommended a comprehensive study of the 15 settlements, including Ft. Springs, located outside of the Urban Service Area. The *2007 Study of Rural Settlements* made specific recommendations for the settlements throughout Fayette County.

The petitioner proposes to expand an existing school for academic instruction, known as Newton's Attic, on a split-zoned parcel in the Rural Service Area of Fayette County. This expansion requires a zone change due to the limitations on non-

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agricultural conditional uses in the A-R zone. A conditional use and dimensional variances are also requested in association with this zone change application.

The Zoning Committee Recommended: **Approval**.

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

1. The existing Agricultural Rural (A-R) zone and Neighborhood Business (B-1) zone configuration is inappropriate, and the proposed reconfiguration on the subject property is appropriate, for the following reasons:
 - a. The South Elkhorn Creek flows through the property and creates the northern and eastern edges of the site. The floodplain associated with the creek, as well as the 25-foot setback required by Article 19 of the Zoning Ordinance occupy more than 70% of the property, which significantly restricts the development potential of the site.
 - b. The existing B-1 zoning boundary followed the former right-of-way of Old Versailles Road, and therefore crosses the site at a 45-degree angle. When the roadway was realigned to create a more standard intersection with Versailles Road, the zoning boundaries were not modified, which left the majority of the B-1 zoning within the FEMA floodplain and with little development potential.
 - c. The existing 3.8-acre A-R zoned land is too small for a typical agricultural use, and the A-R zoning is more appropriately located along the environmentally sensitive area of the site. The requested zone swap will create a buffer of less intense zoning to protect a sensitive watershed.
 - d. The subject property is located between the Ft. Springs rural settlement boundary and the Bluegrass Airport/Rural Activity Center boundary, leaving little opportunity for development or further expansion beyond that requested now.
 - e. The proposed B-1 and A-R zoning more closely matches the developable area of the site and will allow the expansion of an existing school for academic instruction.
 - f. The proposed zone swap will result in a reduction of B-1 zoning, albeit in the right-of-way of Versailles and Old Versailles Road, that generally complies with the intent of the Rural Land Management Plan to protect the Rural Service Area from incompatible development patterns.
2. This recommendation is made subject to the approval and certification of PLN-MJDP-17-00082: Newton's Attic Property – Ft. 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 use restrictions for the property B-1 zone shall be imposed on the subject property:

Prohibited Uses

 - a. Automobile service stations, and automobile and vehicle refueling stations.
 - b. Rental of equipment whose retail sale would otherwise be permitted in the B-1 zone.
 - c. Banquet facilities.
 - d. Self-service car washes.
 - e. Extended-stay hotels.
 - f. Drive-through facilities.

These restrictions are appropriate and necessary to protect the environmentally sensitive area along South Elkhorn Creek, and to protect the adjacent Ft. Springs rural settlement from incompatible development.

b. REQUESTED CONDITIONAL USE

1. A school for academic instruction (with no building) in the Agricultural Rural (A-R) zone.

The Zoning Committee Recommended: **Approval**

c. REQUESTED VARIANCES

1. To increase the maximum allowable front setback from 20 feet to 331 feet in the Neighborhood Business (B-1) portion of the property.
2. To eliminate the required zone-to-zone screening between the A-R and the B-1 zones internal to the property.

The Zoning Committee Recommended: **Approval**, to the following variance request:

1. To increase the maximum allowable front setback from 20 feet to 309 feet in the Neighborhood Business (B-1) portion of the property; and

The Zoning Committee Recommended: **Postponement**, to the following variance request:

2. To eliminate the required zone-to-zone screening between the A-R and the B-1 zones internal to the property.

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

- a. Granting the requested conditional use should not adversely affect the subject or surrounding properties. The school has been in existence on this property since 2012 and will continue operation on the property as it always has. No new buildings are proposed for the A-R portion of the property. Should any buildings be proposed in the future for the A-R

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portion of the property, size will be limited to a total of 10,000 square feet and will require Board of Adjustment approval of a conditional use.

