

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

August 28, 2008

- 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** – Prior Planning Commission meeting minutes of July 10, 2008, and July 31, 2008, will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, August 7, 2008, at 8:30 a.m. The meeting was attended by Commission members: Neill Day, Mike Cravens and Carolyn Richardson. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Jimmy Emmons, Traci Wade, Tom Martin, Cheryl Gallt, Chris Taylor, Denise Bullock, and Frank Boateng; as well as Rochelle Boland, Department of Law; Captain Charles Bowen, Division of Fire & Emergency Services; and Bob Carpenter, Division of Building Inspection. The Committee made recommendations on plans as noted.

General Notes

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

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

- V. **ZONING ITEMS** - The Zoning Committee met on Thursday, August 7, 2008, at 1:30 p.m. in the Division of Planning Office. The meeting was attended by Commission members Neill Day, Ed Holmes, Frank Penn, and Lynn Roche-Phillips. The Committee reviewed applications, and made recommendations on zoning items as noted.

A. ABBREVIATED PUBLIC HEARINGS ON ZONE MAP AMENDMENTS AND RELATED PLANS

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 AND RELATED PLANS** – 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. TATES CREEK HEIGHTS, LLC, ZONING MAP AMENDMENT & PINNACLE, LOT 1 (AMD.) ZONING DEVELOPMENT PLAN

- a. **MAR 2007-9: TATES CREEK HEIGHTS, LLC (8/28/08)*** – petition for a zone map amendment from a Neighborhood Business (B-1) zone with conditional zoning restrictions to a Neighborhood Business (B-1) zone with modified conditional zoning restrictions, for 4.19 net (5.83 gross) acres, for property located at 1093, 1097 & 1099 Duval Street.

* - Denotes date by which Commission must either approve or disapprove request.

LAND USE PLAN AND PROPOSED USE

The Land Use Element of the 2007 Comprehensive Plan (Sector 10) recommends Retail, Trade and Personal Services land use for the subject property. The petitioner proposes the addition of a coffee shop to the site, which is already approved for a "sit-down" restaurant, offices and a florist shop on the subject property, as well as revisions to the signage and landscaping restrictions previously imposed.

The Zoning Committee Recommended: Referral to the full Commission.

The Staff Recommended: Approval, for the following reasons:

1. Conditions originally put upon the subject property were not done in anticipation of a professional office use across Duval Street from the subject property. This would constitute a change in the physical and economic nature of the area since 1996, which makes this site eligible for a revision to the very limited conditional zoning restrictions originally placed thereon.
2. The expanded uses currently requested are still consistent with the Retail, Trade and Personal Services land use recommendations of the 2007 Comprehensive Plan and the prior 2001 Comprehensive Plan.
3. This recommendation is made subject to the approval and certification of ZDP 2007-50: Pinnacle, Unit 1 (Amd.) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of any Planning Commission approval.
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the subject property shall now be subject to the following use restrictions, (with all edits shown below in italicized text from the previous conditions):
 - a. The B-1 site shall contain a maximum of four buildings and be used only as ~~either a~~ sit-down restaurants without drive-through facilities or the service of "fast food," a florist shop, and/or a use permitted in the P-1 zone other than a bank, a credit institution, a television studio or a hospital; *however, notwithstanding any provision to the contrary, a single drive-through shall be permitted solely for the use of a coffee shop (the "permitted drive-through").*
 - b. *In the event the permitted drive-through should cease to be used solely in connection with a coffee shop, or should a coffee shop cease to operate as a coffee shop (excluding any reasonable number of days necessary for repair, remodeling, or reconstruction as a result of or required by a lawful order or decree of a governmental or regulatory authority, a casualty loss, other than such a loss caused by the owner of the property), then the permitted drive-through shall be removed, no future drive-through shall be allowed on the property, and the use of the coffee shop building shall be restricted to the uses permitted herein.*
 - c. *The portion of the property used for the coffee shop shall be permitted to display on the east-facing portion of the building only a single logo, and the words may be displayed a single time on the east-facing façade, the letters of which shall not exceed 18 inches in height, and the logo shall not exceed 36 inches in height, and in no event shall the words or the logo be backlit or internally lit. Signs on the other sides of the building and on the property shall be regulated under the Zoning Ordinance.*
 - d. The existing **("original")** structure shall be preserved except to the extent it must be modified to permit the construction of additions and/or renovations as described below.
 - e. *An additions* to the existing **("original")** structure shall be allowed, but shall only be in accordance with a final development plan submitted to and approved by the Planning Commission; and such additions in total shall not exceed 3,000 square feet and shall be governed by all of the restrictions and limitations that apply to the new building as described below.
 - f. Parking will be in accordance with a final development plan submitted to and approved by the Planning Commission; *provided, however, that a visual buffer of hedges and trees shall be placed on the east-facing side of the property.*
 - g. The property owner shall preserve the existing mature trees on site except as necessary for the construction of ~~one new~~ the office building, the additions to the existing structure, the aforementioned coffee shop and accessory parking, all as approved by the Planning Commission on the final development plan for the site and subject to all restrictions and limitations contained herein; and such trees, if removed, shall be replaced in equal number to preserve the buffer between the site and Bates Creek Road.
 - ~~f. Signage shall be limited to the signage shown on and approved by the Planning Commission on the final development plan for the site and in accordance with the limitations contained herein;~~
 - h. Existing trees which provide a visual buffer from surrounding properties shall be preserved, and damaged or diseased trees may be removed if also replaced. ~~in equal number and kind on the site; and Deciduous trees shall be planted in the exterior parking lot.~~
 - i. *In addition to the above-referenced coffee shop building, the construction of one a single additional new building shall be permitted (the "office building"); however, such building shall not exceed 36,000 square feet, shall not exceed 36 feet in height at its highest point as measured from the existing grade level as of September 20, 2005, including all fixtures, equipment and any other materials (except that any equipment located on the roof shall be completely screened from view by parapet walls which are permitted to rise an additional 6 feet solely for that purpose), shall primarily utilize only a brick siding or masonry façade which must cover no less than 55% of the exterior surface of the building excluding the roof, windows and doors, and the roof shall vary in height with no less than three (3) articulating roof heights. In addition Furthermore, the easternmost edge of the office such building shall be no closer at any point than 30 feet from the right of way bordering Bates Creek Road at least 100 feet from the easement line on the east side of the property.*

- b. ZDP 2007-50: PINNACLE, LOT 1 (AMD.) (8/28/08)* – located at 1093, 1097 and 1099 Duval Street.
(EA Partners)

Note: The purpose of this amendment is to add a coffee shop with a drive-through, delete sign information, and to relocate buildings and parking.

