

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

September 23, 2021

- 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 August 26, 2021, meeting will be considered by the Planning Commission at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, September 2, 2021, at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Headley Bell, Janice Meyer, and Frank Penn. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Jim Duncan, Tom Martin, Hal Baillie, Cheryl Gallt, Samantha Castro, and Stephanie Cunningham; Captain Greg Lengal, Division of Fire and Emergency Services; and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

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

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

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee 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 OR 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)
- Commission discusses and/or votes on the plan.

- V. **ZONING ITEMS** - The Zoning Committee met on Thursday, September 2, 2021, to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members: Zach Davis, Larry Forester, Robin Michler, and Bruce Nicol. Staff members in attendance were: Hal Baillie, Tom Martin, Sam Castro, and Debbie Woods; and Tracy Jones, 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

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B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS - Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) Proponents (10 minute maximum OR 3 minutes each)
 - (b) Objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) Petitioner's comments (5 minute maximum)
 - (b) Citizen objectors (5 minute maximum)
 - (c) Staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s).

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

1. LATA, LLC (AMD) ZONING MAP AMENDMENT & BRYAN PROPERTY, LOT 2 (AMD) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-18-00023: LATA, LLC (AMD) (9/23/21)* - a petition for a zone map amendment from a restricted Highway Service Business (B-3) zone to a Planned Neighborhood Residential (R-3) zone, for 4.98 net and gross acres, for property located at 1800 Bryant 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 rezoning a portion of the parcel to the Planned Residential Neighborhood (R-3) zone to allow for the development of a 100-unit apartment complex with 172 bedrooms, a club house, pool, and associated off-street parking.

The Zoning Committee Recommended: **Disapproval** for the reasons provided by staff.

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

1. The requested rezoning to a Planned Residential Neighborhood (R-3) zone is not in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The proposed R-3 zone does not provide for or create a well-designed neighborhood or community, but rather creates an "islanding effect," that isolates residents rather than incorporates them into the broader community.
 - b. The proposed apartment complex will be physically separated from the surrounding neighborhoods, and situated within an area that is heavily focused on commercial activities.
 2. The proposed Planned Neighborhood Residential (R-3) zone is not appropriate for the subject property, for the following reasons:
 - a. The LFUCG Land Subdivision Regulations Article 6-8(q)(3)(a), Land Use Access for Residential Development states that "apartment complexes, condominium developments, as well as all other developments that are accessed through a common private drive or street system, shall be treated as high density residential developments regardless of the actual overall density of the development" and that "high density private driveways should not intersect local streets."
 - b. The high flow of traffic at the intersection of Bryant Road and Pleasant Ridge Drive, and the carrying capacity of Bryant Road creates a safety risk to potential residents.
 3. There have been no unanticipated changes of a physical, social or economic nature within the immediate area since the Comprehensive Plan was adopted in 2013 that would justify a shift from the B-3 zone for the subject property.
- b. PLN-MJDP-18-00088: BRYAN PROPERTY, LOT 2 (AMD) (9/23/21)* - located at 1800 BRYANT ROAD, LEXINGTON, KY
Project Contact: Vision Engineering

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

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

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. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
7. Remove Lot 1 information from site statistics.
8. Dimension parking lot drive aisles and parking spaces.
9. Dimension pool.
10. Discuss retention of conditional zoning restriction for buffering.
11. Discuss Bryant Road improvements.

2. CERVANTES & ASSOCIATES, LLC ZONING MAP AMENDMENT & WM. SHELY SUBDIVISION, UNIT 2 & HOLLOW CREEK SUBDIVISION UNIT 1 ZONING DEVELOPMENT PLAN

- a. PLN-MAR-21-00008: CERVANTES & ASSOCIATES, LLC (9/23/21)*- a petition for a zone map amendment from a Highway Service Business (B-3) zone to a Neighborhood Business (B-1) zone, for 1.5 net (1.66 gross) acre, for properties located at 505 and 519 W. New Circle.

