

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

November 16, 2023

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The minutes of the September 28, 2023 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, November 2, 2023 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Janice Meyer, and Mike Owens. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Autumn Goderwis, Tom Martin, Daniel Crum, Cheryl Gallt, Boyd Sewe, James Mills, Paula Schumacher, Greg Lengal; Division of Fire and Emergency Services, and Emily Buttrum; Department of Law. The Committee made recommendations on plans as noted.

General Notes

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

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

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

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

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

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

1. Development Plan

- a. PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) (11/9/2023)* - located at 1061 PROVIDENCE PLACE PARKWAY, LEXINGTON, KY

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

Council District: 12
Project Contact: Barrett Partners Inc.

Note: The purpose of this amendment is to revise the proposed development on the lot.

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

Note: The Planning Commission postponed this item at the June 8, 2023, July 13, 2023, August 10, 2023, September 14, 2023, and October 12, 2023 meetings.

The Subdivision Committee Recommended: **Postponement**. There are question regarding the compliance with Article 23A of the Zoning Ordinance.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Provided the Planning Commission finds the plan complies with the Expansion Area Master Plan.
14. Denote proposed and existing easements.
15. Denote Exactions to the approval of the Division of Planning.
16. Discuss stormwater management.
17. Discuss proposed access points to Providence Place Parkway.
18. Discuss compliance with supportive use regulations established in Article 23A-10(j)(12) of the Zoning Ordinance.

V. ZONING ITEMS - The Zoning Committee met on November 2, 2023, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Larry Forester, Zach Davis, William Wilson, Graham Pohl, and Bruce Nicol. Staff members present were; Autumn Goderwis, Tom Martin, Daniel Crum, Hal Baillie, James Mills, and Bill Sheehy; as well as Tracy Jones, Department of Law.

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. STAVROFF LAND & DEVELOPMENT, INC ZONING MAP AMENDMENT AND LYNDBURST SUBDIVISION DEVELOPMENT PLAN

- a. **PLN-MAR-23-00016: STAVROFF LAND & DEVELOPMENT, INC** (12/5/2023)* – a petition for a zone map amendment from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone, for 2.143 net (2.633 gross) acres for property located at 201, 207, 209, 211, 215, 221, 225, 227, 231, and 235 E. Maxwell Street, and 245, 247, and 251 Stone Avenue.

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 is proposing a six-story, 75-foot tall structure that would contain a lower parking structure, common area courtyards, and associated residential amenities (gym, meeting space, etc.). The proposal would include a total of 250 residential units, with a total bedroom count of 700, and a residential density of 116.65 units per acre. The petitioner proposes a total of 175 on-site parking spaces for the development, with an additional 75 spaces available to rent off-site. The request also calls for maintaining the existing two-story residential structure at 245 Stone Avenue. The petitioner has indicated that this development will be geared toward student housing for those attending the University of Kentucky, but will not be limited to that population.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement, for the following reasons:

1. The applicant should provide information on how their proposal addresses the following Objective of the Imagine Lexington 2045 Comprehensive Plan.
 - a. Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with the existing urban form (Theme A, Objective #2.b)
2. The zone change application does not provide any information on compliance with the Policies of the 2018 Comprehensive Plan.
3. The zone change application for the subject properties, as proposed, does not completely address the development criteria for zone change within the Downtown Place Type, and the High Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - i. SP.2: Provide as many private, ground level entries to individual units as possible.
 - ii. SP.17: Create streets that are balanced on both sides in massing and building character.
 - iii. OS.8: Provide stormwater detention areas and link to other open spaces and recreational amenities.
 - iv. AD.3: Break up building mass with facade articulation on all sides by using varying roof shapes, exterior wall setback, material, color, building height, and landscaping.
 - b. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
 - c. A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - d. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.

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- e. E-ST3-1: Development along major corridors should provide for ride sharing pick up and drop off locations along with considerations for any needed or proposed park and ride functions of the area.
- f. B-PR7-3 Developments should improve the tree canopy.

b. PLN-MJDP-23-00062: THE MAXWELL (LYNDHURST SUBDIVISION) (12/5/2023)* - located at 201-235 E. MAXWELL STREET & 245-251 STONE AVENUE, LEXINGTON, KY

Council District: 3

Project Contact: Vision Engineering

Note: The purpose of this plan is to depict multi-family residential development with 245 dwelling units, in support of the requested zone change from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone.