The Subdivision Committee Recommended: Referral. There were questions regarding compliance with the off-street parking requirements of the Neighborhood Business (B-1) zone and compliance with the applicant's proposed conditional zoning restrictions.

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

1. Provided the Urban County Council revises the conditional B-1 zoning of the property; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscaping, including arterial screening.
5. Urban Forester's approval of tree inventory map.
6. Greenspace Planner's approval of the treatment of greenways/bike trails and pedestrian movement.
7. Revise conditional zoning restrictions.
8. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
9. Dimension drive aisles and new buildings.
10. Addition of record plat information for this development.
11. Clarify easement information.
12. Clarify required off-street parking (restaurant and coffee shop use) based on the number of seats.
13. Clarify note number 13.
14. Correct the spelling in site statistics.

2. KEVIN CROUSE, PREMIER VILLAGES ZONING MAP AMENDMENT & OLD SCHOOL HOUSE LANE ZONING DEVELOPMENT PLAN

- a. MAR 2008-14: KEVIN CROUSE, PREMIER VILLAGES (8/28/08)* - petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Unit Development-1 (PUD-1) zone, for 24.88 net (27.7 gross) acres, for property located at 4500 & 4524 Old Schoolhouse Lane.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 11) recommends Medium Density Residential future land use for the subject property. The petitioner proposes to construct 193 townhouse residential units, for a density of 6.97 dwelling units per gross acre.

The Zoning Committee Recommended: Referral to the full Commission.

The Staff Recommends: Approval, for the following reasons:

1. The requested Planned Unit Development-1 (PUD-1) zone is in agreement with the 2007 Comprehensive Plan, for the following reasons:
 - a. The Plan recommends Medium Density Residential (MD) future land use for the subject property, defined as 0–8 dwelling units per gross acre. This would suggest a maximum of 221 dwelling units on the subject property.
 - b. The applicant proposes to develop 193 townhouse units on the subject property, for a residential density of 6.97 dwelling units per gross acre.
2. The request complies with the intent of the PUD-1 zone and substantially meets the requirements of the PUD-1 zone. Although the Twain Ridge Drive connection cannot be mandated by the Planning Commission due to case law, right-of-way and an optimal roadway and bridge alignment is necessary to meet the requirements of Article 22A of the Zoning Ordinance.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following landscape and buffering restriction is recommended via conditional zoning:
 - a. A 40-foot wide landscape buffer and Tree Protection Area shall be provided along the common property line of the subject property and 4420 Old School House Lane (Stringer Property). The existing earthen berm and all trees (with a DBH greater than three inches) shall be maintained, and only dead or diseased trees may be removed within this buffer area.

This restriction is appropriate and necessary in order to protect the character of the South Elkhorn School House, an historic structure which is listed on the Kentucky state registry of historic places; to minimize the impact of future

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development on the structure and its surrounding property; and to maintain the existing tree stand and the existing earthen berm at this location.

- b. ZDP 2008-61: OLD SCHOOL HOUSE LANE (8/28/08)* - located at 4500 Harrodsburg Road.
(CDS Associates)

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

1. Provided the Urban County Council rezones the property PUD-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire's approval of emergency access and fire hydrant location.
8. Division of Waste Management's approval of refuse collection.
9. Department of Environmental Quality's approval of environmentally sensitive areas (steep slopes).
10. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
11. Addition of tree inventory map (on plan face).
12. Resolve necessary access for dumpster service.
13. Resolve the need for additional Division of Fire emergency access.
14. Resolve location of stormwater detention basins and optimal street alignment for future Twain Ridge Drive extension.
15. Resolve the need for a street stub (from cul-de-sac) into adjacent church property.
16. Resolve local street terminus into floodplain area along with pedestrian access needed into that area.

3. JFG ENTERPRISES, INC. ZONING MAP AMENDMENT & BOONESBORO MANOR (INTERSTATE PARK) ZONING DEVELOPMENT PLAN

- a. MAR 2008-20: JFG ENTERPRISES, INC. (9/11/08)* - petition for a zone map amendment from an Interchange Service Business (B-5P) zone to an Agricultural Rural (A-R) zone, for 6.0 net and gross acres, for property located at 5354 Athens-Boonesboro Road (a portion of).

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Blue Sky Rural Activity Center) recommends Core Agricultural and Rural Lands (CARL) land use of the six-acre subject property. The petitioner has made an application requesting that the subject property be down-zoned, and that this tract be removed from the existing corollary development plan.

The Zoning Committee Recommended: Referral to the full Commission.

The Staff Recommends: Approval, for the following reasons:

1. The requested Agricultural Rural (A-R) zone is in agreement with the 2007 Comprehensive Plan, for the following reasons:
 - a. The Plan recommends Core Agricultural and Rural Lands (CARL) future land use for the subject property, which is the primary category for rural land associated with agriculture. The A-R category is the best zone to implement the Comprehensive Plan recommendation.
 - b. The property is currently being maintained and tended in an agricultural manner.
 - c. The subject property is outside of the established Blue Sky Rural Activity Center boundary. Down-zoning the subject property will implement the adjustment to the RAC boundary recommended by the Comprehensive Plan.
 2. It is questionable as to whether the existing sanitary sewer package treatment plant is capable of servicing the subject property, if all of the industrial and commercial lands planned for this area were to develop as recommended by the 2007 Comprehensive Plan. In the alternative, the historical use of this property (for agricultural use) is appropriate.
 3. This recommendation is made subject to approval and certification of ZDP 2008-95: Boonesboro Manor (Interstate Park) (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. ZDP 2008-95: BOONESBORO MANOR (INTERSTATE PARK) (AMD) (9/11/08)* - located at 5354 Athens-Boonesboro Road.
(Sherman/Carter/Barnhart)

Note: The purpose of this amendment is to remove a section of the B-5P land by rezoning the land to A-R.

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

1. Provided the Urban County Council rezones the property A-R; otherwise, any Commission action of approval is null and void.

* - Denotes date by which Commission must either approve or disapprove request.

2. Urban County Engineer's acceptance of floodplain information.
3. Addition of purpose of amendment note.
4. Complete A-R boundaries, acreage and indicate in site statistics.

4. JFG ENTERPRISES, INC., ZONING MAP AMENDMENT & JFG ENTERPRISES, INC., ZONING DEVELOPMENT PLAN

- a. MAR 2008-21: JFG ENTERPRISES, INC. (9/11/08)* - petition for a zone map amendment from an Agricultural Rural (A-R) zone to an Interchange Service Business (B-5P) zone, for 6.70 net (9.23 gross) acres, for property located at 5191 Athens-Boonesboro Road (a portion of).