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 applicant is seeking to rezone the subject property from the Highway Service Business (B-3) zone to the Neighborhood Business (B-1) zone in an effort to convert a currently vacant retail establishment to a banquet facility.

The Zoning Committee Recommended: **Postponement**.

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

1. The requested rezoning to Neighborhood Business (B-1) zone is not in agreement with the 2018 Comprehensive Plan for the following reasons:
 - a. The requested zoning is not a recommended zone within the Comprehensive Plan and the applicant has not provided sufficient information as to how the zone fits in the context of the area,
 - b. The requested rezoning is not in agreement with the Goals, Objectives, and Policies of the 2018 Comprehensive Plan,
 - c. The requested rezoning does is not in agreement with the Development Criteria of the 2018 Comprehensive Plan.
 2. There have been no major unanticipated changes of an economic, social or physical nature in the area of the subject property since the adoption of the 2018 Comprehensive Plan.
 3. The existing Highway Service Business (B-3) zone remains appropriate for the following reasons:
 - a. The location of the subject properties along West New Circle Road is more conducive to access from the traveling public and the subject properties are oriented to those facilities.
 - b. The existing zoning are compatible with adjacent land uses.
 - c. New uses that allow for the intensity and density intended for the properties context can be met within the current building.
- b. PLN-MJDP-21-00035: WM. SHELY SUBDIVISION, UNIT 2 & HOLLOW CREEK SUBDIVISION UNIT 1 (9/23/21)* - located at 505 & 519 WEST NEW CIRCLE ROAD, LEXINGTON, KY
Project Contact: Vision Engineering

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the required parking location and tree canopy.

1. Provided the Urban County Council rezones the property B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.

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6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Denote property is located in the Royal Springs Aquifer Recharge Area.
10. Denote review by the Royal Springs Aquifer Committee.
11. Denote B-1 zone setback per Article 8-16 of the Zoning Ordinance.
12. Denote FEMA floodplain map source.
13. Remove "easement" from 25' setback notation.
14. Denote vegetative buffer per the Engineering Manuals.
15. Dimension drive aisle parallel to existing building.
16. Clarify area of existing tree canopy.
17. Denote FAR, lot coverage, and height of building per Article 21 of the Zoning Ordinance.
18. Discuss zone-to-zone screening.
19. Discuss dumpster location in the floodplain.
20. Discuss off-site parking proposed and possible variance.
21. Discuss substantial improvements per Article 19 relative to proposed change in use.
22. Discuss Placebuilder criteria.

3. LEXINGTON HOME OWNERSHIP ZONING MAP AMENDMENT & WILGUS LOTS (RACE ON THIRD) ZONING DEVELOPMENT PLAN

- a. PLN-MAR-21-00010: LEXINGTON HOME OWNERSHIP (10/31/21)*- a petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone, for 0.32 net (0.47 gross) acre, for properties located at 309, 311 and 315 Race Street and 431 and 433 E. Third Street.

COMPREHENSIVE PLAN AND PROPOSED USE

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The applicant is seeking to rezone the subject properties from a Neighborhood Business (B-1) zone to the Planned Neighborhood Residential (R-3) zone in an effort to construct a townhouse development.

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

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

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed project will establish a residential development on currently underutilized land (Theme A, Goal 2, Objective a.; Theme E, Goal 1, Objective d.; Theme E, Goal 3) and will expand housing choices for the neighborhood (Theme A, Goal 1).
 - b. The proposed rezoning and development project will provide increased density in the defined Infill and Redevelopment Area (Design Policy #8; Sustainability Policy #3), specifically add the missing-middle housing type, which is compatible in scale and form with surrounding structures in the neighborhood (Growth Policy #9).
 - c. The addition of new trees on the properties, adding both internal canopy and street trees along the frontages of the property will reduce the impact of the development on the environment and will create a walkable streetscape along Race and East Third Street (Theme A, Goal 3, Objective d.; Restoration Policy #1; Connectivity Policy #3).
 - d. The proposed project will allow for easy access to nearby facilities and amenities, including community centers, parks and entertainment destinations (Theme A, Goal 3, Objective b.; Theme D, Goal 1, Objective a.; Theme D, Goal 1, Objective b.; Sustainability Policy #2; Design Policy #5; Sustainability Policy #4; Livability Policy #7; Connectivity Policy #3).
 - e. The proposed development provides safe and desirable affordable housing to low and moderate income individuals and families (Theme A, Goal #1.c).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that supports pedestrian mobility.
 - b. The proposed rezoning includes safe facilities for the potential users of the site by prioritizing the inclusion of safe pedestrian facilities. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.

