

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

June 27, 2019

- 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 May 23, 2019, 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, June 6, 2019, at 8:30 a.m. The meeting was attended by Commission members: Will Berkley, Karen Mundy, Frank Penn, Carolyn Plumlee, and Mike Owens (arrived at 8:48 am). Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Cheryl Gallt, Lauren Hedge, Denice Bullock, Hal Baillie, Chris Taylor, Jimmy Emmons; Captain Greg Lengal, Division of Fire & Emergency Services; & Chad Edwards, 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.*

1. DEVELOPMENT PLANS

- a. PLN-MJDP-19-00020: WEBB PROPERTIES, UNIT 1, BLK A, OUTLOT 2 (REGENCY POINT) (AMD) (6/30/19)* - located at 150 W. LOWERY LANE AND 2350 NORMAN LANE, LEXINGTON, KY.
Council District 10
Project Contact: CMW

Note: The Planning Commission postponed this item at their May 9, 2019 and May 23, 2019, meeting. The purpose of this amendment is to add a 4,550 sq. ft. building and associated parking on Outlot 2, Block A; add a new access drive on Nicholasville Road; revise interior parking layout on Lots 1 & 2, Block B and to revise the site statistics.

The Subdivision Committee Recommends: Postponement. There are concerns with the overall developments compliance with Article 18 VUA, Article 12 Commercial Center of the Zoning Ordinance, and the development of a regional detention basin.

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

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. Landscape Examiner'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. Department of Highway's approval of access on Nicholasville Road.
11. Denote use of proposed and existing buildings.
12. Correct vicinity map.
13. Addition of proposed and existing utility easements.
14. Correct zoning category name in site statistics.
15. Delete notes requesting FAR waivers (not necessary).
16. Discuss requested tree canopy waiver per note #24.
17. Discuss compliance with VUA landscaping per Article 18 of the Zoning Ordinance.
18. Discuss compliance with Article 12-8(h) multi-modal accommodations.
19. Discuss access to Nicholasville Road (US 27).
20. Discuss proposed use of underground detention for a 50+ acre watershed for stormwater management.

- V. **ZONING ITEMS** - The Zoning Committee met on Thursday, June 3, 2019 at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members: Patrick Brewer, Larry Forester, Bruce Nicol, Graham Pohl and Bill Wilson. Staff members in attendance were: Traci Wade, Tom Martin; Hal Baillie, Craig Bencz, Lauren Hedge, Jim

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Duncan, Jimmy Emmons, Chris Woodall, Chris Taylor, and Debbie Woods, and Chad Edwards, Department of Law. 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. ROMAN CATHOLIC BISHOP DIOCESE OF LEXINGTON ZONING MAP AMENDMENT & AYLESFORD SUBDIVISION (HOLY SPIRIT PARISH NEWMAN CENTER) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-18-00017: ROMAN CATHOLIC BISHOP DIOCESE OF LEXINGTON (8/27/19)*- a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Two Family Residential (R-2) zone, for 1.48 net (1.69 gross) acres, for property located at 316-408 Rose Lane. A conditional use permit and two variances are also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The Plan's mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World. In addition, the Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The petitioner proposes a rezoning to allow for the redevelopment and expansion of the Catholic Newman Center. The redevelopment of the site will include new student public space, meeting space, and a third-floor residence. The petitioner has also requested that the Planning Commission also review their conditional use permit and a dimensional variances for the subject property.

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

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

1. The requested Two-Family Residential (R-2) zone is in agreement with the 2013 Comprehensive Plan and the adopted Goals and Objectives of the 2018 Comprehensive Plan, for the following reasons:
 - a. The proposed development supports infill and redevelopment throughout the Urban Service Area, as it will allow for greater utilization of the Newman Center's current location (Theme A, Goal #2)
 - b. The Newman Center provides a spiritual and community resource to the area and helps to create well-designed neighborhoods and communities (Theme A, Goal #3)
 - c. The Newman Center provides a community facility at a neighborhood scale, which will provide services to its surrounding community, including the surrounding Lexington parishioners and University of Kentucky students (Theme A, Goal #4; Theme C, Goal #2.d; and Theme D, Goal #2).