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Blue Sky Rural Activity Center) recommends Highway Commercial/Interstate Commercial (HC) future land use for the subject property. The petitioner proposes the B-5P zone in order to develop a restaurant and a hotel, with associated off-street parking.

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

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

1. The requested Interstate Service Business (B-5P) zone is in agreement with the 2007 Comprehensive Plan because the Plan recommends Highway Commercial/Interstate Commercial (HC) future land use for the subject property. The subject property is located at an interstate interchange in the Blue Sky Rural Activity Center, and the B-5P zone is intended to implement the Comprehensive Plan's future land use recommendation at this location.
 2. This recommendation is made subject to approval and certification of ZDP 2008-94: JFG Enterprises, 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. ZDP 2008-94: JFG ENTERPRISES, INC. (9/11/08)*- located at 5191 Athens-Boonesboro Road.
(Sherman/Carter/Barnhart)

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

1. Provided the Urban County Council rezones the property B-5P; 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. Building Inspection's approval of landscape buffers.
5. Urban Forester's approval of tree inventory map/remove tree protection plan information.
6. Department of Environmental Quality's approval of environmentally sensitive areas (steep slopes).
7. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
8. Place site statistics in box.
9. Correct vicinity map.
10. Correct note number 9.
11. Addition of dimensions to buildings, drive aisles and access points.
12. Addition of adjoining property information.
13. Addition of detention areas being proposed.
14. Addition of conditional zoning restrictions, if required.
15. Resolve street improvements per Article 6-8(l)3 of Land Subdivision Regulations.
16. Resolve access road, throat depth and utility conflict.
17. Resolve arterial screening.
18. Resolve sanitary sewer at the final development plan stage.

5. ROSE HILL PROPERTIES, LLC, ZONING MAP AMENDMENT & FAYETTE INDUSTRIAL PARK, LOTS 6 & 7, ZONING DEVELOPMENT PLAN

- a. MAR 2008-22: ROSE HILL PROPERTIES, LLC (10/9/08)* - petition for a zone map amendment from a Light Industrial (I-1) zone to a Planned Shopping Center (B-6P) zone, for 6.58 net (7.55 gross) acres, for property located at 3851 & 3885 Mall Road.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan recommends Retail Trade and Personal Services future land use for the subject property. The petitioner proposes a redevelopment of the property, consisting of several retail stores, a branch bank, a restaurant and associated off-street parking.

* - Denotes date by which Commission must either approve or disapprove request.

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

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

1. The requested Planned Shopping Center (B-6P) zone for the subject property, and the commercial redevelopment proposed for this site, are in agreement with the Retail Trade and Personal Services land use recommendation of the 2007 Comprehensive Plan.
2. This recommendation is made subject to the approval and certification of ZDP 2008-107: Fayette Industrial Park, Lots 6 & 7 (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. ZDP 2008-107: FAYETTE INDUSTRIAL PARK, LOTS 6 AND 7 (10/9/08)* - located at 3851 & 3885 Mall Road.
(Midwest Engineers)

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

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. Building Inspection's approval of landscape buffer.
5. Urban Forester's approval of tree inventory map.
6. Addition of tree inventory information.
7. Denote existing and proposed easements.

6. THOMAS & CORBETT, LLC, ZONING MAP AMENDMENT & THE RESERVE AT TATES CREEK (AMD.) ZONING DEVELOPMENT PLAN

- a. MAR 2008-23: THOMAS & CORBETT, LLC (10/9/08)* - petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 7.19 net (9.60 gross) acres, for property located at 1060-1097 Bridlewood Lane, 5200-5205 Tykes Pass, 5121 Middleton Place and 5397 Tate's Creek Road.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 11) recommends Low Density Residential future land use for the subject property. The petitioner proposes 38 townhouse and single family (detached) residential units in an R-3 zone.

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

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

1. The existing Single Family Residential (R-1C) zoning, with conditional zoning restrictions, is in agreement with the 2007 Comprehensive Plan.
 2. The existing R-1C zone is more appropriate than an R-3 zone for the subject property, for the following reasons:
 - a. The existing pattern of residential development in the immediately surrounding neighborhoods is well below 4.0 dwelling units per gross acre.
 - b. The predominant zoning designation in this portion of the Tate's Creek Road corridor is R-1C.
 - c. R-1C zoning is much more common along the edge of the Urban Service Area than R-3, as there has been a consistent and historical precedent for lower density residential development along this boundary for decades.
 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 early 2007 that would support an argument for R-3 zoning for the subject property.
- b. ZDP 2008-109: THE RESERVE AT TATES CREEK (AMD.) (10/9/08)* - located 1060-1097 Bridlewood Lane, 5200-5205 Tykes Pass, 5121 Middleton Place and 5397 Tate's Creek Road.
(EA Partners)

Note: The purpose of this amendment is to depict a 38-unit townhouse and single family residential development.

The Subdivision Committee Recommended: **Referral to the full Commission**. There were questions regarding the location of the sanitary sewer line relative to the location of the proposed townhouses, and compliance with Floor Area Ratio restrictions.

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

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. Building Inspection's approval of landscape buffer.
5. Urban Forester's approval of tree inventory map.

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6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Depict the tree canopy information on plan.
8. Denote the square footage in the site statistics information and dimension units (including number of stories).
9. Denote compliance with floor area ratio requirements (townhouse portion).
10. Resolve existing conflict with the proposed townhouses and platted easements.

7. SOUTHERN INDUSTRIAL, LLC, ZONING MAP AMENDMENT & MEADOWTHORPE COMMUNITY BUSINESS CENTER, UNIT 1 (HALIFAX LAND CO.), ZONING DEVELOPMENT PLAN

- a. MAR 2008-24: SOUTHERN INDUSTRIAL, LLC (10/9/08)* - petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Wholesale & Warehouse Business (B-4) zone, for 1.8650 net (3.4609 gross) acres, for property located at 1447 Antique Drive.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 5) recommends Retail Trade and Personal Services land use for the subject property. The petitioner proposes a restricted wholesale business/warehouse development on the subject property, to be restricted by conditional zoning.