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- c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, limits the impacts on the surrounding environment, and adds tree canopy coverage in the form of street trees and landscape buffers.
- 3. The proposed development is in agreement with the East End Small Area Plan as it meets the following goals:
 - a. Goal #2: The proposed development will create housing that is affordable, accessible, and attractive to a diverse range of people.
 - b. Goal #3: The proposed development will ensure compatibility and encourage a complimentary relationship between adjacent land uses by adding a denser housing type (townhomes), but one that is equivalent in size and use.
- 4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00040: Wilgus Lots (Race on Third), 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-21-00040: WILGUS LOTS (RACE ON THIRD) (10/31/21)* - located at 431-433 EAST THIRD ST. & 309-315 RACE ST., LEXINGTON, KY.
Project Contact: Barrett Partners, 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. United States Postal Service Office's approval of kiosk locations or easement.
- 7. Correct plan title to match staff report.
- 8. Verify area of right-of-way adjacent to northwest corner of the intersection.
- 9. Discuss Placebuilder criteria:
 - a. B-SU11-1 Green infrastructure should be implemented in new development. (E-GR3).

4. **WALKER PROPERTIES OF CENTRAL KY, LLC ZONING MAP AMENDMENT MORNINGSIDE MARKET (AMD) ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-21-00011: WALKER PROPERTIES OF CENTRAL KY, LLC (10/31/21)*- a petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a restricted Light Industrial (I-1) zone, for 2.33 net (2.49 gross) acres, for properties located at 720-740 National Avenue, and for 1.69 net (2.41 gross) acres, for property located at 737 National Avenue.

COMPREHENSIVE PLAN AND PROPOSED USE

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The applicant is seeking a zone change from the Wholesale and Warehouse Business (B-4) zone to the Light Industrial (I-1) zone for the properties located at 720-740 and 737 National Avenue. The zone change application is seeking to allow for greater flexibility for the use of the established structures within the Adaptive Reuse Project area. The applicant is not proposing any major modification of the current properties.

The Zoning Committee Recommended: **Approval**, for the reasons provided by staff.

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

- 1. A restricted Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will allow the National Avenue area to continue growing as a successful aspect of the neighborhood and supporting infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Theme A, Goal #2).
 - b. The Adaptive Reuse Project allows for redevelopment of industrial and warehousing space (Theme A, Goal #2.a), and by utilizing the existing built environment, the proposed project respects the context and design features of surrounding areas (Theme A, Goal #2.b).

