

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

October 27, 2022

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Phoenix Building, 3rd Floor, 101 East Vine Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The minutes of the September 22, 2022 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, October 6, 2022, at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Frank Penn, Headley Bell, and Janice Meyer. Committee members present were Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Gallt, Autumn Goderwis, Daniel Crum, Paula Schumacher, and Greg Lengal, Division of Fire and Emergency Services. 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, October 6, 2022, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members: Zach Davis, Larry Forrester, Robin Michler, and Graham Pohl. Staff members in attendance were: Traci Wade, Autumn

Goderwis, Hal Baillie, Daniel Crum, Bill Sheehy, 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

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. WINTERWOOD INC. (AMD) ZONING MAP AMENDMENT & SAMS & LARKIN PROPERTY (AMD) ZONING DEVELOPMENT PLAN

- a. **PLN-MAR-22-00012: WINTERWOOD INC. (AMD)** – an amended petition for a zone map amendment from a Light Industrial (I-1) zone to a Commercial Center (B-6P) zone, for 10.113 net (11.692 gross) acres, for property located at 1510 Greendale Road and 2440 Innovation Drive (a portion of).

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 proposes the rezoning of the subject property to the Commercial Center (B-6P) zone to allow for the construction a multi-family residential development. The proposed development consists of a mix of three-story and four-story multi-family residential structures, with a total of 216 units at a residential density of 21.36 dwelling units per acre, along with associated amenities.

The Zoning Committee Recommended: Referral to the Planning Commission.

The Staff Recommends: Disapproval, for the following reasons:

1. The requested rezoning to Commercial Center (B-6P) is not in agreement with the 2018 Comprehensive Plan for the following reasons:
 - a. The proposal does not provide context sensitive development (Theme A, Goal #2b), as the proposed residential development is located in a primarily industrially zoned area, and directly adjoins an existing industrial use and active railroad line.
 - b. The proposal is not providing for safe interactions between neighborhoods (Theme A, Goal #3d), as the development is geographically isolated from other residential uses in the area, and connectivity

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between these uses is limited by narrow roadways, an existing railroad, and a lack of a comprehensive pedestrian facility network.

- c. The proposal does not meet Comprehensive Plan Goals of reducing emissions and de-emphasizing single user vehicles (Theme B, Goal #2d), as the property's location and lack of meaningful connections will require their residents to utilize personal vehicles to reach neighborhood supportive uses and employers
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 I-1 zone remains appropriate for the following reasons:
 - a. The subject property is located in close proximity to several major freight corridors and Interstate-64 and Interstate-75.
 - b. The subject property is a large vacant tract of land suitable for industrial development.
 - c. The property abuts existing industrial uses to the east, and industrially zoned property to the north and west, as well as an active railroad line.
- b. PLN-MJDP-22-00048: SAMS & LARKIN PROPERTY (AMD) (10/30/2022)* - located at 1510 GREENDALE ROAD, LEXINGTON, KY
 Council District: 2
 Project Contact: Earthcycle Design, LLC
 Planning Contact: T. Martin

Note: The purpose of this plan is to depict new multi-use development in support of the requested zone change from Light Industrial zone (I-1) to Commercial Center zone (B-6P).

The Staff Recommends: Postponement. There are questions about meeting the minimum lot and development requirements of the B-6P zone.

Should the plan be approved, the following conditions should be considered:

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. United States Postal Service Office's approval of kiosk locations or easement.
8. Denote location of proposed construction access.
9. Clarify total square footage and dimensions of all buildings.
10. Denote property is in the Royal Springs Aquifer recharge area.
11. Submittal of required multi-modal plan per Article 12-8 (h) of the Zoning Ordinance.
12. Denote improvements to Greendale Road are proposed by the developer.
13. Denote access and improvements to Spurr Road shall be approved by KYTC and Traffic Engineering.
14. Discuss improvements to Spurr Road.
15. Discuss landscaping adjacent to I-1 zoned land (UK property).
16. Discuss access to 2440 Innovation Drive per second amended preliminary development plan (DP 2016-23).
17. Discuss sanitary sewer connection to Lot 1.
18. Discuss proposed building line versus platted building line.
19. Discuss minimum acreage for B-6P zone.
20. Discuss Placebuilder criteria.