The Subdivision Committee Recommends: **Postponement**. There are questions regarding compliance with Article 20 open space requirements and Article 8-18(m).

1. Provided the Urban County Council approves the zone change to B-2A; 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. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Revise plan title to match staff report.
9. Addition of Final Record Plat information.
10. Revise Note #7 to delete reference to Zoning Ordinance.
11. Provide exhibit demonstrating compliance with Article 16-11 of the Zoning Ordinance.
12. Discuss compliance with Article 20 open space requirements.
13. Discuss compliance with Article 8-18(m) of the Zoning Ordinance.
14. Discuss Placebuilder criteria.

2. JOYLAND CROSSING, LLC ZONING MAP AMENDMENT AND JONES/COTTRELL PROPERTY AND JOYLAND CROSSING, LLC PROPERTY (JOYLAND CROSSING APARTMENTS) DEVELOPMENT PLAN

- a. PLN- MAR-23-00018: JOYLAND CROSSING, LLC (12/31/23)* – a petition for a zone map amendment from a Highway Service Business (B-3) zone and Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone, for 5.24 net (7.71 gross) acres for properties located at 2200 Old Paris Road and 2324 Paris Pike.**

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner is proposing a multi-family residential development consisting of 165 dwelling units spread across six structures, for a density of 31.49 units per acre. The residential structures are four stories tall, most of which feature a first floor parking garage. The request incorporates a number of accessible units, which have rear attached garage space. The center of the site consists of a one-story clubhouse with a community pool and open space. A total of 198 parking spaces are proposed between the surface lots, parking structures, and garages.

The Zoning Committee Recommended: **Postponement**

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

1. The applicant should provide information relating to their public outreach efforts.

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2. The applicant should address the following Goals and Objectives of the 2045 Comprehensive Plan
 - a. Prioritize multi-modal options that de-emphasize single-occupancy vehicle dependence (Theme B, Goal #2.d).
 - b. Expand the network of accessible transportation options for residents and commuters, which may include the use of mass transit, bicycles, walkways, ride-sharing, greenways, and other strategies (Theme D, Goal #1.b).
 - c. Strive for positive and safe social interactions in neighborhoods, including, but not limited to neighborhoods that are connected for pedestrians and various modes of transportation (Theme A, Goal #3.b).
3. The application should provide information on compliance with the following Policies of the 2018 Comprehensive Plan.
 - a. Multi-family residential development must comply with the Multi-Family Design Standards (Theme A, Design Policy #3).
4. The zone change application for the subject properties, as proposed, does not completely address the development criteria for zone change within the Corridor Place-Type, and the Medium Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS5-4: Development should provide a pedestrian oriented and activated ground level.
 - c. A-DS-7: Parking structures should activate the ground level.
 - d. A-DS-1: Mass transit infrastructure, such as seating and shelter should be provided/enhanced along transit routes.
 - e. A-DS-1: Direct pedestrian linkages to transit should be provided.
 - f. B-PR7-3: Developments should improve the tree canopy.

b. PLN-MJDP-23-00054: JONES/COTTRELL PROPERTY & JOYLAND CROSSING, LLC PROPERTY (JOYLAND CROSSING APARTMENTS) (12/31/2023)* - located at 2324 PARIS PIKE & 2200 OLD PARIS ROAD, LEXINGTON, KY

Council District: 12

Project Contact: Vision Engineering

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

Note: The purpose of this plan is to depict a multi-family development with 165 dwelling units, in support of the requested zone change from a Highway Service Business (B-3) zone and a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone.

Note: The applicant submitted a revised plan on October 31, 2023. Based on that submittal, staff can offer the following revised conditions.