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

The Staff Recommends: Postponement, for the following reasons:

1. The question of whether the proposed B-4 zoning (in total) is more appropriate than the existing B-1 zoning for the subject property is directly dependent upon the following issues:
 - a. The existing B-1 zoning of the subject property directly abuts existing residential uses zoned B-1 and R-1C. However, no landscaping, and no restrictions regarding loudspeakers, building openings or lighting have been offered to buffer the proposed shop of special trade from these adjacent residential uses.
 - b. Since the subject property currently has no impervious surface area, the proposed development means that some type of storm water detention or system improvements will likely be required, so as not to allow any increase in the rate of storm water runoff onto surrounding residential and commercial properties. However, the subject property is not currently proposed for any such improvements, and is technically undevelopable at the present time, as it is entirely designated as a temporary drainage easement. Until such time as a *concept* for storm water improvements is proposed, this rezoning application is premature.
- b. ZDP 2008-108: MEADOWTHORPE COMMUNITY BUSINESS CENTER, UNIT 1 (HALIFAX LAND COMPANY) (10/9/08)*
- located at 1447 Antique Drive. **(Foster - Roland)**

The Subdivision Committee Recommended: Postponement. There were questions regarding the building location, relative to the residential structures.

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

1. Provided the Urban County Council rezones the property B-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscape buffer.
5. Urban Forester's approval of tree inventory map.
6. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
7. Correctly label and depict the 80' easement.
8. Denote proposed detention areas.
9. Addition of topographic information per Article 21-6(a) of the Zoning Ordinance.
10. Addition of site statistics information per Article 21-6(a) of the Zoning Ordinance.
11. Addition of the tree inventory information as defined in Article 26 and as per Article 21-6(a) of the Zoning Ordinance.
12. Denote the dimensions and location of the access and parking areas per Article 21-6(a) of the Zoning Ordinance.
13. Addition of adjacent property zoning information.
14. Denote the conditional zoning restrictions.
15. Resolve the building location relative to the residential structures at the time of the final development plan.
16. Resolve the potential impact of lights and noise on the adjoining properties at the time of the final development plan.
17. Discuss the apparent drainage feature at the center of the property.
18. Discuss the proposed uses for the property.

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8. **MULTICON DEVELOPMENT COMPANY ZONING MAP AMENDMENT & ANGLIANA SUBDIVISION (A PORTION OF) / CNO & TP RAILROAD ZONING DEVELOPMENT PLAN**

- a. MARV 2008-25: MULTICON DEVELOPMENT COMPANY (10/9/08)* - petition for a zone map amendment from a Heavy Industrial (I-2) zone to a High Density Apartment (R-4) zone, for 18.27 net (23.61 gross) acres; and from a Wholesale & Warehouse Business (B-4) zone to a High Density Apartment (R-4) zone, for 1.01 net (1.17 gross) acres, for property located at 474, 475, and 497 Angliana Avenue and 701 South Broadway (a portion of). Dimensional variances are also being requested at this location.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 5) recommends Office/Warehouse (OW) and Downtown Master Plan (DTMP) future land uses. The petitioner proposes a rezoning to a High Density Apartment (R-4) zone in order to permit a group residential apartment complex with 321 dwelling units.

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

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

1. Some threshold issues have been identified that must first be addressed, including the multi-modal transportation infrastructure needs, part of which is the safe transportation to and from the University of Kentucky campus, along with the provision of necessary transit stops and pedestrian crosswalks, prior to a substantive recommendation on the appropriateness of this rezoning request.
2. The corollary development plan currently proposes a new truck access drive on private property in part of the R-4 zone requested. This use is not compliant with the R-4 zone restrictions, and may not be an exempt use either, since the property is not proposed to be owned by a railroad.

b. REQUESTED VARIANCES

1. Reduce the required Group Residential Project frontage yard from 70 feet to 40 feet.
2. Reduce the Group Residential Project exterior yard requirement from the height of the building (40 feet) to 5 feet.
3. Reduce the required front yard setback in the R-4 zone along Angliana Avenue and Curry Avenue from 20 feet to 5 feet.

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

- a. If the properties are re-zoned to R-4, as requested, granting these variances should not adversely affect the public health, safety or welfare, nor will it alter the character of the general vicinity. The redevelopment of these properties will be consistent with the change in character along South Broadway and Foreman Avenue, across South Broadway from the subject properties.
- b. Granting the variances will not allow a circumvention of the Zoning Ordinance, as some building setbacks will still be maintained. If approved, it will help to implement the Downtown Master Plan recommendations for the area.
- c. Special circumstances relating to the subject properties that help to justify the variances are their size and configuration, as well as the incorporation of the larger tract alongside the Norfolk-Southern Railroad line into the proposed development, all of which provide development constraints for the property.
- d. Strict application of the Zoning Ordinance would severely restrict the applicant's ability to redevelop the properties in an efficient manner and that would help to alleviate the need for student housing in this part of the community.
- e. The requested variances are not the result of any prior actions of the applicant that could be construed as a willful violation of the Zoning Ordinance.

This recommendation of approval is subject to the following conditions:

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action for approval of these variances is null and void.
2. Should the property be rezoned, it shall be developed in accordance with the approved Preliminary Development Plan, or as amended by the Planning Commission.
3. A note shall be placed on the Development Plan, indicating the dimensional variances granted by the Planning Commission under Article 6-4(c) of the Zoning Ordinance.
4. All necessary permits shall be obtained from the Division of Building Inspection prior to demolition of any structures (if applicable), grading and construction; and after certification of a Final Development Plan for the properties.
5. Any additional variances determined to be needed for the proposed development shall be subject to approval of the Board of Adjustment.

- c. ZDP 2008-111: ANGLIANA SUBDIVISION (A PORTION OF) / CNO & TP RAILROAD (10/9/08)* - located at 474, 475, and 497 Angliana Avenue and 701 South Broadway (a portion of). **(Strand Associates)**

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The Subdivision Committee Recommended: **Referral to the full Commission**. There were questions regarding the orientation of the buildings to Angliana Avenue, pedestrian connections, variances requested and the industrial access road.

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

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscape buffer.
5. Urban Forester's approval of tree inventory map.
6. Greenspace Planner's approval of the treatment of greenways.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Department of Environmental Quality's approval of environmentally sensitive areas.
9. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
10. Delete note number 11.
11. Correct note number 4.
12. Clarify cross-section information.
13. Correct site statistics to provide lot coverage and floor area ratio (FAR) information.
14. Delete note number 9.
15. Denote: Compliance with Article 15-7 of the Zoning Ordinance shall be determined at the time of the final development plan.
16. Denote: The location and design of a LexTran bus stop will be determined at the time of the final development plan.
17. Discuss the parking that is provided versus the minimum required.
18. Discuss the industrial access road proposed to rail spur.
19. Discuss the pedestrian bridges' accessibility to the public.