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2. This recommendation is made subject to approval and certification of PLN-MJDP-18-00067: Alyesford Subdivision (Holy Spirit Parish Newman Center), 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. CONDITIONAL USE & VARIANCE REQUEST

REQUESTED CONDITIONAL USE

1. Place of religious assembly.

REQUESTED VARIANCES

1. To increase the maximum allowable height of the building from 35 feet to 50 feet.
2. To reduce the front yard setback from 30 feet to 20 feet along Rose Lane.

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, nor will the proposed addition to the place of religious assembly harm the public health, safety or welfare, and will not impair the integrity or character of the zone in which it is located. The Newman Center has been operating at this location for over 50 years, and the expansion will serve the parish and students of the University of Kentucky in a more complete manner. The proposed building will be in keeping with the size and setbacks of the surrounding buildings, which include sororities, fraternities and university buildings.
- b. All necessary public services and facilities such as utilities, fire and police protection, sanitary and storm sewers, roadways and sidewalks are currently available and are adequate to serve the subject property.

The Staff Recommends: **Approval of the variances to increase the maximum allowable height of the building from 35 feet to 50 feet and to reduce the front yard from 30 feet to 20 feet**, for the following reasons:

- a. Granting the requested variances 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 only 15 feet taller than the limitation of the R-2 zone, but will be at a similar height and scale to other structures in the immediate area. The front yard setback will also be more in keeping with the character of the immediate area. As the University of Kentucky has grown, university-oriented uses has surrounding the Newman Center, and they have been developed at a greater intensity than the current zoning would otherwise allow because the University is exempt from compliance with zoning regulations. Additionally, there is a need for the Newman Center to maintain its location to serve and minister to the growing population of students. The variances will allow the construction of an addition on the existing property that is consistent with and appropriate to the surrounding area.
- b. Granting these variances will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because the surrounding area has developed at a much greater density and intensity than the existing regulations allow. The variances will allow the applicant to construct a new facility appropriate to serve a student-oriented ministry adjacent to a major university.
- c. The special circumstance that serves to justify these two variances is that the University of Kentucky continues to grow to serve more students, and has purchased all of the property along Rose Lane. Adjacent properties have developed in a manner inconsistent with the underlying zoning. The proposed height and setback will allow for the new addition to be consistent and compatible with the surrounding buildings.
- d. Strict application of the Zoning Ordinance would deprive the applicant of a reasonable use of its land or create an unnecessary hardship because the applicant would not be able to construct a facility to adequately serve the needs of the growing University of Kentucky campus and would not be able to use its property in a manner consistent with surrounding uses.
- e. The circumstances surrounding the requested variances are not the result of the actions of this applicant taken subsequent to the regulation being adopted. The changes to the surrounding area by an exempt public entity, not the actions of the applicant, have significantly changed the nature and character of the area, and the applicant is requesting relief prior to initiation of any construction on the subject property.

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

1. Should the portion of the subject property be rezoned to R-2 as proposed, the entirety of the property shall be developed according to the submitted Development Plan, or as further amended by the Planning Commission.
2. All necessary permits, including a Zoning Compliance Permit, Building and Paving permits, Land Disturbance permit and a Certificate of Occupancy, shall be obtained from the Divisions of Planning, Building Inspection and Engineering prior to any construction, and prior to occupancy of any of the buildings on the property.
3. An executed parking agreement documenting the available use of the adjoining parking lot consisting of at least 41 spaces shall be provided to the Division of Building Inspection at the time a building permit is applied for and/or an occupancy permit is issued to verify compliance with the required parking for the place of religious assembly.

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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 note shall be placed on the Zoning Development Plan indicating the conditional use and variances that the Planning Commission has approved for this property [under Article 6-4(c) of the Zoning Ordinance].
- c. PLN-MJDP-18-00067: AYLESFORD SUBDIVISION (HOLY SPIRIT PARISH NEWMAN CENTER) (8/27/19)* - located at 316-406 ROSE LANE
Project Contact: Carman

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

1. Provided the Urban County Council rezones the property R-2; 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. Provided the Planning Commission grants the requested variances.
6. Include area between lot line and Columbia Terrace as part of the subject property and provide deed of correction prior to certification.