The Subdivision Committee Recommended: **Approval**, subject to the following revised 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, 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. United States Postal Service Office's approval of kiosk locations or easement.
8. Submit exhibit demonstrating compliance with Article 20 open space requirements.
9. Denote: Sanitary sewer service to the property shall be resolved at the time of Final Development Plan.
10. Denote: Proposed access shall be resolved at the time of Final Development Plan.
11. Denote parking structures shall comply with Article 16-11 of the Zoning Ordinance.
12. Resolve Landscape buffer adjacent to Residential/Farm property and along Paris Pike frontage.
13. Discuss Placebuilder criteria.
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS5-4: Development should provide a pedestrian oriented and activated ground level.

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- c. A-DS-7: Parking structures should activate the ground level.
- d. A-DS-1: Mass transit infrastructure, such as seating and shelter should be provided/enhanced along transit routes.
- e. A-DS-1: Direct pedestrian linkages to transit should be provided.
- f. B-PR7-3: Developments should improve the tree canopy

3. BLACK SOIL: OUR BETTER NATURE, LLC ZONING MAP AMENDMENT AND GALBRAITH SUBDIVISION, LOTS 19 & 20 DEVELOPMENT PLAN

- a. **PLN- MAR-23-00019: BLACK SOIL: OUR BETTER NATURE, LLC** (12/31/2023)* – a petition for a zone map amendment from an Mixed Low Density Residential (R-2) zone to a Neighborhood Business (B-1) zone, for 0.15 net (0.17 gross) acres, for properties located at 760 and 762 Florence Avenue. This application has a variance request to reduce the required property perimeter landscaping from 15 feet to 0 feet.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner is proposing the Neighborhood Business (B-1) zone in order to utilize an existing 1,200 square-foot structure for a grocery store use. The applicant is also proposing removing the on-site parking and replacing it with an outdoor patio area. A sidewalk is proposed through the middle portion of the site that will provide a connection to the community garden located on the adjoining property to the rear at 415 Roosevelt Boulevard. An area for outdoor seasonal events is located to the rear of the property.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will activate an underutilized parcel within the Infill and Redevelopment Area in order to provide a neighborhood-oriented use (Theme A, Goal #2). The proposed grocery store will supply daily necessities to the immediate area.
 - b. The request will prioritize multi-modal options and de-emphasize single occupancy vehicles with its proximity to transit service, pedestrian connections, and the installation of bicycle facilities (Theme B, Goal#2.d)
 - c. The proposal encourages safe interactions within the neighborhood by creating an accessible neighborhood commercial focal point and gathering space (Theme A, Goal #3). Retail sales of grocery and convenience items allows for residents to shop and interact on a routine basis.
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal improves pedestrian safety and utilizes a people first design by removing the substandard parking areas in front of the structure, and providing for additional pedestrian connections. (Theme A, Policy #1)
 - b. At the proposed scale, the development provides an accessible, neighborhood level commercial area and gathering space (Theme A, Design Policy #12; Theme A, Policy #10).
 - c. The request introduces a neighborhood grocery use into an area that lacks walkable grocery options (Theme A, Density Policy #3).
 - d. The request will maintain the existing sidewalk networks and provide bicycle facilities on-site in order to promote connectivity (Theme B, Sustainability Policy #2).
3. The justification and corollary development plan are in agreement with the development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and as the request reuses the existing commercial structure that has occupied the site since 1969, creates a safer pedestrian environment by removing sub-standard parking areas along Florence Avenue, and creates neighborhood level commercial opportunities in a neighborhood that lacks an accessible grocery store.
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity development

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criteria, as the proposed development expands on the existing pedestrian system, has several close connections to transit, and provides a safer experience for pedestrians along Florence Avenue.

- c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape, will increase the overall tree canopy, and will not impact any environmentally sensitive areas.
 4. This recommendation is made subject to approval and certification of PLN-MJDP-23-00071: GALBRAITH SUBDIVISION, LOTS 19 & 20 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** – The applicant is seeking a variance to reduce the required property perimeter landscape screening from 15 feet to 0 feet along the southern property line, where the existing structure adjoins the R-2 zoned parcel at 758 Florence Avenue.

The Zoning Committee Recommended: **Approval**.