9. MULTICON DEVELOPMENT COMPANY ZONING MAP AMENDMENT & SCOTT STREET MULTI-USE PROJECT ZONING DEVELOPMENT PLAN

- a. MARV 2008-26: MULTICON DEVELOPMENT COMPANY (10/9/08)* - petition for a zone map amendment from a Wholesale & Warehouse Business (B-4) zone to a Mixed-Use 2: Neighborhood Corridor (MU-2) zone, for 2.07 net (3.42 gross) acres, for property located at 300, 307, 313, 315, 317, 319, 321, 322, 324, 325 & 328 Scott Street and 701 South Broadway (a portion of). Dimensional variances are also being requested at this location.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 5) recommends High Density Residential (HD) for properties on the east side of Scott Street and Industrial Mixed Use (IMU) for properties on the west side of Scott Street. The petitioner proposes MU-2 zoning for a combination residential and commercial development. They propose 60 dwelling units and 10,165 square feet of commercial space.

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

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

1. The requested Mixed Use 2: Neighborhood Corridor (MU-2) zone is appropriate and the existing Wholesale and Warehouse Business (B-4) zone is inappropriate, for the following reasons:
 - a. The Plan recommends a mixture of High Density Residential (HD) and Industrial Mixed Use (IMU) future land use. The existing B-4 zoning does not allow either residential or industrial mixed use, as currently written.
 - b. The applicant is proposing a Mixed Use 2: Neighborhood Corridor zone, and a mixture of business and residential land use, as suggested by the Newtown Pike Extension Corridor Plan. The Newtown Pike Extension Corridor Plan recommends redevelopment strategies that promote mixed use projects and "critical mass" developments because these types of projects provide good transitions to residential developments or neighborhoods, and provide a variety of uses, which helps revive areas and extend the hours of activity in certain areas.
 - c. The proposed zone and corollary development plan are appropriate at this location in that the development will be pedestrian-oriented; provide student housing close to campus; be compatible with the immediate area; and complement the proposed University of Kentucky Law School building, as well as the "Reynolds Project," just north and east of this location, which is anticipated for a mixture of uses by the University of Kentucky.
 - d. Several of the properties have legal, but non-conforming uses that will be eliminated through this re-zoning.
2. The proposed location of the MU-2 zoning is appropriate because it is located in a commercial area of Scott Street that is recommended for a mixed use, including a residential future land use. Scott Street is planned to become an extension of Newtown Pike, which is specifically included in the current locational criteria for the MU-2 zone.
3. This recommendation is made subject to approval and certification of ZDP 2008-112: Scott Street Multi-Use Project, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

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b. REQUESTED VARIANCES

1. Reduce the required open space from 10% to 5%.
2. Reduce the required front yard setback from 15' to 0' for the 3rd and 4th building stories.
3. Reduce the required side yard from 10' to 2'.
4. Increase the required setback for 40% of the front building walls from 0' to 15'.
5. Reduce the required rear yard setback (adjacent to the railroad) from 10' to 5'.
6. Reduce the required landscape buffer width (adjacent to the KU substation) from 5' to 2'.

The Staff Recommends: **Approval of (1) a rear yard reduction from 10' to 5', (2) a side yard reduction from 10' to 3', and (3) elimination of the requirement that the third and fourth stories of the proposed buildings have a front yard setback of at least 15',** for the following reasons:

- a. Granting these variances should not adversely affect the public health, safety or welfare, nor alter the character of the general vicinity. Surrounding properties, which include a railroad line, parking lots, a utility substation and a warehouse building, are not anticipated to be adversely impacted. The overall character of the neighborhood is likely to improve as a result of the proposed mixed-use development.
- b. The irregular shape of the westerly portion of the subject property, and the small size and location of the easterly portion of the subject property relative to Scott Street and the balance of the subject property, are special circumstances that contribute to justifying these variances.
- c. Strict application of the Zoning Ordinance requirements would likely compromise the overall design of the development, resulting in a less efficient use of available land and forcing certain features (such as access locations) that are less desirable from the standpoint of public health and safety.

The Staff Recommends: **Disapproval of the requested open space reduction, from 10% to 5%,** for the following reasons:

- a. A 5% reduction in the required open space does not appear to be needed for this proposed mixed-use development. The most recently submitted Preliminary Development Plan indicates that nearly 9,000 square feet of open space will be provided, with a pedestrian plaza of 550 square feet to be connected to a 6' wide walkway along Scott Street.
- b. Insufficient justification of the requested variance has been offered by the applicant. Although the proposed open space areas are small and somewhat disconnected, they do provide valuable space for at least some passive outdoor activities and should be retained.

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

1. Provided the Urban County Council rezones the property MU-2; otherwise, any Commission action of approval of these variances is null and void.
 2. Should the property be rezoned, it shall be developed in accordance with the approved Development Plan, or as amended by the Planning Commission.
 3. A note shall be placed on the Development Plan indicating the dimensional variances that the Planning Commission has approved for this property under Article 6-4(c) of the Zoning Ordinance.
 4. All necessary permits shall be obtained from Building Inspection prior to construction, after certification of a Final Development Plan, should this property be rezoned.
 5. A side yard of at least 5' shall be provided where the subject property adjoins the Kentucky Utilities substation, at 301 through 303 Scott Street, with a 5' wide landscape buffer to be provided there according to the provisions of Article 18-3(a)(1)6 of the Zoning Ordinance.
- c. **ZDP 2008-112: SCOTT STREET MULTI-USE PROJECT** (10/9/08)* - located at 300, 307, 313, 315, 317, 319, 321, 322, 324, 325 and 328 Scott Street and 701 South Broadway (a portion of). **(Strand Associates)**

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

1. Provided the Urban County Council rezones the property MU-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. Building Inspection's approval of landscape buffer.
5. Urban Forester's approval of tree inventory map.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Department of Environmental Quality's approval of environmentally sensitive areas.
8. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
9. Label topographic contours.

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10. Denote: Access to Scott Street shall be determined at the time of a final development plan for compliance with the Newtown Pike access standards.
11. Clarify open space site statistic for each parcel.
12. Depict vehicle use area and property perimeter landscaping and buffer.
13. Provided the Planning Commission approves the requested variances, or revise the development plan accordingly.
14. Denote: Resolve the Scott Street cross-section proposed at the time of the final development plan.
15. Resolve building features at the time of the final development plan.