2. WINTERWOOD, INC. ZONING MAP AMENDMENT & WINTERWOOD, LLC (1812 VERSAILLED RD) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-19-00009: WINTERWOOD, INC. (8/4/19)*- a petition for a zone map amendment from a Two-Family Residential (R-2) zone to a Planned Neighborhood Residential (R-3) zone, for 3.82 net (3.92 gross) acres, for property located at 1812 Versailles Road. A conditional use permit is also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. 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 petitioner has requested a zone change from a Two Family Residential (R-2) zone to a Planned Neighborhood Residential (R-3) zone for 3.82 net (3.92 gross) acres for the properties located at 1812 Versailles Road. The proposed development includes four (4) multi-family apartment buildings, with a total of 28 dwelling units, and an associated community center. The proposed development represents a density of 7.33 dwelling units per acre. In compliance with the LFUCG Zoning Ordinance (8-12(d)(3)), the applicant is seeking a conditional use for the establishment of the community center.

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

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

1. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Enhanced Neighborhood Place Type, and the Medium Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 1. Site Planning
 2. Open Space and Landscaping
 - b. B-PR7-1: Connections to greenways, tree stands, and stream corridors should be provided.
 - c. E-GR3-2: New focal points should emphasize geographic features unique to the site.
- b. CONDITIONAL USE REQUEST
 1. Community center

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

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 proposed community center, in general, is encouraged by the Comprehensive Plan, and will coincide with and help to facilitate the adopted pillars of the Plan. Traffic from the proposed conditional use, even with the proposed surrounding residential development, should not exceed the carrying capacity of the current road system. Adequate parking will be provided to serve the community center.

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- b. All necessary public services and facilities are available to and either are or will be adequate to serve the subject property.

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

1. Should the subject property be rezoned to R-3, it shall be developed according to the approved 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 facilities.
3. The associated parking lot and driveway shall be paved, with spaces delineated, and landscaped/screened in accordance with Articles 16 and 18 of the Zoning Ordinance.

- c. PLN-MJDP-19-00031: WINTERWOOD, LLC (1812 VERSAILLED RD) (8/4/19)* - located at 1812 VERSAILLES ROAD.
Project Contact: CDP Engineers, Inc.

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

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Denote lot coverage and floor area ratio per Article 21 of the Zoning Ordinance.
8. Denote the 100 year floodplain contour and the 25' setback on plan.

Subsequent to the Technical Committee meeting, Planning Staff completed an evaluation of the Placebuilder development criteria.

9. Discuss the following Placebuilder Criteria:
 - I. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - II. B-PR7-1: Connections to greenways, tree stands, and stream corridors should be provided.
 - III. E-GR3-2: New focal points should emphasize geographic features unique to the site.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **ZOTA 2019-2: ALTERNATIVE REGULATION FOR ZONING MAP AMENDMENT (KRS 100.2111)** - petition for a Zoning Ordinance text amendment to update Article 6 to create an alternative zone change process.

INITIATED 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 reason:

1. The proposed text amendment to Article 6 to adopt an alternative map amendment request process will accelerate approval of uncontested zone changes, will ensure uncontested zone changes are not encumbered by extended Council breaks and will allow the government staff and decision makers to focus on the zone change applications that are likely to be contested.

2. **ZOTA 2019-3: AMENDMENT TO ARTICLE 17: SIGN ORDINANCE UPDATE** – a petition for a Zoning Ordinance text amendment to update Article 17 for content neutral language in the sign ordinance. This amendment also updates sign regulations and updates references throughout the Zoning Ordinance.

INITIATED 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 to Article 17 to adopt content neutral signage regulations ensures compliance with the *Reed v Town of Gilbert* U.S. Supreme Court decision, is responsive to the Urban County Council's direction for the Planning

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Commission to initiate and proceed with this text amendment, and addresses other known issues throughout this article of the Zoning Ordinance.