2. **NORTHYARD, LLC ZONING MAP AMENDMENT & GREYLINE STATION & MARKET (FKA TRANSIT AUTHORITY OF LFUCG)(AMD) ZONING DEVELOPMENT PLAN**

- a. PLN- MAR-22-00013: NORTHYARD, LLC – a petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone, for 2.3827 net (2.5584 gross) acres, for property located at 101 and 109 W. Loudon Avenue.

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COMPREHENSIVE PLAN AND PROPOSED USE

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This petitioner is proposing the Light Industrial (I-1) zone in order to allow for production type uses within the existing Greyline Station Adaptive Reuse Project. In particular, the applicant wishes to utilize space within the existing workshop building in order to establish a kombucha brewery. While the scope of uses is proposed to be expanded, the footprint of the existing structures and the layout of the parking areas and landscaping are not proposed to be changed with this request.

The Zoning Committee Recommended: **Approval with the addition of zoning restrictions.**

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

1. The requested Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed development will support context sensitive redevelopment of land within the Urban Service Boundary by allowing for adaptive reuse of an existing industrial building (Theme A, Goal #2.b)
 - b. The proposed rezoning will help with the creation of a variety of jobs (Theme C, Goal #1.a) by allowing for new uses, and providing existing businesses in this development additional flexibility to package their products for use and consumption off-site.
 - c. The proposed rezoning will help attract young, culturally diverse professionals by expanding the permitted uses on-site to include popular uses such as the proposed brewery (Theme D, Goal#2.d)
 2. The requested Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. As the development will not physically change under this request, the proposed development will remain context-sensitive, meeting Design Policy #4.
 - b. The proposed development meets Density Policy, #3 as the additional production capabilities provided by the change in zoning will encourage further growth of neighborhood supportive uses by allowing them to engage in light production activity.
 - c. Finally, the request meets Livability Policy #6 by providing the opportunities to accommodate additional entertainment and amenity opportunities that appeal to young professionals.
 3. 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 applicant will keep the current site configuration, retain the historically significant Greyline Station structure, while allowing for increased zoning flexibility.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposal will retain the existing pedestrian connections, proximity to transit stops, and access to dedicated bike lanes.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the request will not result in any physical changes to the site, and all existing water management systems will be retained.
 4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00060 GREYLINE STATION & MARKET (FKA TRANSIT AUTHORITY OF LFUCG), 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-22-00060: GREYLINE STATION & MARKET (FKA TRANSIT AUTHORITY OF LFUCG) (AMD) (12/4/2022)* - located at 101 AND 109 W. LOUDEN AVENUE, LEXINGTON, KY
Council District: 1
Project Contact: Chad Needham Properties
Planning Contact: C. Gallt

Note: The purpose of this amendment is to update proposed land uses, in support of the requested zone change from Wholesale and Warehouse Business zone (B-4) to Light Industrial zone (I-1).

Note: This plan requires the posting of a sign and an affidavit of such.

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The Staff Recommends **Approval**, subject to the following conditions:

1. Provided the Urban County Council approves the zone change to I-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Update land use and parking table to include zone change.
8. Depict street cross-sections on plan face.
9. Correct commission's certification.
10. Remove the conceptual drainage arrows and storm inlets off plan face.
11. Remove notations for gravel in parking lot.
12. Remove dashed lines for project limits.
13. Discuss Placebuilder criteria.