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- c. The proposed development produces a well-designed neighborhood and community (Theme A, Goal #3) by preserving the built character of the National Avenue corridor and increasing pedestrian areas provide a space for positive and safe social interactions between the commercial space and the adjacent residential neighborhood (Theme A, Goal #3.a & b).
- d. The proposed project will allow for the continued renovation, restoration, development and maintenance of this historic commercial district and structures (Theme D, Goal #3.b) and allow further development of an existing successful businesses.
- e. The proposed rezoning supports local businesses, allowing for the expansion of the established brew-pub, and can allow the creation of a variety of jobs (Theme C, Goal #1.a).
- f. The proposed zone change encourages development that promotes and enhances tourism (Theme C, Goal #1.b), by supporting the continued success of a tourism-supportive and related business, like micro-breweries, which provide entertainment and other quality of life opportunities that attract young, culturally diverse professionals, and a workforce of all ages and talents to Lexington (Theme C, Goal #1.b).
- 2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates an industrial development that works with the established infrastructure and will allow for safe pedestrian mobility.
 - b. The proposed rezoning will include safe facilities for the potential users of the site and include safe pedestrian facilities. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it limits the impacts on the surrounding environment, and will add tree canopy coverage.
- 3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Self-storage warehousing
 - ii. Tire retreading and recapping.
 - iii. Automobile service stations.
 - iv. Major automobile or truck repair.
 - iv. Establishments for the display and sale of precut, prefabricated, or shell homes.
 - v. Auto parts rebuilding.
 - vi. Box and crate assembly.
 - vii. Columbariums and crematories.
 - ix. Electric foundry (melts down scrap metal).
 - x. Inflammable underground liquid storage.
 - xi. The processing of asbestos.
 - xii. The above-or below-ground storage for resale of any flammable or nonflammable gas or oxidizer in liquid or gaseous form; the storage of any empty container that contained any gas in any form; and the receiving of or dispensing of any gas in any form, unless in association with an automobile and vehicle refueling station.
 - b. All lighting within forty (40) feet of residential zoning shall be a maximum height of twelve feet and directed downward.
 - c. There shall be no outdoor amplified speakers for the property located at 720-740 National Avenue.

These restrictions are appropriate and necessary to limit the impact of industrial land uses on the adjacent residential land uses.

- 4. This recommendation is made subject to approval and certification of PLN-MJDP-21-0033: Morningside Market (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-21-00033: MORNINGSIDE MARKET (AMD) (10/31/21)* - located at 720, 722, 723, 724, 725, 726, 728, 730, 732, 734, 737 & 740 NATIONAL AVE., LEXINGTON, KY
Project Contact: The Roberts Group, PSC

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

- 1. Provided the Urban County Council rezones the property I-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 street cross-sections and access.
- 4. Landscape Examiner's approval of landscaping and landscape buffers.
- 5. Addressing Office's approval of street names and addresses.
- 6. Urban Forester's approval of tree preservation plan.

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7. Bike & Pedestrian Planner's approval of the treatment of bike trails and pedestrian facilities.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Denote pedestrian access from Buildings A, B, and C at 737 National Avenue.
11. Resolve enhanced pedestrian access to 720 National Avenue.
12. Clarify areas of public space on 737 National Avenue.
13. Discuss compliance with Note #21.
14. Discuss Placebuilder criteria:
 - a. E-GR10-3 Shared common space in commercial developments should be provided to encourage experiential retail programming.
 - b. B-SU11-1 Green infrastructure should be implemented in new development. (E-GR3)
 - c. B-PR7-2 Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.
 - d. B-PR7-3 Developments should improve the tree canopy.
 - e. B-RE1-1 Developments should include street trees to create a walkable streetscape.

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. **Long Range Planning Activity Report**

Imagine Lexington

During the month of August, Long Range Planning staff continued to move forward with a number of implementation items related to the 2018 Comprehensive Plan.

Uncommon Commons

LRP staff has continued work on the Uncommon Commons webinar series "Mornings with Planning." August's discussion topic, "Placemaking and Placekeeping," focused on how *placemaking* and *placekeeping* can be effective urban design tools when working with a community's diverse identity.

Staff continued work on the "Tech Support Videos" branch of the Uncommon Commons project. The first video will provide members of the public with an overview on how to use the Accela Citizen Portal. The video is currently under review with Planning Services.

Imagine Lexington Website & Social Media

Staff continued with maintenance and updates to imaginelexington.com in August.

Staff has continued to expand the site's project pages that feature information related to the various Zoning Ordinance Text Amendments and Subdivision Regulation Amendments, which have been set in motion by the recommendations within *Imagine Lexington*. This section is housed under the "Implement" section of the site and the overall Imagine Lexington approach.

Staff also continues to maintain the Imagine Lexington Facebook, Twitter, and Instagram social media accounts. In addition, staff has been keeping in touch with our public audience through the use of Mail Chimp, a tool allowing for the creation and distribution of email campaigns to an audience of subscribers.