The Staff Recommends: **Approval of the requested variance for the following reasons:**

1. Approval of the landscape variances should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public. The subject property has operated over 50 years without landscaping buffers between the commercial and residential uses. Providing landscaping within the narrow side yard would likely not thrive or grow to maturity to create the buffer prescribed by the ordinance.
2. The narrow lot shape and existing nonconforming structure represent special circumstances unique to the subject property that justify the need for a variance.
3. Removing the existing structure present on the site to accommodate the required landscaping buffer would unreasonably restrict the applicant's use of the property.
4. The circumstances of this variance are not a result of actions taken by the applicant subsequent to the adoption of the Zoning Ordinance.

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 B-1 zone, otherwise the requested variance 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. **PLN-MJDP-23-00070: GALBRAITH SUBDIVISION, LOTS 19 & 20** (12/31/2023)* - located at 760 & 762 FLORENCE AVENUE, LEXINGTON, KY

Council District: 2

Project Contact: Barret Partners, Inc

Note: The purpose of this plan is to depict the use of the site for a grocery store, in support of the requested zone change from a Mixed Low d (R-2) zone to a Neighborhood Business (B-1) zone.

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.

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9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Provided the Planning Commission approves the requested variance.
13. Discuss proposed access to adjacent community garden.
14. Discuss proposed seasonal activities.
15. Discuss Placebuilder criteria.

4. BOTTS/CRAVENS HOMEBUILDERS @ PARADISE, LLC ZONING MAP AMENDMENT AND PLEASANT RIDGE SUBDIVISION, LOT 127 (CAREFREE VILLAGE) DEVELOPMENT PLAN

- a. PLN-MAR-23-00020: BOTTS/CRAVENS HOMEBUILDERS @ PARADISE, LLC** (12/31/23)* – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Townhouse Residential (R-1T) zone, for 2.53) gross and net acres for property located at 766 Paradise Lane.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner has requested a zone change from a Single Family Residential (R-1B) zone to a Townhouse Residential (R- 1T) zone order to establish a residential development.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Disapproval, for the following reasons:

1. The proposal does not meet the intent of the Townhouse Residential (R-1T) zone, which calls for this zone to be located in an area where services and facilities are/will be adequate to serve the anticipated population. Paradise Lane is not sufficient to accommodate the proposed development because it is 12 feet wide, and does not have any urban improvements too support additional urban density.
2. The requested rezoning to a Townhouse Residential (R-1T) zone is not in agreement with the Goals and Objectives, of the 2045 Comprehensive Plan.
 - a. The request fails to provide for positive and safe social interactions in neighborhoods, and does not provide connections for pedestrians and various modes of transportation (Theme A, Goal #3.b)
 - b. The proposed development does not incorporate safe and integrated pedestrian facilities into the proposed development; nor is the proposed development pedestrian-oriented (Theme D, Goal #1.a; Theme A, Goal #3.e).
 - c. The proposed rezoning and associated development does not improve traffic operation strategies (Theme D, Goal 1.d).
3. The requested rezoning is not in agreement with the following Policies of the 2018 Comprehensive Plan:
 - a. Theme A, Design Policy #1: Utilize a people-first design, ensuring that roadways are moving people efficiently and providing pedestrian infrastructure that is context sensitive to the vehicle environment and land uses.
 - b. Theme A, Design Policy #2: Ensure proper road connections are in place to enhance service times and access to fire and police services for all residents.
 - c. Theme A, Design Policy #5: Provide pedestrian friendly street patterns and walkable blocks to create inviting streetscapes.
 - d. Theme A, Design Policy #10: Provide neighborhood focal points accessible to all residents.
 - e. Theme B, Sustainability Policy #2: Promote roadway, pedestrian and bicycle connectivity.
 - f. Theme B, Sustainability Policy #5: Reduce / discourage vehicle oriented development patterns, such as drive-

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through businesses within the Urban Service Boundary, especially in the urban core areas. Reduce parking footprints.