3. WINTERWOOD INC ZONING MAP AMENDMENT & WOODLAND CHRISTIAN CHURCH INC ZONING DEVELOPMENT PLAN

- a. **PLN-MAR-22-00014: WINTERWOOD INC.** – a petition for a zone map amendment from a Two-Family Residential (R-2) zone to a High Density Apartment (R-4) zone, for 1.089 net (1.346 gross) acres, for property located at 530 East High Street. This request includes a variance request to reduce the required parking from 113 spaces to 61 spaces and a Conditional Use permit for a place of religious assembly. Which also includes property located at 205- 219 Kentucky Avenue.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner proposes the rezoning of the subject property to the High Density Apartment (R-4) zone to allow for a partial conversion of the existing church and the addition of a three (3) storied multi-family residential structure. The applicant is proposing to expand the building to the east to accommodate the primary residential component, which also updating the interior of the historical structure. The units are being proposed to be affordable units for individuals or couples over the age of 55. The applicant is seeking to develop a total of thirty-eight (38) one-bedroom dwelling units, at a residential density of approximately 35 dwelling units per net acre.

The Zoning Committee Recommended: **Approval**.

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

1. The requested High Density Apartment (R-4) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives and Policies, for the following reasons:
 - a. The proposed development will infill underutilized land and redevelop a property that will include a mix of both affordable housing, religious services, and education (Theme A, Goal #2).
 - b. The proposed project will encourage expanding housing choices (Theme A, Goal #1) by including multi-family housing in an area that is primarily zoned for duplexes and single family detached dwelling units.
 - c. The proposed rezoning will provide a mix of uses, including multi-family residential, which will uphold the Urban Service Area concept by accommodating the demand for housing in Lexington responsibly, prioritizing higher-density residential (Theme A, Goal #1.b & d, Theme A, Goal #2.a, b, c & d, Theme A, Goal #3. a, b & d and Theme A, Goal #4.b).
 - d. The reuse of the building and the expansion associated with the proposed project will protect and enhance the cultural landscapes that gives Lexington-Fayette County its unique identity and image

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(Theme D, Goal #3) by restoring and redeveloping a historic structure in Lexington (Theme D, Goal #3.b).

- e. The proposed redevelopment of the property and the adherence to the Historic Guidelines will allow for more contextually sensitive development (Theme A, Density Policy #2) that is established and integrated into the Aylesford neighborhood.
- f. The proposed project will provide safe and desirable affordable housing to low income seniors within the Lexington community (Theme A, Goal #1.c; Theme A, Equity Policy #1; Theme A, Equity Policy #2), along a higher capacity roadway (Theme A, Density Policy #4), which currently includes safe pedestrian facilities and access to a variety of amenities (Theme B, Sustainability Policy #2, 3, & 4).
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 and community facility that supports pedestrian mobility, deemphasizes the impact of parking, and provides activated and usable open space.
 - b. The proposed rezoning includes safe facilities for the potential users, through the integration of the site with the established pedestrian facilities along the property's frontages. The applicant also proposes providing parking behind and to the side of the church and multi-family dwelling units and limits the amount of vehicular access points. The parking provided across Kentucky Avenue will be enhanced to limit the impact of the lot on the adjacent right-of-way. 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 will increase tree canopy coverage and reduce the impact of the built environment and impervious surfaces by providing green infrastructure and integrating new stormwater facilities.
3. This recommendation is made subject to approval and certification of PLN-MJDP-22-00056: Woodland Christian Church, Inc., 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. **Variance Request** - As part of their application, the petitioner is also requesting a reduction of the minimum required parking for the continued use of the property as a place of religious assembly and the addition of the 38 dwelling units within a High Density Apartment (R-4) zone. The applicant is seeking to reduce the minimum required parking from 102 parking space to 61 parking spaces (41% reduction), a requirement of Article 8-13(n) of the LFUCG Zoning Ordinance.