Zoning Ordinance Text Amendments (ZOTAs) and Subdivision Regulation Amendments (SRAs)

Over the past few years, the Planning staff has undertaken a division-wide effort to draft and initiate a series of text amendments, many related to the 2018 Comprehensive Plan.

Text amendments that are currently in the works include: notification expansion; open space (Article 20); Multi-Family Design Standards (multiple locations); parking (Article 16 and other locations); complete streets (multiple locations); agritourism (multiple locations); curbside management; traffic impact study; floodplain; and intent statement revisions for multiple articles.

Senior Planner, Samantha Castro, who is the project lead on the Notification Expansion ZOTA, presented information about the ZOTA during the Planning Commission Work Session on Aug. 19, 2021 and the Planning Commission Zoning Items Hearing on Aug. 26, 2021.

During the Aug. 29 Planning Commission Work Session, Administrative Officer, Chris Taylor, presented an update on Planning staff's proposal for Accessory Dwelling Units (ADUs). The presentation was motivated by the Planning and Public Safety Committee's decision to place ADUs back on the agenda for their September meeting.

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Development Handbook

Staff has continued finalizing sections of the Handbook and is currently developing an outreach campaign to guide the release of the document to the public after final edits are incorporated.

Sustainable Growth Study

Planning staff has continued to work with the Mayor's Sustainable Growth Task Force. The Sustainable Growth Study is aimed at developing "an objective, transparent, and reliable framework to inform long-term land use decisions involving the Urban Service Boundary (USB) and its role in protecting the urban and rural balance that makes Lexington unique."

Coordination with Other Agencies

On Aug. 13, 2021, Senior Planners Valerie Friedmann, Sam Castro, and Hal Baillie hosted the first of two focus group meetings with local landscape architects and engineers to collect feedback on the draft Open Space ZOTA text. The second meeting is scheduled for September 3rd.

On Aug. 18, 2021, Senior Planners Valerie Friedmann and Sam Castro led an urban design workshop for members of the Greenspace Commission, who wished to learn more about ways to activate underutilized neighborhood greenspaces.

Senior Planner Lauren Weaver met with staff at the University of Kentucky to discuss equity mapping, Story Maps, and Data Structure on Aug. 3 and Aug. 27, 2021.

Senior Planner Lauren Weaver met with the team at Esri, an international geographic information system software company, on Aug. 20, 2021.

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. In addition, Chris Woodall and Lauren Well. Weaver have continued work on projects related to Lexington demographics and land use classification.

Staff also continued participation in review of zoning applications and development plans.

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 during the month of August, whose titles/dates were:

- *Equity in Policy and Practice*, Aug. 6, 2021
- *Planning for the US Military and US Government: Challenges and Opportunities*, Aug. 20, 2021
- *YEP! The Power of Youth: Girls Who Plan Program*, Aug. 27, 2021

B. Transportation Planning / MPO Activity Report August 2020

1.0 Transportation System Data & Monitoring

- Worked with Populus and Remix, a third party data-management company platform, to process and evaluate multiple shared mobility companies' data.
- Logged data for various bike counters on local trails.
- Reviewed newly-released 2020 census data.
- Reviewed freight planning data requirements and sources.
- Worked on a bike/pedestrian data collection and evaluation plan.
- Provided environmental justice/equity mapping data to KYTC for evaluation as part of the Fayette County Local Road Safety Plan.

2.0 Identify & Prioritize Projects

- Reviewed CM bottleneck location data, project maps, project matrix/spreadsheets, and project alternatives to provide comments and suggestions.
- Reviewed Bottleneck Study progress report and processed invoice.
- Completed a Freight Planning Assessment with FHWA for the MPO area.
- Held 2 internal meetings to discuss the MPO's allocation of 12 SHIFT 2022 project boosts.
- Met with KYTC D7 and BGADD to coordinate on SHIFT 2022 project boosting.
- Received approval of the recommended list of SHIFT 2022 boosted projects by the TPC on August 25, 2021.
- Received TPC approval of a TIP Amendment to add state funds to allow KYTC to proceed with the design phase of the US 27 Access Management project from Man O War Blvd in Fayette County to Brannon Rd in Jessamine County.
- Received TPC approval to apply funds from the Coronavirus Response & Relief Supplemental Appropriations Act (CRRSAA) to projects within Fayette County.
- Participated in a project kick-off meeting for the KYTC's Statewide Interstate & Parkways Plan.