10. URBAN COUNTY PLANNING COMMISSION ZONING MAP AMENDMENT

- a. MAR 2008-27: URBAN COUNTY PLANNING COMMISSION (10/9/08)* - petition for a zone map amendment to add a Neighborhood Design Character Overlay (ND-1) zone for 134.70± net (172.0± gross) acres, to preserve existing neighborhood character for properties located at 310-395 Andover Drive; 201-299 Cassidy Avenue (odd addresses only); 300-356 Cassidy Avenue; 125-250 Chenault Road; 309-539 Chinoe Road; 180-346 Cochran Road; 401-435 Cochran Road (odd addresses only); 1394-1506 Cochran Road; 300-377 Colony Boulevard; 951-1245 Cooper Drive (odd addresses only); 323-325 Cross Lane; 305-436 Dudley Road; 300-335 Duke Road; 340-360 Duke Road (even addresses only); 131-191 Eastover Drive; 300-372 Garden Road; 201-505 Hart Road; 101-194 Louisiana Avenue; 100-165 Old Cassidy Avenue; 998-1144 Providence Lane (even addresses only); 1200-1237 Providence Lane; 303-440 Ridgeway Road; 300-315 and 340 Romany Road; 901-1015 Bates Creek Road (odd addresses only); and 1405-1491 Bates Creek Road (odd addresses only).

Proposed Design Standards:

1. **Rear Yard Setbacks:** Minimum of 25' or one third of the lot depth, whichever is greater.
2. **Building Heights:** Maximum of 28' to highest ridge and maximum eave height at 2nd floor ceiling line. *(includes dormers)*
3. **Roof Pitch:** Minimum of 7:12 slope. *(except dormers, porches, flat roofs, and to match existing roof)*
4. **Wall Openings:** Minimum of 10% of wall area on each elevation of new construction to be windows or doors. *(excludes porch openings; no openings required if Building Code requires Fire Ratings)*
5. **Drawings:** Building floor plans and exterior elevations of all sides typical of proposed construction at a minimum 1/8" scale and scaled site plan required to secure building permit. *(includes accessory structures)*
6. **R-1T and R-3 Parking:** Garage doors shall not face the front building line. No parking in front yard. All parking in rear lot only. *(excludes detached garages)*
7. **Maximum Garage Size:** Maximum footprint of 700 square feet per lot. Maximum of 19' height to roof ridge, maximum 12' height to eave. No exterior stairs permitted.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 3) recommends a combination of residential land uses for the subject area, including high, medium and low density residential land use. The Planning Commission has initiated a zone change request to add a Neighborhood Design Character Overlay (ND-1) zone in order to regulate rear yard setbacks, building height, roof pitch, off-street parking, garage door restrictions, and accessory structures, regardless of the underlying zoning.

The Zoning Committee Recommended: **Withdrawal of 315 Romany Road, and Approval of the remainder**, for the reasons provided by staff.

The Staff Recommends: **Withdrawal of 315 Romany Road**, for the following reason:

1. The property located at 315 Romany Road is zoned Neighborhood Business (B-1) and has been used as an office for the past 14 years by the current property owner. Given the fact that the property is not zoned residentially, nor is it a non-conforming residential land use, the ND-1 zone is not appropriate and the property should be removed from the area proposed for this overlay.

The Staff Recommends: **Approval of the Staff Alternative Design Standards for the remaining properties**, for the following reason:

1. The requested Neighborhood Design Character (ND-1) overlay zone is in agreement with the 2007 Comprehensive Plan for the following reasons:
 - a. The Goals & Objectives of the Plan identify eight themes, one of which is "preserving, protecting, and maintaining existing residential neighborhoods in a manner that ensures stability and the highest quality of life for all residents." Further, Goal 15, Objective I states that neighborhood protection overlay zoning provisions should be implemented for establishing stability and protection in existing and, especially, older neighborhoods.

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- b. The implementation of a Neighborhood Design Character (ND-1) overlay zone is in agreement with the Comprehensive Plan's Goals & Objectives by providing specific standards that will maintain the existing character of the neighborhood, regardless of the underlying zoning.
- c. The Chevy Chase neighborhood has completed a design character study, defined the existing character of the neighborhood, developed preservation goals, and proposed appropriate neighborhood design standards (in need of only slight modification), thus meeting the requirements of the ND-1 zone.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENT REQUEST

1. **ZOTA 2008-6: AMENDMENT TO ARTICLE 8 TO EXPAND THE ALLOWABLE USES INCLUDED IN THE ADAPTIVE REUSE OF BUILDINGS IN A B-4, I-1, OR I-2 ZONE** - petition for a Zoning Ordinance text amendment to Article 8 to expand the allowable uses included in the adaptive reuse of buildings in a Wholesale & Warehouse Business (B-4), Light Industrial (I-1), or Heavy Industrial (I-2) zone.

INITIATED BY: Pepper Distillery, LLC

PROPOSED TEXT: Article 8-21(b) - Principal Permitted Uses in the B-4 zone
(Note: All of the proposed text would be an addition to the Zoning Ordinance. Copies of the entire text are available upon request)

The Zoning Committee Recommended: **Postponement**, for the reason provided by staff.

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

1. Although this text amendment could be a very powerful tool for the adaptive reuse of buildings in warehouse and industrial areas, it also raises some concerns from the staff's perspective. Additional time is needed to assess whether this proposal, or an alternative, can achieve the desired goals of redevelopment without causing unanticipated negative changes to areas where this text amendment would apply.

VI. COMMISSION ITEMS

- A. **RESOLUTION FOR FORMER PLANNING COMMISSION MEMBER** - At this time, the Commission and the staff would like to express their sincere appreciation to Mr. James Mahan for his dedication and service to the Planning Commission and the citizens of Lexington-Fayette County.

VII. STAFF ITEMS – Staff items, if any, will be considered at this time.

A. Planning Services Activity Report

- During the month of July, the Planning Services staff processed 13 zone map amendments, 2 Zoning Ordinance text amendments, 57 subdivision and development plan items, 2 Courthouse Area appeals, and 18 Board of Adjustment appeals. Processing of the above items included attendance and/or preparation of materials and presentations for the following: Technical, Subdivision and Zoning Committee meetings, one Planning Commission public hearing, one Planning Commission public meeting, one Planning Commission work session, and one Board of Adjustment public hearing. In addition, the staff held 6 pre-applications conferences for zoning changes, and several other pre-application meetings for subdivision, development plan and Board of Adjustment items.

Much of the staff's time was spent answering approximately 850 inquiries from people concerning zoning, subdivision plans, development plans, Board of Adjustment appeals and related matters. The staff also provided floodplain assistance for 16 property inquiries.

B. Long Range Planning Activity Report

- **Central Sector Small Area Plan** – Ratio, the consultants for the Central Sector Small Area Plan, led a conference phone call with Planning and Community Development staff to discuss strategies for the plan and upcoming public meetings. There will be a Central Sector Steering Committee meeting on August 20 and a second public input meeting on August 28 at Central Library.
- **East End Small Area Plan** – EHI Consultants led a Steering Committee meeting to present the results of the public input meetings in June. The next meeting of the Steering Committee will be September 24.
- **Golfview Estates Neighborhood Association** – Staff made a presentation to the Golfview Estates Neighborhood Association about the 2007 Comprehensive Plan and other planning issues that relate to the Golfview area. The residents raised issues about the redevelopment of the Ingleside mobile home park and other vacant land near Addison Park. David Gabbard from

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the Department of Water and Air Quality spoke about storm water and other environmental issues. 11th District Councilmember Peggy Henson also attended the meeting.