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

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

1. Approval of the variance should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public. This property has historically been utilized with a lesser amount of parking provided.
2. Walk Score rating for the area is 94, which is considered very walkable and a Bike Score of 97, which is considered very bikeable.
3. Other parking is available in the area, including metered on-street parking and on-street parking for those with residential permits, which may be acquired through LexPark for residents of the street.
4. The property is located within close proximity to various amenities, including but not limited to Woodland Park, the neighborhood businesses located in Woodland Triangle, and the grocery store along Euclid Avenue. This location represents a special circumstance that increase the likelihood that residents who choose to live in this location will be less car dependent than average.

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

- a. Provided the Planning Commission and Urban County Council approve the requested zone change to the R-4 zone, otherwise the requested variances shall be null and void.
- b. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
- c. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
- d. Action of the Planning Commission shall be noted on the Development Plan for the subject property.

- c. **Conditional Use Request** - In association with the zone change request for the property, the applicant is seeking a Conditional Use Permit within the High Density Residential (R-4) zone to operate a place of religious assemble at 530 East High Street. Included in the area of notification for the conditional use is the property located at 205 Kentucky Avenue, which serves as the parking lot for the church facilities. With any zone change the Planning

Commission shall have the power to hear and decide applications for conditional use permits. These permits are to allow the proper integration into the planning area of uses which are specifically named in this Zoning Ordinance, which may be suitable only in specific locations in the zone only if certain conditions are met and which would not have an adverse influence on existing or future development of the subject property or its surrounding neighborhood.

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

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

1. The continued use of the Woodland Christian Church, a place of religious assembly, is suitable at its current location and does not have an adverse influence on existing or future development of the subject property or its surrounding neighborhood.
2. The continued use of the Woodland Christian Church provides an amenity to both the neighborhood and the potential residents of the proposed affordable housing development.
3. All necessary public facilities and services are available and adequate for the proposed use.

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

- a. Provided the Urban County Council approves the requested zone change to the R-4 zone, otherwise the requested conditional use shall be null and void.
- b. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
- c. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
- d. Action of the Planning Commission shall be noted on the Development Plan for the subject property.

- d. **PLN-MJDP-22-00056: WOODLAND CHRISTIAN CHURCH INC. (12/4/2022)* - located at 530 E. HIGH STREET and 205-219 KENTUCKY AVENUE, LEXINGTON, KY**

Council District: 3

Project Contact: Earthcycle Design, LLC

Planning Contact: T. Martin

Note: The purpose of this plan is to depict an expansion of an existing church to include affordable housing dwelling units, in support of the requested zone change from Two-Family Residential zone(R-2) to High Density Apartment zone(R-4).

The Staff Recommends **Approval**, subject to the following conditions:

1. Provided the Urban County Council approves the zone change to R-4; 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 preservation plan.
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. Revise the side yard setback to meet the more restrictive provision of the Zoning Ordinance per Article 15-3.
8. Provided the Planning Commission grants the requested variance.
9. Provided the Planning Commission grants the conditional use request.
10. Denote H-1 overlay zone in the statistics.
11. Delete notes #17, 18, 19, 21, and 22.
12. Correct note #7.
13. Denote Board of Architectural Review shall be required at time of final development plan.
14. Addition of vicinity map.
15. Discuss stormwater management.
16. Discuss Placebuilder criteria.

4. REALTY UNLIMITED BLUE GRASS, LLC ZONING MAP AMENDMENT & HIGBEE MILL COURT, LOT 11 DEVELOPMENT PLAN

- a. **PLN-MAR-22-00016: REALTY UNLIMITED BLUE GRASS, LLC** – a petition for a zone map amendment from a Single-Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.520 net (0.836 gross) acres, for property located at 940 Higbee Mill Road.

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The petitioner proposes the rezoning of the subject properties to the Townhouse Residential (R-1T) zone to allow the infill of the subject property with single family residential. The applicant is seeking to construct seven (7) single family attached dwelling units at a density of 13.5 dwelling unit per net acre.