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3.0 Program & Project Implementation

- Conducted multiple meetings with Shared Mobility providers.
- Evaluated Shared Mobility Vehicle permits for compliance with the ordinance, managed current licensees and associated data, and daily enforcement of the rebalancing requirement.
- Reviewed paving lists for bicycle facility improvement opportunities during upcoming resurfacing projects.
- Finalized RFP scope of work for the East Lexington Trail Connectivity & Traffic Safety Study.
- Held two grant financial coordination meetings with KYTC regarding the Jessamine County East High and West High Trail projects.
- Attended LFUCG Pedestrian Safety Work Group.
- Attended the University of Kentucky Bicycle Advisory Committee Meeting.
- Attended LFUCG Corridors Commission meeting.
- Attended 4 weekly paving coordination meetings
- Met with Lextran on Versailles Rd inspecting 3 sites for potential bus stop installation.
- Coordinated with Populus and other pilot cities on curb management innovations to reduce congestion at the curb, in vehicular lanes and bike lanes and improve safety at the curb.
- Coordinated with LFUCG and KYTC District 7 regarding proposed traffic plans in the vicinity of Midland Ave / East Third St / Winchester Rd.

4.0 Land Use & Transportation Impact

- Reviewed and submitted comments in Accela for bike/pedestrian circulation requirements associated with development plans.
- Corresponded on development plans approved by the Planning Commission for compliance with conditional signoff requirements.
- Responded to 15 inquiries with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
- Held virtual meetings with Lextran staff concerning transit aspects on submitted plans.
- Attended two pre-application meetings to provide transportation planning input on future land-use applications.
- Attended regular LFUCG Subdivision and Zoning Committee meetings.
- Attended 1 Board of Adjustment new case review meeting.
- Worked on the Street Continuity SRA, Parking ZOTA, Greenspace ZOTA, Complete Streets SRA and Curbside Management ZOTA.
- Worked with LFUCG Traffic Engineering on a Roadway Classification evaluation project.
- Finalized the RFP scope of work for the Northeast New Circle Road Land Use & Transportation Plan.
- Held one Imagine Nicholasville Road implementation team meeting.

5.0 Participation & Outreach

- Responded to 31 citizen/agency requests for information on bike and pedestrian issues.
- Worked on 2022 Bike Month events and 2021 fall bike events with DEQ education and event coordinator.
- Held a coordination meeting with DEQ regarding the FY 22 Safe Streets outreach campaign.
- Ran 30 second radio spot on RadioLex and Radio Vida on Slow Down (school zone focus) during the week of 8/16.
- Ran 30 second radio spot on RadioLex and Radio Vida on safe walking, biking and scooting to school during the week of 8/23.
- Included educational outreach on multi-modal safety in the Crave Food Truck Festival scavenger hunt activity; ~200 participants
- Safe Streets yard sign activity at Crave Food Truck Festival; ~30 participants
- Continued work on a grant application for funds to assemble a city bike library and host youth bike clubs at community centers.
- Continued work on planning Lex Glow ride, a free community bike safety event to be held in November
- The MPO website had 674 visits from 534 users (88% new users) and 1,209 page views in August.
- The MPO's Twitter site had 2,013 followers (3 new followers); 1 tweet; 1,454 impressions; 118 profile visits; and 22 mentions in August.
- The LexAreaMPO Facebook page had 3,524 followers; 6 posts; reached 2,104 users; and had 197 engaged users in August.
- The LexBikeWalk Facebook page had 4,605 followers (267 new followers); 10 posts; reached 6,596 users; and had 618 engaged users in August

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- The newly launched LexBikeWalk Instagram page had 152 followers (17 new followers); 4 post; reached 268 users; and had 71 engaged users in August.