- b. Necessary public services and facilities, such as fire and police protection, are available and adequate to the subject property. Sewage treatment is privately provided by septic system, and must be inspected by the Fayette County Board of Health for adequacy prior to either the expansion of the existing building or the construction of the new building.

The Staff Recommends: **Approval of the variance to increase the maximum allowable setback in the B-1 zone from 20 feet to 331 feet**, for the following reasons:

- a. Granting the requested variance will not adversely affect the public health, safety or welfare, nor will it alter the character of the general vicinity. The proposed building will be in the same location as the existing building, which is already at a much greater setback than the current requirement.
- b. The special circumstances that serve to justify the variance are the current location of the existing building, which is at least 90 feet from the right-of-way (and non-conforming), and the presence of 100-year FEMA floodplain on much of the property, which prohibits locating the new building anywhere within 10 to 20 feet of the right-of-way.
- c. Strict application of the Zoning Ordinance would nearly preclude construction of the proposed building. The property is already severely constricted with regard to development capability, which would be even more true if made to comply with the 10 to 20-foot setback requirement.

The Staff Recommends: **Postponement of the landscape variance to waive the zone-to-zone screening requirements between the B-1 and the A-R zones**, for the following reason:

- a. The Landscape Review Committee has not had an opportunity to review the requested variance. The next scheduled meeting is on August 15; and if a quorum is present, a recommendation on the requested landscape variance will likely be made. Although the staff sees the requested variance as logical and justified, until that meeting occurs, it is best to defer a substantive recommendation.

These recommendations of approval are made subject to the following conditions:

1. Should the subject property be rezoned to A-R and B-1 as proposed, it shall be developed according to the submitted Zoning Development Plan, or as further amended by the Planning Commission.
2. All necessary permits, including a Zoning Compliance Permit, Building and Paving permits, and a Certificate of Occupancy, shall be obtained from the Divisions of Planning and Building Inspection prior to any construction, and prior to occupancy of the new building.
3. Due to the size of the proposed building and its location, the design of the parking lot, access drive and internal circulation shall be subject to review and approval by the Division of Traffic Engineering prior to construction of the new building.
4. Due to the large size of the proposed building and the presence of 100-year FEMA floodplain, a storm water management plan shall be implemented in accordance with the requirements of the adopted Engineering Manuals, subject to acceptance by the Division of Engineering.

D. PLN- MJDP-17-00082: NEWTON'S ATTIC PROPERTY – FT. SPRINGS (10/1/17)* - located at 4974 Old Versailles Road
(Banks Engineers)

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

1. Provided the Urban County Council rezones the property B-1 & A-R; 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: This property shall be developed in accordance with Article 19 of the Zoning Ordinance.
7. Denote lot coverage and floor area ratio per Article 21 of the Zoning Ordinance.
8. Resolve need for additional off-street parking area, and associated landscaping requirement.
9. Provided the Planning Commission grants the requested waiver to Articles 8-16(h) of the Zoning Ordinance.
10. Provided the Planning Commission grants the requested waiver to Articles 18-3(a)(i) of the Zoning Ordinance.
11. Denote height of proposed building (35' maximum).

3. **LEESTOWN VA HOUSING, LLLP ZONING MAP AMENDMENT & LEESTOWN VA HOUSING ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-17-00026: LEESTOWN VA HOUSING, LLLP (10/1/17)*- petition for a zone map amendment from an Agricultural Urban (A-U) zone to a High Density Apartment (R-4) zone, for 10.68 net and gross acres, for property located at 2250 Leestown Road (a portion of).

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COMPREHENSIVE PLAN AND PROPOSED USE

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The Plan encourages infill, redevelopment, and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a), providing well-designed neighborhoods (Theme A, Goal #3); protecting the environment (Theme B); working to achieve an effective and comprehensive transportation system (Theme D, Goal #1); providing for accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2); protecting and enhance natural landscapes that give Lexington its unique identity and image (Theme D, Goal #3); compact and contiguous development within the Urban Service Area (Theme E, Goal #1); and encourages development of vacant and underutilized parcels (Theme E, Goal #3). Additional policy statements in the Plan are also relevant to the proposed zone change request.