4. The requested rezoning is not in agreement with the Development Criteria of the 2018 Comprehensive Plan. The following Development Criteria are not being met with the proposed rezoning:
 - a. C-LI7-1: Development should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
 - b. A-DS1-2: Direct Pedestrian Linkages to transit should be provided.
 - c. A-DS5-1: Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
 - d. D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
 - e. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
 - f. D-CO2-2: Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.
 - g. B-RE2-1: Green infrastructure should be used to connect the greenspace network.
5. 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.
6. The applicant has not provided evidence as to why the current zoning is inappropriate and the proposed zonings the appropriate zone for this location.

b. PLN- MJDP-23-00066: PLEASANT RIDGE SUBDIVISION, LOT 127 (CAREFREE VILLAGE) (12/31/2023)*
- located at 766 PARADISE LANE, LEXINGTON, KY

Council District: 7
Project Contact: EA Partners

Note: The purpose of this plan is to depict the construction of 25 townhouses and extending Paradise Lane, in support of the requested zone change from a Single Family Residential (R-1B) zone to a Townhouse Residential (R-1T) zone.

The Subdivision Committee Recommended: Postponement. There are questions regarding improvements to Paradise Lane and meeting the adequate public facilities standards established by the Land Subdivision Regulations.

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. Addition of any existing and proposed utilities.
8. Discuss: Extra parking per Article 16-5 (a)(5)-and 16-5 (b)(4) of the Zoning Ordinance.
9. Discuss: Driveway layout for Lots 14 & 15.
10. Discuss Paradise Lane extension and improvements, and lack of adequate public facilities to the site (Article 6-2 of the Land Subdivision Regulations).
11. Discuss Placebuilder criteria.

C-LI7-1: Development should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.

A-DS1-2: Direct Pedestrian Linkages to transit should be provided;

A-DS5-1: Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.

D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.

D-CO2-1: Safe facilities for all users and modes of transportation should be provided.

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

D-CO2-2: Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.
B-RE2-1: Green infrastructure should be used to connect the greenspace network.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-23-00006: AMENDMENT TO ARTICLES 1, 3, 8, 9, 12, AND 17 TO IMPLEMENT THE COMPREHENSIVE PLAN (3/5/2024)*** – a text amendment to the Zoning Ordinance to modernize the R-2, R-4, and R-5 zones and provide clear delineation between the B-1 and B-3 zones. The text also proposes density bonuses for affordable housing, creates a new Corridor Node (CN) zone for compact and walkable development, and updates related definitions.

INITIATED BY: URBAN COUNTY PLANNING COMMISSION
PROPOSED TEXT: Copies are available from the staff.

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

1. To continue to work with members of the community to address areas of non-conformities and further clarify the proposed language.

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.

LONG RANGE PLANNING ACTIVITY REPORT

October 2023

Planning Commission Work Session

The Planning Commission held a work session on October 19, 2023 where they discussed Urban Growth Management, the Urban Growth Management Zoning Ordinance Text Amendment, and gave an update on Imagine Lexington 2045.

Imagine Lexington

Staff continued to implement items of the 2018 Comprehensive Plan and updated the Imagine Lexington Website to reflect these implementations.

Long-Range staff continued work on finalizing the Imagine Lexington 2045 Comprehensive Plan and began initial preparation for the implementation phase once adopted.

Social Media

Staff continued to maintain the Imagine Lexington Facebook, Twitter, and Instagram social media accounts.

ZONING COMPLIANCE PLANNING ACTIVITY REPORT

Board of Adjustment

In October, there were four (4) applications on the agenda for consideration by the Board of Adjustment at their meeting on October 9, 2023. All of the applications were requests for un-hosted short term rentals. Three (3) of the applications were approved by the Board and the fourth one was disapproved.

TRANSPORTATION PLANNING / MPO ACTIVITY REPORT

1.0 Transportation System Data & Monitoring

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

- Continued to collect system data and conducting data analysis tasks for the 2050 Metropolitan Transportation Plan (MTP 2050).
- Updated transportation-related GIS layers.
- Continued work on constructing and formatting GIS Story Map with Experience Builder for the MPO website to show transportation projects.
- Continued collecting trip data on shared