The Zoning Committee Recommended: **Postponement**.

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

1. The applicant should review potential connections to the established pedestrian facilities (Theme A, Design Policy #5) and the need for street trees along the frontage of the subject property (Theme B, Restoration Policy #1).
2. 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 Low Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - b. A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
 - c. B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3)
 - d. C-PS10-3: Over-parking of new developments should be avoided. (B-SU5)
 - e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - f. A-DS5-2: Roadways should provide a vertical edge, such as trees and buildings.
 - g. B-RE1-1: Developments should incorporate street trees to create a walkable streetscape.
- b. PLN-MJDP-22-00059: HIGBEE MILL COURT, LOT 11 (12/4/2022)* – located at 940 HIGBEE MILL ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Matt Miniard/Palmer Engineering
Planning Contact: T. Wade

Note: The purpose of this plan is to depict 7 townhomes, in support of the requested zone change from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone.

The Staff Recommends **Postponement**. There are questions regarding compliance with Article 21 and Article 26, as well as general vehicular parking, landscaping and circulation as it relates to the right-of-way.

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

1. Provided the Urban County Council approves the zone change to R-1T; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Correct site statistics.

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10. Correct plan title to match staff report title.
11. Denote no access to Man O' War Boulevard and depict yard setback for a through lot per Article 15 2(a)(4).
12. Correct side yards per Articles 8-10 and 15-3 of the Zoning Ordinance.
13. Addition of bearings and distances along the property frontage of Higbee Mill Road.
14. Denote final record plat information.
15. Label topographic contour lines.
16. Denote proposed access point for construction vehicles.
17. Addition of cross-section location on plan face.
18. Denote proposed height of townhouses.
19. Correct drainage easement of 3' on each side lot line.
20. Denote: No grading, stripping, excavation, filling or other disturbance of the natural ground cover shall take place prior to approval of an erosion control plan. Such plan must be submitted in accordance with Chapter 16 of the Code of Ordinances.
21. Discuss 30' platted building line for the existing zone.
22. Discuss parking requirements.
23. Discuss 50% pavement limit in front yards for residential zones.
24. Discuss improvements to Higbee Mill Road, including an appropriate termination.
25. Discuss pedestrian access easement parallel to Man O' War Boulevard.
26. Discuss compliance with Article 26 of the Zoning Ordinance (tree inventory map).
27. Discuss vehicular use area landscaping per Article 18.
28. Discuss Placebuilder criteria.

C. **PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS**

1. **PLN-ZOTA-22-00015: AMENDMENT TO ARTICLES 8, 10, 11, 22, AND 23 TO THE ZONE INTENT STATEMENTS** – a petition for a Zoning Ordinance text amendment to update the “intent” statement for numerous zoning categories to more clearly align with the adopted Comprehensive Plan. Intent statements are included for each zoning category and are meant to explain the location, criteria and/or purpose of the zone.

INITIATED BY: Urban County Planning Commission

PROPOSED TEXT: Copies are available from the staff.

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

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

1. The proposed text changes will provide greater consistency between Lexington's adopted documents and remove references to defunct future land use categories from past Comprehensive Plan methodologies.
2. The proposed text will also modernize the language of the Zoning Ordinance to reflect current and anticipated land use practices and to strengthen the vital link between the Comprehensive Plan and Zoning Regulations.
3. The proposed text changes will provide greater transparency to the community as to the purpose of zones and can provide a foundation to any future text amendments to zones.
4. The proposed text amendment is in agreement with the 2018 Comprehensive Plan's Goals, Objectives, and Policies, for the following reasons:
 - a. An accurate and modern Ordinance is imperative to the implementation of the 2018 Comprehensive Plan (Goal 2).
 - b. The proposed language will update the Zoning Ordinance to reflect the direction of the 2018 Comprehensive Plan, proactively planning for the next 20 years of growth (Theme E, Accountability Policy #2).
 - c. The proposed language will allow for the implementation of the Comprehensive Plan and the Placebuilder, which includes criteria for zone change applications, based upon the goals and objectives, to ensure development compliance with the Comprehensive Plan (Theme E, Accountability Policy #3).