The petitioner proposes to develop the 10-acre site with a mixture of townhouses and multi-family residential units, and the associated off-street parking. The petitioner proposes a total of 50 dwelling units, for a residential density of 4.7 dwelling units per acre.

The Zoning Committee Recommended: **Approval.**

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

1. The requested High Density Apartment (R-4) zoning is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan encourage expanded housing choices, specifically safe, affordable, and accessible housing to meet the needs of older and/or disadvantaged residents (Theme A, Goal #1c.). The project will be comprised of 50 dwelling units that are deed restricted for low income households, with preference given to military veterans.
 - b. Additionally, the 2013 Comprehensive Plan recommends infill, redevelopment, and adaptive reuse that respects the area's context and design features (Theme A, Goal #2a); compact and contiguous development within the Urban Service Area (Theme E, Goal #1) and encourages development of vacant and underutilized parcels (Theme E, Goal #3). The petitioner plans to adaptively reuse four structures on the VA Medical Campus and construct six new buildings to provide necessary housing for disadvantaged populations. The VA Medical Campus is not only "found land," but is considered underutilized based upon its vast acreage and abundant open spaces. There will be an opportunity in the future to increase the density of the underutilized subject property above the density currently proposed.
 - c. The Goals and Objectives recommend well-designed neighborhoods that include mixed-type housing (Theme A, Goal #3), which the petitioner is providing with a combination of townhouses and multi-family dwelling units.
 - d. The 2013 Comprehensive Plan Goals and Objectives encourage accessible community facilities and services to meet the health, safety, and quality of life needs of residents and visitors (Theme D, Goal #2). The proposed residential development will have direct access to services provided by the Veterans Administration, as well as access to educational services.
2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00076: Leestown VA Housing, 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-17-00076: LEESTOWN VA HOUSING (10/1/17)* - located at 2250 Leestown Road.
(EA Partners)

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

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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. Denote proposed detention areas on plan.
8. Denote height of building in feet on plan.
9. Addition of sidewalk connections to existing ones on Opportunity Way.

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10. Addition of existing and proposed easements on plan.
11. Discuss necessary improvements to Opportunity Way.

4. **MEADOWTHORPE SENIOR HOUSING, LLLP ZONING MAP AMENDMENT & MEADOWTHORPE COMMUNITY BUSINESS CENTER, UNIT 1 ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-17-00027: MEADOWTHORPE SENIOR HOUSING, LLLP (10/1/17)*- petition for a zone map amendment from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone, for 3.72 net (4.33 gross) acres, for property located at 1447 Antique Drive.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner is requesting a High Density Apartment (R-4) zone in order to develop a multi-family residential building for seniors on the subject property. The petitioner proposes to construct 61 dwelling units, for a residential density of 16.4 dwelling units per acre.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested High Density Apartment (R-4) zone for the subject property is in agreement with the 2013 Comprehensive Plan for the following reasons:
 - a. The Goals and Objectives of the 2013 Plan recommend planning for safe, affordable, and accessible housing to meet the needs of older residents of Lexington-Fayette County (Theme A., Goal #1c). This development will accomplish that goal, by providing affordable, elderly housing within the established Meadowthorpe neighborhood and near one of the community's largest shopping areas.
 - b. The Goals and Objectives support infill and redevelopment that is context sensitive to the adjoining neighborhood (Theme A, Goal #2a.); and recommend the provision of well-designed neighborhoods (Theme A, Goal #3). In this case, the proposed elderly housing will be a transitional land use between commercial development along Leestown Road and the existing neighborhood, which includes a variety of housing types, and will create affordable residential dwelling units.
 - c. The Plan's Goals and Objectives recommend the development of vacant and/or underutilized property for compact, contiguous and sustainable development (Theme E, Goal #1b.). The petitioner proposes a residential density of over 16 dwelling units per acre, adjacent to professional offices, neighborhood businesses and other multi-family residential land uses to further implement the concept of a mixed-use neighborhood node, which is a sustainable land use pattern. Additionally, the development will help to create a more walkable neighborhood by providing a safe, desirable link from the neighborhood into the adjoining Meadowthorpe Shopping Center.
 2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00080: Meadowthorpe Community Business Center, Unit 1 (Amd.), 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-17-00080: MEADOWTHORPE COMMUNITY BUSINESS CENTER, UNIT 1 (AMD) (10/1/17)* - located 1447 Antique Drive