- Downtown Development Authority – Staff provided updates to the DDA Board about the Central Sector and East End Small Area Plans along with the Housing Market and Non-Residential Infill and Redevelopment Studies. Mayor Jim Newberry, a board member, attended the meeting.
- GIS Conference – Staff attended the two-day Kentucky GIS Conference at Griffin Gate. The sessions included presentations on emerging issues related to GIS and urban infrastructure, introductions of the latest and upcoming versions of GIS software, and roundtable discussions with GIS software representatives.
- Training – Staff attended several training sessions, including training for PeopleSoft (formerly STARS) and GeoSync (a Web-based GIS program).
- General Work Activities – Staff answered questions about land use and other comprehensive plan issues and well as neighborhood association issues. Staff updated the Neighborhood Association data base. Using GIS, Census data, and PCensus software, staff created maps and data sets for other LFUCG offices, Fayette County Public Schools, and other citizens and officials outside the government.

C. Transportation Planning Activity Report

- Administration – Committee meeting packets were prepared and distributed for the following Transportation Planning/MPO meetings in July: the Transportation Technical Coordinating Committee (TTCC) and the Bicycle and Pedestrian Advisory Committee (BPAC). Other important meetings with MPO staff participation included: I -75 Working Group meeting; Statewide Transportation Planning Quarterly meetings; the Downtown Lexington Streetscape Committee; Infill & Redevelopment Committee meetings; World Equestrian Games Committee; Federated Transportation Services of the Bluegrass (FTSB) Board meeting; and the Bluegrass Airport Board of Directors meeting. Also, staff participated in the Division of Planning's regularly scheduled development review meetings, and provided review and input on transportation and traffic impact study-related issues.
- Transportation Improvement Programming (TIP) – The primary program activities in July included the re-evaluation and comparison of the existing TIP versus the KYTC's recommended 2008 Six-Year Plan and upcoming FY 2008-FY 2011 TIP program. An appraisal of program funding figures and an examination of SAFETEA-LU regulatory requirements are under review, consideration, and development. In the upcoming summer months, the state and local transportation partners will assess the recommendations against the current project phasing and program funding while awaiting the pending Kentucky Transportation Cabinet recommended Six-Year Plan to be voted on by the Kentucky's decision-makers later this year. The Kentucky Legislature's Six-Year Plan recommendations will determine the future funding amounts and provide a revised direction for approved project funding amounts. The South Limestone Study RFP was reviewed and revised in July for an early August mailout.
- Intelligent Transportation Systems (ITS) – The MPO staff continued to assist with implementation of the Bluegrass ITS (BITS) regional planning initiative on an as-needed basis.
- MPO Website Development – The stand-alone MPO web site can be accessed at <http://www.lexareampo.org/>. In July the website had 793 unique visitors; 1, 926 visits; 3,906 page views; total 0.693 GB bandwidth usage; and 15,591 hits. There were 320 links from search engines in July. MPO staff updated the web site with new links, graphics and content.
- Fayette & Jessamine Counties Cooperative Planning - The MPO staff continued to work with Jessamine County officials and the Bluegrass Area Development District to assess transportation system impacts in Jessamine County. The staff attended the Bluegrass ADD Transportation Coordination Committee. Staff continues to provide information to MPO counties, and records the requests in the MPO's database.
- Public Involvement – The Bluegrass Mobility Office staff attended and manned a booth at the Bluegrass Minority Business Expo and the booth was a huge success. Seventy surveys for the 2035 Long Range Transportation Plan were filled out and returned, thanks in large part to a giveaway incentive for filling out the survey. The promotional items given out were as follows: 81 pens; 19 canvas bags; 15 umbrellas; 14 travel mugs; 11 memo mates; 11 3-in-1 tools; 9 coffee mugs; and 9 mug warmers. The Lexington MPO Public Participation/Involvement Access database continues to be updated for use as an advanced input/management tool for public comments. The Public Involvement Database now includes 688 records (5.2% increase over June). The Lexington Area MPO's stand-alone website (www.lexareampo.org) was updated and improved. The Mobility Office Marketing Campaign finished, having successfully focused on reaching out to traditionally underserved persons covered by Title VI. The advertising on cable TV included BET, Telemundo, ESPN, ESPN2, Hallmark Channel and Fox News, among other stations that include high percentages of minority and elderly viewership.

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- Transit Planning –The Transit Planner attended the State GIS Conference held in Lexington this year. Coordinating meetings were conducted with the three contractors that will implement the first Art-In-Motion art sculpture bus shelter. As a result of the coordination, a ground-breaking ceremony/event will take place August 19th with prominent city officials on hand to celebrate this event. Also, a bus shelter summit has been put on the books for October 13th, seeking public input on the direction of the Art-In-Motion plan to put up sculpture bus shelters throughout Lexington. Staff attended a phone conference at UK – Sustainable Communities. Staff continues to attend Lextran work sessions and board meetings. An RFP for the Lextran COA to be completed in 2009 has gone out and closes August 7th. A consultant will be chosen by mid-September. Staff is preparing to work closely with this consultant in parallel with the Long Range Transportation Plan update as well as the Transit Plan update. A request to have the consultant calculate the financial forecast to 2035 so it can be incorporated into the Transportation Plan has been made. Staff will bring this up again with the consultant once they are chosen.
- Newtown Pike Extension Study – Staff will continue to be involved in (when needed) and monitor ongoing work that includes plan development, design issues, funding strategies, meetings/discussions, TIP amendments and modifications, presentations and other various works to assist and coordinate with the Newtown Pike Extension Corridor Study and Small Area Plan Process.
- MPO Newsletter - "Bluegrass Traveler" – The next "Bluegrass Traveler" newsletter is planned for a 2008 Summer Edition.
- Traffic Impact and Forecasting – The staff coordinated with the Planning Services section staff and the Zoning Review Committee to review recently submitted preliminary and final development plans, zoning map amendment applications, and text amendments for the monthly Zoning Review meeting. Upon request, information was provided to real estate professionals, consultants and citizens in July. All proposed developments were reviewed for "general consistency" among planning documents, ordinances, and subdivision regulations. The proposed application for zoning map amendment for the Old Schoolhouse Lane development is being redesigned to address staff concerns. After a Planning Division-wide meeting, the staff collectively agreed that the urban collector from Twain Ridge Drive to US 68 / Harrodsburg Road would relieve congestion and provide a route for all transportation modes to utilize. Staff members encouraged the completion of the collector roadway system and had Division-wide support. Staff continues to monitor the *Jessamine Journal* to track on-going land development.