VI. **COMMISSION ITEMS** - The Chair will announce that any item a Commission member would like to present will be heard at this time.

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

A. Transportation Planning Activity Report

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

- Attended LFUCG Pedestrian Safety Work Group.
- Attended LFUCG Corridors Commission.
- Attended Commission for People with Disabilities meeting.
- Attended 4 weekly paving meetings at Streets and Roads.
- Attended University of Kentucky Bicycle Advisory Committee meeting.
- Attended KYTC/LFUCG Maintenance and Operations meeting.
- Attended Bluegrass Area Development District Regional Transportation Meeting.
- Attended SHIFT 2020 coordination meeting with District 7 and BGADD.
- Attended Lexington's Neighborhoods in Transition Task Force meeting.
- The MPO website had 485 visits from 373 users (81% new users) and 1,152 page views in May.
- Completed substantial edits to the "Projects" page of the MPO website.
- The MPO's Twitter site had 2,048 followers in May.
- The MPO's Facebook page had 3,516 likes in May; reached 595 users; and had 29 engaged users.

1.2 Staff Development

- Attended Social Media Training.

2.1 Congestion Management Process (CMP)

- Worked to prepare a Top-10 bottleneck ranking spreadsheet to track congestion trends since 2016 using INRIX roadway analytics data.
- Reviewed congestion management process overview and intelligent transportation system architecture documents to prepare PowerPoint presentation for MPO Federal Certification Review.
- Reviewed national performance measures for congestion, reliability, freight, and CMAQ traffic congestion.
- Reviewed Road Traffic Congestion: A Concise Guide from Springer Tracts on transportation and traffic.
- Used 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

- Added summary "Performance Management Plan" as an Appendix in the MTP.
- Worked on final publishing-related edits to the MTP.
- Continued work with the GIS Dept. to create an interactive online map of MTP 2045 Projects.

3.1 Transportation - Land Use Impact Analysis

- Drafted an RFP for the Nicholasville Road Land Use and Corridor Study.
- Provided assistance and answered inquiries on various traffic related issues.
- Attended 3 pre-application meetings to provide transportation planning input on future land use applications.
- Continued coordination with 1 applicant about their traffic impact study for proposed zone changes in Lexington.
- Continued review of 1 amended traffic impact study.
- Provided assistance to LFUCG planning staff and Jessamine County planning staff on transportation related issues.
- Attended weekly meetings to coordinate future Zoning Text Amendments related to transportation.
- Attended meeting with LFUCG Planning and Fayette County Public Schools to discuss school siting opportunities and constraints.
- Attended an on-site meeting with LFUCG officials and property owners/developers at the L&M property in the Distillery District to discuss future redevelopment opportunities and connectivity to the overall district, including with the Town Branch Trail.

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- Met with CM Plomin to discuss Ivy Bridge stub street in southern Fayette County and a neighborhood petition to permanently prevent future connectivity to Jessamine County developments and Brannon Rd.

3.2 Multimodal/Transportation Enhancement Planning

- Responded to approx. 24 citizen/agency requests for information on bike and pedestrian issues.
- Reviewed and submitted comments in Accela for 14 plans for bike and pedestrian circulation requirements.
- Corresponded on 17 plans approved by the planning commission for compliance with conditional signoff requirements.
- Continued data organization and evaluation for the bike share pilot program.
- Continued work with GIS to update the Bike Lexington Map to a digital and print version.
- Continued to work on plan drawings for multi modal improvements on Alexandria, Pasadena and Malibu corridor.
- Met with KYTC D7 consultant to discuss the geometry of a proposed right in right out to improve pedestrian safety at a proposed new development entrance.
- Met with Commissioner of Public Safety and Police on the Shared Mobility Vehicle ordinance and their role in enforcement.
- Prepared and presented to the LexPark Board to get approval on an agreement to have LexPark enforce the Shared Mobility Vehicle ordinance.
- Held individual meetings with CM McCurn, CM Brown and CM Worley to discuss the Shared Mobility Vehicle Ordinance.
- Conducted meetings and held numerous phone calls with SMV companies interested in operating in Lexington.
- Met with Commissioner Albright to discuss possible projects as a part of the UK land/road swap agreement.
- Continued work on the ZOTA to increase sidewalk width minimums.
- Conducted two interviews by Lexington Community Radio representatives to talk about bike and pedestrian safety.
- Conducted site visit with community representatives for the Liberty Trail Cadentown School Connection to determine feasibility and proposed trail alignment.
- Assisted the City of Wilmore and City of Nicholasville in submitting TAP applications for the Wilmore Trail Connector project and East High Trail school connector project.