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.

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

LONG RANGE PLANNING ACTIVITY REPORT

September 2022

Planning Commission Work Session

September Planning Commission work session took place on September 15, 2022. The meeting included a presentation on the Open Space ZOTA, and after, the Planning Commission and staff took a trip to the MET to take a development tour.

Goal 4 Work Group

The Goal 4 group met four times in September and worked towards providing a report on Goal 4 recommendations.

Accessory Dwelling Units

Staff had three pre-applications for ADUs in September.

Imagine Lexington

Staff continued to implement items of the 2018 comp. plan, and updated the Imagine Lexington Website to reflect these implementations.

Social Media

Staff continued to maintain the Imagine Lexington Facebook, Twitter, and Instagram social media accounts. Staff also collaborated with Trust for Public Land to promote National Walk to a Park Day on October 10th.

ZONING COMPLIANCE PLANNING ACTIVITY REPORT

Zoning Enforcement/Compliance

As of September 6, 2022, Zoning Enforcement complaints and Conditional Use inspections were transferred to the Division of Building Inspection and no longer tracked by the Division of Planning.

Board of Adjustment

Eleven (11) applications were on the agenda for consideration by the Board of Adjustment at their regular meeting on September 12, 2022. Six (6) of the applications were requests for variances. Five (5) of the applications for variances were approved, and one (1) of the applications was disapproved by the Board. There were five (5) applications for conditional use permits before the Board. Two (2) of those applications were postponed to the October 10, 2022 meeting. The remaining three (3) applications were approved by the Board.

TRANSPORTATION PLANNING / MPO ACTIVITY REPORT

The MPO outlines an annual scope of work for transportation planning activities in the Unified Planning Work Program which contains the follow six work elements. Progress over the last month is reported by work element.

1.0 Transportation System Data & Monitoring

- Worked with Populus, a third party data-management company platform, to process and evaluate multiple shared mobility companies' data.
- Continued to review and collect relevant regional freight study data. Conducted National Highway Freight Network (NHFN) and Primary Highway Freight System (PHFS) data analysis.
- Several staff began StreetLight tutorials for the transportation insight data platform that has been acquired in partnership with Traffic Engineering.
- Continued update of GIS layers for traffic counts, truck volumes, bridge condition, traffic crashes and severity.
- Continued work constructing and formatting GIS Story Map for the MPO website to show transportation projects.
- Attended State GIS conference in Lexington.

2.0 Identify & Prioritize Projects

- Assisted with the preparation and submission of CMAQ project applications. Completed emission reduction calculations. Attended KYTC's CMAQ informational session.
- Attended a meeting and provided input on the Statewide Bicycle & Pedestrian Master Plan being developed by KYTC.

3.0 Program & Project Implementation

- Evaluated Shared Mobility Vehicle permits for compliance with the ordinance, managed current licensees and associated data, and completed daily enforcement activities regarding the rebalancing requirement.

- Reviewed paving lists for bicycle facility improvement opportunities during upcoming resurfacing projects.
- Attended 4 weekly paving coordination meetings.
- Continued work on a MPO-Level Complete Streets Policy.
- Continued work on a Lexington Complete Streets Policy.
- Continued work on Lexington Bicycle Map.
- Conducted meeting with Walker Properties and completed a site visit for the East Lexington Trail Connectivity Study.
- Provided base information and relevant plan information to the consulting team for the Wilmore Trail Study.
- Continued work on Main St traffic calming solutions from Ashland Ave to Midland Ave.
- Processed TIP Modification #23: Valley View Ferry - Cable System Replacement.
- Conducted a Project Coordination Team meeting to track the status of projects in the TIP.
- Addressed 2 bus shelter inquiries, including field visits
- Attended meeting with KYTC regarding design concepts for the Winchester Rd widening project from Polo Club Blvd to Haley Pike.