(Vision Engineering)

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

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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. Addition of zone-to-zone screening.
8. Denote use on property to verify required parking.
9. Denote location of sinkhole from application.
10. Clarify required and proposed parking and open space area.
11. Addition of Antique Drive cross-section for parking area near N. Forbes Road, and add location of cross-sections on plan.

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12. Dimension building and courtyard.
13. Provide lot coverage and floor area ratio per Article 21 requirements.
14. Discuss utility and access easement conflicts and where applicant is in the release process with the final development plan.
15. Discuss parking spaces adjacent to Antique Drive right-of-way, near N. Forbes Road.

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

- a. PLN-MAR-17-00028: ATCHISON HELLER CONSTRUCTION (10/1/17)*- 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 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 combination of detached single-family and townhouse residential dwelling units. The petitioner proposes 39 dwelling units for the site, for an average density of 3.39 units per net acre.

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, for the following reasons:
 - a. The Comprehensive Plan recommends *Growing Successful Neighborhoods* (Theme A, and Chapter 3), which encourages expanding housing choices that addresses the market needs for all of Lexington-Fayette County's residents (Goal #1b.); encourages infill, redevelopment and adaptive reuse that respects the area's context and design features (Goal #2a); and providing well-designed neighborhoods, including neighborhoods that are connected for pedestrian and various modes of transportation (Goal #3 and #3b.). The petitioner has proposed a mixture of single-family and townhouse residential dwelling unit types to meet the needs of the community at a density of 3.39 units per net acre. The development will need to be incorporated into the adjoining neighborhoods to the west and east of the subject property to ensure a well-designed neighborhood is provided at this location, and access easements for single-family residences should be minimized.
 - b. The 2013 Comprehensive Plan recommends *Protecting the Environment* (Theme B and Chapter 4) by encouraging sustainable use of natural resources (Goal #2b.) and management of green infrastructure, which includes the protection of environmentally sensitive areas, before development occurs. The petitioner proposes, through the corollary development plan to maintain the drainageway, which has now been identified as a floodplain, and tree stand along the tributary of East Hickman Creek. The petitioner is also protecting numerous significant trees on the site.
 - c. The 2013 Comprehensive Plan recommends *Improving a Desirable Community* (Theme D and Chapter 6) by working to achieve an effective and comprehensive transportation system (Goal #1). The petitioner will need to provide an appropriate termination of Beringer Drive, an existing stub street, or connect Beringer Drive through the subject property to Kenesaw Drive.
 - d. The 2013 Comprehensive Plan recommends compact and contiguous development within the Urban Service Area through absorption of vacant and underutilized land (Theme E, Goal #1), which is being met by the petitioner's proposal, and the plan is compatible with the existing residential uses surrounding the subject property.
2. This recommendation is made subject to approval and certification of PLN-MJDP-17-00077: Harper Woods, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

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- b. PLN- MJDP-17-00077: HARPER WOODS (10/1/17)* - located at 2311 Armstrong Road and 3539 Kenesaw Drive.
(EA Partners)

The Subdivision Committee Recommended: Postponement. There were some questions regarding the plan status, the long-term maintenance of private infrastructure and the number of "discussion" items.