3.3 Transit Planning

- Attended Via Creative board meeting as Co-Chair.
- Responded to 1 citizen regarding transit bus stop concerns.
- Attended LexTran board meeting.
- Attended FTSB board meeting as chair.

3.4 Mobility Coordination

- Met with marketing team to develop list of deliverables and to provide input on media content.
- Approved the June media schedule, reviewed and aired advertisements.

3.5 Travel Demand Modeling and Project Forecasting

- Used travel demand model for analysis of current development alternatives.

4.1 Program Administration

- Committee meeting packets were prepared for the Bicycle & Pedestrian Advisory Committee.
- Worked with LFUCG Grants on FY 19 budget reconciliations.
- Continued preparations for the FHWA/FTA Certification Review of the MPO's transportation planning process scheduled for June 25 & 26. This includes a project tour, summary presentations of MPO efforts, public meeting arrangements and drafting a public survey.
- Met with Mayor's Office, KY Rep Flood and Kentuckians for Better Transportation to discuss regional transportation and formal membership in KBT.

4.2 Transportation Improvement Programming (TIP)

- Conducted a Project Coordination Team meeting with KYTC and LFUCG agencies to track TIP projects.
- Completed TIP Mod #18 – to add funding for the restoration and preservation of the Valley View Ferry Car Barge.

4.3 Unified Planning Work Program (UPWP)

No activity.

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B. Zoning Compliance Planning Activity Report

Enforcement

A total of 41 new case investigations were initiated in May. Just over 73% of the new cases related to illegal business activity in residential areas, various signage issues and sight distance (impeded visibility at street intersections due to overgrown vegetation, etc.) complaints. Thirty-seven old cases were resolved, meaning that necessary actions were taken by a property owner or occupant to fix a zoning compliance problem. Annual inspections were completed on 38 properties with conditional uses, and all were determined to be in substantial compliance with conditions imposed by the Board of Adjustment.

Permitting

Since January 1, 2012 a Zoning Compliance Permit (ZCP) has 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 May, seven ZCP's were issued, including two for family child care at single-family residential properties.

Technical assistance was provided to the Division of Building Inspection (at weekly "Review Board" meetings) in review of 7 applications for new commercial or multi-family building construction, and 15 applications for remodel activity, "fit-ups" or change in use requests. Permitting staff also devoted much time to issuing official zoning certification letters (10 for the month), responding to numerous citizen inquiries about a diversity of zoning issues, and providing assistance to citizens with getting through the Accela online application process.

Board of Adjustment

Seven appeals were fully considered by the BOA at the May 13th public hearing, consisting of four variances, two conditional use requests and one administrative appeal. One of the variances was disapproved, which involved an accessory garage proposed to be taller than the principal residence on the lot. The two conditional use requests were approved, one for a home-based business for private yoga instruction and one for an expansion of an animal hospital on Nicholasville Road close to the Jessamine County line.

The administrative appeal was also approved, which will allow the antique sales establishment in Athens (formerly a public school) to have a stand-alone restaurant. Under the terms of the prior approval the restaurant could only operate as accessory to the antique sales.

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 rehearing, 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 JULY 2019

Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	July	3, 2019
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	July	3, 2019
Subdivision and ND-1 Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	July	11, 2019
Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	July	18, 2019
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	July	24, 2019
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	July	25, 2019

X. ADJOURNMENT

TLW/TM/HB/dw

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