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 various inquiries and conducted meeting with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
 - Attended three LFUCG pre-application meetings to provide transportation planning input on future land-use applications.
 - Attended regular LFUCG Subdivision and Zoning Committee meetings.
 - Attended LFUCG Board of Adjustment new case review meeting.
 - Participated in monthly ZOTA work group meeting.
 - Held transportation-focused project team meeting for the Imagine New Circle Plan.
- Held meeting with LFUCG Long-Range Planning to discuss potential

5.0 Participation & Outreach

- Conducted bike safety and ridership class with William Wells Brown Bike Club - 9/12, 9/19, 9/26, 6-7 pm; around 15 students
- Conducted bike safety lessons at Fayette County Safety City - three different schools; 233 students total
- PARK(ing) Day outreach - provided free bike tune-ups and handed out bike safety information
- Continued work on the Lexington Bicycle Map
- Began work to update the MPO's Participation Plan
- Met with DEQ regarding FY23 outreach plan, messaging goals and budget.
- Social media:
 - Promoted Park(ing) Day event.
 - Promoted Lextran's Title VI Program Plan Update public input opportunities
 - Shared update on new trail connections (Masterson Station Park and Town Branch Trail)
 - Shared update on roadway and traffic safety improvement projects (McCubbing Drive)
 - Shared info about Paula Nye Grant-funded Bike Club at William Wells Brown Community Center
 - Promoted Glow Ride event (Nov 5)
 - Promoted October BPAC meeting
- MPO website had 419 users (90% new users) and 932 page views in September.
- MPO Facebook has 3,638 followers (-6 followers); 4 posts; reached 731 users; and had 5 engagements in September.
- MPO Twitter has 2,035 followers, reached 3,219; had 3 tweets with 3 engagements; and 572 profile visits in September.
- LexBikeWalk Facebook page had 4,600 followers (+1 followers); 2 posts; reached 1,213 users; and had 11 engagements in September.
 - Despite lower posting, engagements on Facebook doubled
- LexBikeWalk Instagram page had 473 followers (+27 followers); 5 posts; reached 1,195 users; and had 129 engagements in September.
 - Instagram reach was up nearly 43%, engagements were up 43% too
 - Instagram story reach was up nearly 52%

6.0 Program Administration

- Prepared meeting packet and minute for the Bicycle Pedestrian Advisory Committee.
- Attended Lextran board meeting.
- Conducted weekly MPO Staff Meetings.
- Prepared and submitted MPO Title II Self-Survey and Transition Plan. Received approval of plan by KYTC.
- Prepared and submitted FY22 Performance and Expenditure report to KYTC.

- Completed FHWA Equity Baseline Survey
- Coordinated with FTSB Director to oversee financial matters.
- Conducted FTSB Director evaluation with committee.
- Attended FTSB board meeting.
- Attended Corridors Commission meeting.
- Attended Commission for People with Disabilities meeting.
- Attend Bluegrass ADD Regional Transportation Committee meeting.
- Attended the following Webinars / Workshops:
 - Attended the OKI Regional Planning Conference
 - Attended the KYTC Partnering Workshop
 - The Importance of Geographic Approach to Planning
 - How Zoning Broke the American City and How to Fix It
 - Rural Renaissance: Revitalizing America's Hometowns through Clean Power
 - GIS & Data Viz Working Group Meeting
 - City Forward

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 NOVEMBER 2022

Subdivision Committee, Thursday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building November 3, 2022
Zoning Committee, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building November 3, 2022
Subdivision Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov't Center..... **November 10, 2022**
Zoning Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov't Center **November 17, 2022**
Technical Committee, Wednesday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building..... November 23, 2022

X. ADJOURNMENT

AG/RS