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. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Extend interior sidewalk system to Beringer Drive in front of townhouse Units 32-38.
7. Clarify 25' floodplain setback on Lots 30 & 31.
8. Addition of right-of-way reservation on adjoining (church) property.
9. Addition of vehicular use area landscaping adjacent to the R-1C zone.
10. Revise street geometrics at Beringer Drive cul-de-sac to have right-of-way at the back of sidewalk.
11. Discuss street status (private or public).
12. Discuss potential subdivision of townhouses and lot access findings.
13. Discuss buildable area proposed on Lots 19, 20 & 31.
14. Discuss proposed structures on Lots 5-15.
15. Discuss long term maintenance of 100' vegetative buffer zone on single family lots.
16. Discuss tree protection area and/or measures on Lots 24-30.

6. GREENDALE PROPERTIES, LLC ZONING MAP AMENDMENT & GREENDALE HILLS, UNIT 3 ZONING DEVELOPMENT PLAN

- a. PLN-MAR-17-00030: GREENDALE PROPERTIES, LLC (10/1/17)*- petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone, for 9.45 net (10.26 gross) acres, and from a Planned Neighborhood Residential (R-3) zone to a Planned Shopping Center (B-P6) zone for 0.43 gross acres, for property located at 1201 Greendale 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 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 petitioner proposes a rezoning mostly from a restricted Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone in order to develop a community shopping center (between 3 and 10 acres is size), to include retail sales establishments, restaurants, a convenience store, a bank and associated off-street parking areas.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The proposed Planned Shopping Center (B-6P) zone is in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The development of this vacant property, encouraged by this rezoning, would support infill and redevelopment efforts recommended by the Plan (Theme A, Goal #2),
 - b. Infrastructure is in place to support this development with a minimal disruption of existing natural features of the land (Theme A, Goal #3c.).
 - c. A community-oriented commercial development of the subject site would result in an improved design for this neighborhood and for this portion of the community (Theme A, Goal #3.).
 - d. A neighborhood-oriented shopping center at this location will create some jobs in close proximity to where people live (Theme C, Goal #1d.).
 - e. Such a commercial center will have the ability to be accessed by sidewalks, bicycles and passenger vehicles (Theme D, Goal #2).
 - f. This center will provide accessible community facilities and services to an under-served area of the community, as there are no other shopping centers within two miles of this site (Theme E, Goal #1b.).

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2. This recommendation is made subject to approval and certification of the associated development plan, PLN-MJDP-17-00084: Greendale Hills, Unit 3 (Amd.), 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 for the property B-6P zone shall be imposed on the subject property:
 - a. A residential use, and residential floor area, shall be located in a building constructed on the northern-most portion of the subject property nearest the intersection of Lucille Drive and Mulundy Drive.
- b. PLN- MJDP-17-00084: GREENDALE HILLS, UNIT 3 (10/1/17)* - located at 1201 Greendale Road.
(Barrett Partners)

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

1. Provided the Urban County Council rezones the property B-6P; 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. Addition of conditional zoning restrictions.
8. Revise plan to comply with Article 12-8(b) of the Zoning Ordinance.
9. Revise plan to comply with Article 12-8(f) of the Zoning Ordinance for loading areas.
10. Discuss a possible residential use along Lucille Drive between adjacent single family homes and shopping center.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

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.

23A-10(j) SPECIAL PROVISIONS

12. Supportive uses shall be principal permitted uses, regulated subject to the following requirements:
 - a. Supportive uses shall not exceed a maximum of eighteen percent (18%) of the otherwise permitted floor area within a development, as identified on the associated final development plan. Mixed use buildings shall count toward the maximum permitted floor area of supportive uses herein, but not count toward the residential use maximum identified below in Article 23A-10(j)12b. Structures dedicated solely to residential use shall not toward the supportive use maximum because they will be limited by Article 23A-10(j)b. and d.
 - b. Residential land uses shall not exceed eight and one-half percent (8.5%) of the gross land area within a development, as identified on the associated final development plan.
 - c. A maximum of twenty percent (20%) of all supportive uses may be constructed prior to construction of other principal permitted uses listed in Article 23A-10(b). The allowable floor area for supportive uses shall be calculated based upon the total number of gross acres within the boundary of the final development plan and the permitted maximum Floor Area Ratio established by Article 23A-10(g).
 - d. The maximum density for townhouses (3 or more units attached) shall be 12 dwelling units per gross acre, not to exceed 360 total townhouses. The maximum density of multi-family dwellings shall be 24 dwelling units per gross acre, not to exceed 360 total multi-family dwellings.