In July, several staff members attended a three-day Access Management Training Course in Frankfort. The Kentucky Transportation Cabinet coordinated and sponsored the National Highway Institute/Federal Highway Administration (FHWA) course on Access Management, Location and Design. The course was taught by Mr. Jim Thorne from the FHWA Atlanta Resource Center Planning Team, and provided excellent training on how to identify the important links between land use and transportation; better understand the transportation characteristics of various land use patterns; and emphasized the Transportation and Land Use Planner roles and responsibilities. The course identified how the roles and responsibilities of local, regional, state, and federal agencies interrelate in the field of transportation planning and land use planning. The course was very beneficial to planners and will assist them with the future coordination of transportation and land use activities. FHWA and KYTC guidelines, along with many other sources of information, identify "best practices" and encourage access management to improve traffic flow, circulation, and safety.

- Bicycle and Pedestrian Planning - The LFUCG Bicycle and Pedestrian section is found in the Strategic Planning monthly report. The BPAC will closely coordinate all bike and pedestrian activities with the MPO, BPAC members, the KYTC District 7 staff, and the Kentucky Transportation Cabinet's project programming personnel. A BPAC meeting was held in July and was well attended.
- Travel Demand Model – Staff continued to work with the consultants and MPO staff on different projects, providing travel demand forecasts. Staff attended the two-day KY GIS conference.
- Freight Planning – The final draft of the Freight Section Extension is complete and available for review by MPO members and interested parties. The section received a commendation from the Certification Review Panel and has been used as an example for other MPOs. Staff is working on: data collection to update the freight section; the Freight Participation Plan; and an RFP for Freight Study.
- Air Quality Activities – Sam Hu is temporarily performing the Air Quality reporting until the MPO gets a new Air Quality Planner.
- Congestion Management Process (CMP) - The MPO manager has initiated a bimonthly CMC meeting format to increase efficiency of personnel resources. The CMC meeting in July was cancelled. MPO Staff attended the Bicycle Pedestrian Advisory Committee meeting and transportation and traffic planning meetings for three new elementary schools (William Wells Brown Elementary, Liberty Road Elementary, and Sandersville Elementary) in Lexington. Staff made suggestions during these meetings. Staff continued to review and revise the Congestion Management Process Overview document. Staff worked on the Year 2035 Long Range Transportation Plan Update, prepared for 2035 Transportation Plan Update public meetings, and worked on the monthly, quarterly, and annual reporting documents.

- Mobility Office Activities – The Mobility Office marketing campaign completed for the fiscal year and included radio ads, spots on WLEX-TV, cable TV spots, streamed spots and links on the internet. The staff received an increased number of phone calls and emails regarding carpooling and vanpooling to work this month. The waiting list for the vanpool program reached a total of 15 groups waiting for vans.

D. Strategic Planning Activity Report

- Infill and Redevelopment Activities – The Steering Committee will meet in August to review the implementation status. The consultants for the Non-Residential Market and Design Study are in the process of evaluating non-residential areas and collecting data for the market analysis.
- Underutilized Property Survey – Staff from Planning Services, Long Range and Strategic Planning met to discuss the survey and further analysis of the data. Staff will analyze selected areas to help determine utilization strategies.
- Housing Market Study - The contract for Robert Charles Lesser Company, the selected consulting firm, has been forwarded to the Urban County Council for their approval. Once the Council approves the contract, a meeting will be scheduled to kick off the study process.
- Neighborhood Conservation Zoning – Staff met with the Lansdowne Neighborhood to discuss ND-1 overlay process. The Chevy Chase ND-1 subcommittee met with the Zoning Committee and requested initiation from the Planning Commission at their June 26 meeting.
- Newtown Pike Extension/Southend Park Redevelopment Plans – The construction of the temporary housing is underway. The preliminary development plan has been certified and the rezoning report has been forwarded to the Urban County Council. The Council will determine an additional public hearing date.
- Greenspace Commission – Staff prepared for and attended the Greenspace Commission meeting.
- Technical Meetings - Staff prepared for and attended the monthly meetings for the Technical Review Committee and the Greenway Coordinating Committee.
- Development Review - Staff conducted a variety of development review duties and meetings and coordinated greenway and greenspace development issues.
- Greenways – Staff met with the greenway committee to discuss progress on greenway trail projects.
- Bluegrass Partnership for a Green Community – Staff attended the Steering Committee regular meeting.
- Education and Outreach – Staff participated in the organization of an event to tour community gardens.
- Complete Streets – Staff worked on maps to include in the complete streets white paper.
- Continuing Education - Staff attended an audioconference on Sustainable Communities sponsored by IMCA. Staff attended the UK Geography conference “Engineering Earth”
- Other – Staff was on the selection committee to hire a consultant for two corridor plans.
- Regional Bike/Pedestrian Plan – Hard copies of the final draft are available and will be distributed to the Planning Commission. Digital copies are available at www.lfucg.com/bikewalklexplans.asp
- Bike Lane Restriping Study – The project will be underway this summer.
- South Limestone Multimodal Study – An RFP has been issued for the study with an opening scheduled on August 29.
- Safe Routes to School – A community workshop has been scheduled for November 4 and 5.
- Roadway Projects /Issues – The LFUCG is working to install Share the Road Signage on county-maintained rural bike routes. A request has been submitted to the KY Transportation Cabinet to install signage on state-maintained bike routes. Staff is also working with LFUCG Traffic Engineering and the KYTC to install pedestrian crossings at Bates Creek / Clearwater, Bates Creek / Rockbridge, Winchester / Sir Barton and Bates Creek / Alumni intersections. North Broadway is scheduled for resurfacing in the near future and will include bike lanes from Dover Road to I-75.

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- Bike Lexington – On-going planning for May 2009 is underway. Staff met with the Bluegrass Cycling Club to discuss hosting a series of bike events on Memorial Day weekend in May 2009.
- Mayor's Bicycle Task Force – The Committee is working to develop maps and a signage system for a regional system of rural road bike routes. They are also working to develop a Complete Streets resolution for Council adoption.

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 SEPTEMBER, 2008

Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	September 4, 2008
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street).....	September 4, 2008
Subdivision Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	September 11, 2008
Special Meeting – Courthouse Area Appeal , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	September 18, 2008
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street).....	September 24, 2008
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	September 25, 2008

X. ADJOURNMENT

TLW/TM/JWE/BJR/BS/src