2.0 Identify & Prioritize Projects

- Continued to develop the MTP 2050 Plan, developing project list, project ranking/scoring criteria, and estimating funding levels for projects in future years.
- Presented and received approval of the MTP 2050 goals & objectives by the Transportation Policy Committee at their October meeting,
- Reviewed the recommended project list in the Congestion Management Bottleneck Study (CMBS) report and sorted out the projects that are eligible to be entered into the MTP2050 project list.
- Held Teams meeting with representatives from KYTC District 7 to discuss long-range transportation priorities for the MTP. Attended a Lexington Vulnerable Road User Stakeholder

3.0 Program & Project Implementation

- Held several internal meetings with LFUCG Mayor's Office to coordinate work on the Complete Streets Action Plan. Presented the draft plan to Mayor Gorton and the CAO's office. Held a Complete Streets Committee meeting. Shared the draft with external stakeholders.
- 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 2023 repaving list for possible bike lane striping improvements as a part of routine maintenance.
- Attended 4-paving coordination meetings as an advisor for ADA sidewalk ramps and bike facilities design modifications.
- Completed training session with UK Occupational Vision Impaired program to do a field exercise for designers to improve crossings for the visually impaired at non-signal controlled intersections such as roundabouts and diverging diamond intersections.
- Processed the following TIP Modifications:
 - #39 – Mt. Tabor Multimodal Improvements
 - #40 - Wilson-Downing & Squires Rd

4.0 Land Use & Transportation Impact

- Reviewed and submitted comments in Accela for bike/pedestrian circulation requirements associated with development plans.
- Corresponded on development plans approved by the Planning Commission for compliance with conditional signoff requirements.
- Responded to inquiries and conducted meetings with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
- Attended 3 LFUCG pre-application meetings to provide transportation planning input on future land-use applications.
- Attended regular LFUCG Subdivision and Zoning Committee meetings.
- Attended regular Zoning Staff Review meeting.
- Attended LFUCG Board of Adjustment new case review meeting.
- Attended ZOTA coordination meeting.
- Met with Traffic Engineering Division and Planning Services regarding the public facilities review for the UK Markey Cancer Center relocation.
- Met with the Environmental Services Division to discuss next steps in the development of the Regional Climate Pollution Reduction Plan.
- Held one project team meetings for the Nicholasville Rd Transportation Feasibility Study, Traffic and Transit Analysis. Worked on Travel Demand Model updates for various scenarios for further study analysis

5.0 Participation & Outreach

- Continued initial public outreach campaign for MTP 2050 update
 - Distributed digital survey through website, social media, e-newsletters, email lists, partners

- Conducted a presentation regarding the MPO and the transportation planning process to a group of students visiting from Ball State University in Indiana.
- Conducted a presentation regarding the MPO and the transportation planning process as part of orientation for new members of the LFUCG Planning Commission, Board of Adjustment and new Division of Planning staff.
- Launched Campus to Commons public input survey. Interviewed by WKYT regarding the project.
- Continued planning for Glow Ride in early Nov
- Continued coordination with EQPW PIE team for social media outreach:
 - Promoted monthly BPAC meeting
 - Promoted the MTP public survey
 - Promoted the Campus to Commons survey Campus to Commons public survey
- MPO website had 512 users in October
- MPO Facebook had 3,703 followers in October
- LexBikeWalk Facebook page had 4,695 followers in October
- LexBikeWalk Instagram page had 734 followers in October

6.0 Program Administration

- Continued initial public outreach campaign for MTP 2050 update
 - Distributed digital survey through website, social media, e-newsletters, email lists, partners
- Conducted a presentation regarding the MPO and the transportation planning process to a group of students visiting from Ball State University in Indiana.
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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 and December 2023

Comprehensive Plan Public Hearing, Thursday, 1:30 PM, in Council Chambers, 2nd Floor, Gov’t Center... November 30, 2023
 Technical Committee, Wednesday, 8:30 a.m., in Council Chambers November 29, 2023
 Subdivision Committee, Thursday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building December 7, 2023
 Zoning Committee, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building December 7, 2023
Subdivision Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov’t Center..... December 14, 2023
Zoning Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov’t Center..... December 14, 2023
 Technical Committee, Wednesday, 8:30 a.m., in Council Chambers December 20, 2023

X. ADJOURNMENT

TW/TM/DC/RS-11/9/23