The Zoning Committee Recommended: **Approval**.

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

1. The proposed text amendment to allow a relaxation in regulations for tracts less than 10 acres in size would create an incentive for land owners to subvert the requirements of Article 23A-10 the Zoning Ordinance for the Economic Development (ED) zone recently adopted by the Urban County Council. This is poor planning policy and creates opportunities for unintended consequences.
2. The proposed text amendment is contrary to the intent of the ED zone and the 2013 Comprehensive Plan in that it could encourage lower-paying service-related jobs, rather than the higher-paying manufacturing, industrial, technology, health care or professional jobs.

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3. There is no reason why a tract of less than 10 acres in size could not successfully develop any number of the other principal permitted uses (new or long-standing) in the ED zone.
4. The proposed text amendment would encourage land owners to subdivide their property into small parcels in order to relax the new parameters for supportive uses in the ED zone just adopted within the past month. Given that subdivision of land is a “ministerial” act which, if the land subdivision regulations are met, which would be difficult to deny by the Planning Commission, this could deplete the supply of larger parcels for ED uses.

VI. COMMISSION ITEMS

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

A. Long Range Planning Activity Report

Imagine Lexington

Staff met with the Planning Commission for a work session on July 20th to continue discussion on the draft Goals and Objectives for the 2018 Comprehensive Plan Update. At this meeting, Staff presented the Planning Commission with a list of “consent” and “discussion” items for the Goals and Objectives. The “consent” items represented the Goals and Objectives with which no concern or comments were made by the Planning Commission, while the “discussion” items were marked by one or several Planning Commissioners as wishing to have further discussion via the Google Survey set up by Staff in May 2017. Staff made clear to the Planning Commission that placing an item on the “consent” list did not mean a vote for approval, but that these items would go on the final draft of the Goals and Objectives for a final vote to be held on August 31st at the public hearing.

Staff also presented to the Planning Commission at their July 20th work session a new goal and new objectives that would fall under Theme E – Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land. This new goal and the new objectives propose a new process for determining long-term land use decisions involving the Urban Service Area and Rural Activity Centers. This would be done through the conduction of a study that would focus on preserving key agricultural resources from development pressures and identifying land for future urban development. Concerns were expressed with how this study may be conducted, so Staff will prepare more materials on how this study may hypothetically be structured and will present the materials to the Planning Commission at the next work session on August 17th, 2017.

All of the materials presented to the Planning Commission at their work sessions are made available to the public on *Imagine Lexington's* website, www.imaginelexington.com. Along with these work session packets are many other resources for the public to learn more about the planning process, other plans or studies conducted by the Division of Planning, as well as information on how to contact the Division of Planning with questions, concerns or comments on the planning process.

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 discussed *Imagine Lexington*, the 2018 Comprehensive Plan Update and the Rural Land Management Plan Update.

Staff Retirement

After 16 dedicated years to public service with the Division of Planning, Cindy Deitz, the Greenspace Planner retired on July 31st.

APA Audio Conferences

For many years, Staff has hosted APA Audio Conferences for continuing-education credits for both LFUCG and AICP. There were three APA Audio Conferences hosted in the month of July, whose titles were as follows: *2017 Planning Law Review*, *Placemaking and Public Art* and .

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.

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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 4 weekly repaving meetings with Streets and Roads.
- Attended University of Kentucky Bicycle Advisory Committee Meeting.
- The MPO website had 732 visits from 504 users and 1,382 page views in July.
- The MPO's Twitter site had 2,064 followers in July.
- The MPO's Facebook page grew by 13 likes to 835 in July. The page had 29 engaged users and reached 199 users.

1.4 Staff Development

- Attended webinar titled "Placemaking and Public Art."
- Attended webinar titled "Parking counts - Understanding demand in cities."