6.0 Program Administration

- Attended Webinar: U.S. Access Board's Accessible Pedestrian Trails and shared Use Paths
- Attended Webinar: Overcoming the Limitations of Pedestrian and Bicycle Crash Data
- Attended Lextran board meeting.
- Coordinated with FTSB Director to oversee financial matters.
- Packets and meeting minutes were prepared for the Bicycle & Pedestrian Advisory Committee, Congestion Management Air Quality Committee, Transportation Technical Coordination Committee, and Transportation Policy Committee.
- Held meeting with LFUCG Grants to discuss year-end financial reports and financial coordinator transitions.
- Worked to fill the vacant Sr. Planner position.
- Completed review of MPO Prospectus and identified several recommendations to address conflicting or unclear requirements.

C. Zoning Compliance Planning Activity Report

Zoning Enforcement/Compliance

During the month of August 2021, thirty-three (33) new cases were initiated, with the majority of those being reports of illegal businesses operating in residential zones, followed by reports of too many unrelated people residing together. Thirty-three (33) complaints were also resolved, meaning that necessary actions were taken by the property owner or occupant to correct a zoning compliance problem.

Annual inspections were completed on thirty-two (32) properties with conditional uses during August. All were determined to be either under construction, in substantial compliance with conditions imposed by the Board of Adjustment, or conditions have been permanently satisfied, requiring no further inspections.

Board of Adjustment

Seven (7) applications were filed for consideration by the BOA in August 2021. Two (2) requests for variances were heard and approved by the BOA. A third request for a variance was continued to the September hearing. The Board approved two (2) requests for conditional use permits, and a third request for a conditional use permit was postponed to the September hearing. The Board also considered an administrative appeal to determine whether solar arrays are a principal use under Article 8-22(b)(4) of the Zoning Ordinance. The Board determined that it is a principal use and approved the appeal.

Permitting & Zoning Compliance Section

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. Zoning Compliance signoff in the ACCELA permitting system is the equivalent of issuance of a Zoning Compliance Permit. All commercial building and paving permit applications, and certain residential applications, originating in Building Inspection during the month are forwarded to Zoning Compliance for review and approval. During August, a total of **98** commercial, paving, residential permits and applications for certificates of occupancy were reviewed in ACCELA by Zoning Compliance. Building Inspection has resumed scheduled weekly (in-person) plan review for commercial permit applications, as of July 13.

During the month of August, **3** Zoning Compliance Permits were requested and issued, which related to uses such as Family Child Care in a residence, a new child care/early learning center, and a Residential Care Facility for elder care. Technical assistance was provided to citizen customers and to Building Inspection with regard to review of second kitchens within residences, interpretation of Article 15 yard requirements, accessory structures, setback questions, proposed uses within a zone, and review of plans for residential projects within ND-1 areas. A total of **21** zoning certification letters were requested and provided during August to various law offices and due diligence zoning research firms. State forms required for liquor licenses, auto dealerships, and salons are also reviewed and approved by Zoning Compliance, and **14** of these application forms were reviewed and approved during the month. In addition, a number of phone calls from design professionals, investors, real estate agents, attorneys and the general public were taken, and several persons were assisted with navigating through the on-line ACCELA application process.

- 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.

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IX. MEETING DATES FOR SEPTEMBER AND OCTOBER 2021

Technical Committee, Wednesday, 8:30 a.m., via video teleconference	September 29, 2021
Work Session, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building	September 30, 2021
Subdivision Committee, Thursday, 8:30 a.m., via video teleconference	October 7, 2021
Zoning Committee, Thursday, 1:30 p.m., via video teleconference	October 7, 2021
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	October 14, 2021
Work Session, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building	October 21, 2021
Technical Committee, Wednesday, 8:30 a.m., via video teleconference	October 27, 2021
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	October 28, 2021

X. ADJOURNMENT

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