

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

January 25, 2024

- 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 November 16, 2023 and December 14, 2023 meetings 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, January 4, 2024 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Autumn Goderwis, Tom Martin, Daniel Crum, Cheryl Gallt, Scott Thompson, Paula Schumacher, Shaun Denney, Greg Lengal; Division of Fire and Emergency Services, and Tracy Jones; Department of Law. The Committee made recommendations on plans as noted.

General Notes

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

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

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

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

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

The procedure for these hearings is as follows:

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

- V. **ZONING ITEMS** – There was no Zoning Committee meeting on January 4, 2024.

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

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

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. 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** (1/25/24)* – 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

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The petitioner has requested a zone change from a 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).

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- 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-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) (1/25/24)* - 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.

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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.

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 AMEMENDMENTS

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

January 2023

Planning Commission Work Session

The Planning Commission held their monthly work session to discuss a future text amendment to the sections of the Zoning Ordinance that pertain to environmental quality and sustainability. They also received an update regarding the Urban Growth Plan and reviewed Robert's Rules of Order.

Imagine Lexington

Staff continued to implement items of the 2018 Comprehensive Plan, specifically the UGM ZOTA, which was forwarded to the Urban County Council. Updates to implementation items were reflected on the Imagine Lexington Website.

Social Media

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

ZONING COMPLIANCE PLANNING ACTIVITY REPORT

Board of Adjustment

There were twelve applications on the agenda for consideration by the Board of Adjustment at their meeting on December 11, 2023. Seven of those applications were requests for variances. One of those requests was postponed to the January 8, 2024 meeting, one request was continued to the January 8, 2024 meeting and the remaining five were approved by the Board.

The Board heard five requests for conditional use permits. One of the requests was for drive-through facilities for a proposed bank, three requests were for short term rentals and one request was to operate a home-based beauty salon. The Board approved four of the conditional uses and disapproved one of the short-term rental requests.

TRANSPORTATION PLANNING / MPO ACTIVITY REPORT

1.0 Transportation System Data & Monitoring

- Continued to collect system data and conduct 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 use paths.
- Reviewed the FHWA Greenhouse Gas Emissions Performance Measure Final Rule that is effective on January 8, 2024.

2.0 Identify & Prioritize Projects

- Continued to develop the MTP 2050 Plan including identifying a project list and a framework/criteria for project ranking/scoring, and estimating funding levels for projects in future years.
- Drafted MTP 2050 content that addresses Climate/Climate Change and Greenhouse Gas Emissions.
- Attended check-in meeting with the EPA regarding LFUCG's Climate Pollution Reduction Plan grant.

3.0 Program & Project Implementation

- Finalized the Complete Streets Action Plan and submitted to the Mayor and Urban County Council.
- Drafted a Request for Proposal for the Complete Street Design Manual project.
- 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.
- Attended a KYTC District 7 conceptual alternatives review meeting for the New Circle Rd (Trade Center to Woodhill) project.
- Began work on the Love to Ride bicycle riding, safety, encouragement, and data collection platform. Initiated Council approval of the professional services agreement.
- Continued work on the Campus to Commons trail corridor study.
- Reviewed 2023 repaving list for possible bike lane striping improvements as a part of routine maintenance.
- Attended 3-paving coordination meetings as an advisor for ADA sidewalk ramps and bike facilities design modifications.
- Received notification that LFUCG was awarded a Safe Streets for All discretionary grant from FHWA for the Safe Streets for Lexington Project which includes funding for a Vision Zero Coordinator, public roadway safety education, and safety improvements for New Circle Rd from Boardwalk to Bryan Station Rd.

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- Met with Lextran and BGCAP to coordinate regional transit service by BGCAP as it relates to Lexington Area MPO service area.

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 one 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.
- Held one project team meeting for the Nicholasville Rd Transportation Feasibility Study, Traffic and Transit Analysis. Completed Travel Demand Model updates for various scenarios for further study analysis.

5.0 Participation & Outreach

- Continued coordination with EQPW PIE team for social media outreach:
 - Promoted monthly BPAC meeting
 - Shared KYTC D7 project updates
 - Shared LFUCG traffic engineering/engineering project updates
 - Shared announcement of New Circle/Leestown Road diamond interchange project
 - Shared “Trends you may see in MTP 2050” on instagram
- Started planning for 2024 outreach coordination with DES PIE team
- Prepared Love to Ride contract agreement for LFUCG Council review in January
- Initiated consultant project to add full-performance accessibility widget to MPO website
- MPO website had 445 users and 3,251 views in December
- MPO Facebook had 3,648 followers, 137 impressions, and 2 engagements in December
- LexBikeWalk Facebook page had 4,730 followers, 3 posts, 805 impressions, 17 engagements in December

- LexBikeWalk Instagram page had 778 followers, 260 impressions, 2 engagements in December

6.0 Program Administration

- Prepared meeting packets and minutes for the Bicycle Pedestrian Advisory Committee (BPAC), Congestion Management Air Quality (CMAQ) Committee, and Transportation Technical Coordinating Committee (TTCC).
- Attended Lextran board meeting
- Coordinated with FTSB Director to oversee financial matters
- Attended Access Lexington meeting
- Conducted weekly MPO Staff meetings
- Submitted Title VI Plan updates to the KYTC Office of Transportation Delivery
- Attended FTSB board meeting
- Attended the following Webinars / Workshops / Conferences:
 - FHWA Greenhouse Gas (GHG) Emissions Final Rule webinar

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 February 2024

Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	February 1, 2024
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	February 1, 2024
Subdivision Items and ND-1 Overlay Zoning Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov't Center	February 8, 2024
Work Session, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	February 15, 2024
Zoning Items Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov't Center.....	February 22, 2024
Technical Committee, Wednesday, 8:30 a.m., in Council Chambers	February 28, 2024
Work Session, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	February 29, 2024

X. ADJOURNMENT

TW/TM/DC/RS-1/19/24

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