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 Planning and Traffic Engineering staff to prepare and schedule presentations for the CM Committee meeting.
- Contacted consultants, Lextran and UK staff to schedule updates for the CM Committee meeting regarding Beaumont Area Traffic Study and Traffic Data Source Analysis/Comparison.
- Worked with KYTC and Traffic Engineering staff on ITS-CMS project coordination.
- Reviewed specifications in regard to traffic signal system controller and traffic management system requirements.
- 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 "boosted" project recommendations and justification and submitted to KYTC.

2.3 Air Quality Activities

- 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.
- Distributed CMAQ application notice to stakeholders and coordinated with various divisions on applications and emission calculations.

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 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. 22 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 24 plans for bike and pedestrian circulation requirements.
- Corresponded on 14 plans approved by the planning commission for compliance with conditional signoff requirements.
- Held meeting with Traffic Engineering and Engineering to discuss the application for the Safe Streets Academy.

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- Discussed bike safety, planning and upcoming projects on Lexington Community Radio NOLI CDC radio hour.
- Gave a presentation to Pedal for a Purpose participants about bike and pedestrian planning in Lexington and Jessamine County.
- Worked with the “Nerd Squad” youth development program to evaluate transportation safety in the north end around Castlewood Park.
- Gathered input from underserved residents for the BPMP update at the north end fresh stop market.
- Gathered input from the Commission for People with Disabilities for the BPMP update.
- Worked with consulting team on the bike and pedestrian network evaluation phase of the BPMP update.
- Held calls with the consulting team for the BPMP to discuss plan progress and ongoing community outreach.
- Developed cost estimates for Cooper Dr and Alumni Drive repaving and minor widening projects for the UK.
- Reviewed major and minor arterials and collectors for the inclusion of bicycle and pedestrian improvements.
- Promoted the upcoming Traffic Safety 101 class by developing a flyer and posting to social media.
- Worked with UK to reinstall bike racks with additional racks on South Limestone.
- 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 bike rack installation project for District 3.

3.3 Transit Planning

- Staff attended Via Creative board meeting as Co-Chair.
- Met several contractors at Winburn Community Action Council to discuss plans for building bus shelter.
- Conducted FTSB board meeting as chair.

3.4 Mobility Coordination

- No activity to report.

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

4.2 Transportation Improvement Programming (TIP)

- Completed TIP Modification #3.

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 summer upward trend in zoning complaints stabilized somewhat in July, with 52 new case investigations initiated. Over 50% 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 51 cases were resolved in July, meaning that necessary actions were taken by a property owner or occupant to fix a zoning compliance problem. A total of 32 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 July, 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 18 applications for remodel activity, “fit-ups” or change in use requests.

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 re-

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sulting issuance of a building permit for the expansion has been contested by an adjoining property owner, and that appeal was considered by the Board of Adjustment at the July 28th public hearing.

Board of Adjustment

Five applications/appeals were fully considered by the BOA at the July 28 public hearing, consisting of two variances, two conditional uses and the above-referenced administrative appeal relating to the property on Holiday Road. All of the variance and conditional use requests were approved. Of those, perhaps most noteworthy is the approval of a variance for an over-sized accessory building on Swigert Avenue. That request, which originally was met with considerable neighborhood opposition, was approved with a substantial reduction in the size of the proposed building.

The administrative appeal was not approved, thereby upholding staff's issuance of the zoning compliance permit/sign-off that led to the building permit. The primary finding of the Board for that case was that the additions in question, although substantial, did not constitute an increase in non-conformity because the setbacks associated with the non-conforming structures were not being reduced.

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 2017**

Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	September 7, 2017
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	September 7, 2017
Subdivision and ND-1 Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	September 14, 2017
Work Session, Thursday, 1:30 p.m., 1:30 p.m., 2nd Floor Council Chambers.....	September 21, 2017
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	September 27, 2017
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	September 28, 2017

X. **ADJOURNMENT**

TLW/TM/dw

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