

Development Plan Action: A motion was made by Ms. Blanton, seconded by Mr. Owens, and carried 9-0 (Penn absent) to approve ZDP 2012-9, subject to the nine conditions as listed in the revised staff recommendation.

2. URBAN COUNTY PLANNING COMMISSION ZONING MAP AMENDMENT

- a. MAR 2012-2: URBAN COUNTY PLANNING COMMISSION - petition for a zone map amendment to create a Neighborhood Design Character Overlay (ND-1) zone for 113.87± net (150.90± gross) acres, for properties located at 200-368 Boiling Springs Drive; 207-291 Burke Road; 1443-1602 N. Forbes Road; 216-352 Glendale Avenue; 212-353, 357 & 361 Hillsboro Avenue; 212-329 Larch Lane; 1519-1649 Old Leestown Road (odd addresses only); 310-331 Leona Drive; 1456-1650 Meadowthorpe Avenue; 1541 & 1545 Penrod Drive; 215-267 Pepper Drive; 209-340 Taylor Drive; and 1442-1509 Townley Drive.

Proposed Design Standards:

1. **Exterior Building Materials** (applicable to single-family detached, duplexes and multi-family)
 - a. Exterior wall coverings of the primary structure, including attached garages and chimneys, but with the exception of dormers and porch coverings, are to consist of laid brick or laid natural stone. Brick is defined as brick made of kiln-dried clay or ground shale, and recognized by the Brick Industry Association as such. Exterior wall coverings of additions to the primary structure, other than those behind the existing primary structure, shall be of brick or stone. Exterior wall coverings of additions to the primary structure, behind the existing structure, may be of any material approved by local building codes.
2. **Floor Area Ratio** (applicable to single-family detached and duplexes)
 - a. The floor area ratio, excluding basements, shall not exceed 0.25.
3. **Building Heights** (applicable to single-family detached and duplexes)
 - a. Maximum of 30 feet to highest ridge.
4. **Rear Yard Setbacks** (applicable to single-family detached and duplexes)
 - a. Measured 60 feet from the front building plane (excluding porches) or 10 feet from the rear property line, whichever is greater.
5. **Accessory Structures** (applicable to single-family detached, duplexes and multi-family)
 - a. Maximum footprint of 800 square feet for all accessory structures per lot for single-family detached and duplexes. Maximum of 250 square feet per unit for multi-family. Maximum 22-foot height to roof ridge, but no accessory structure shall be taller at the roof ridge than the height of roof ridge of the primary structure; maximum 12-foot height to eave (aka gutter line). Maximum 12-foot height for accessory structures with flat or shed roofs.
6. **Minimum Wall Openings** (applicable to single-family detached, duplexes and multi-family)
 - a. Minimum of 10 percent (10%) of the wall plane (surface) on each elevation (front, side and rear) of new construction to have windows, doors, and/or vented openings, unless such openings violate Building Code for fire protection. (Excludes any new construction with a wall plane area of less than 150 square feet, chimneys, and side walls of dormers).
7. **Parking**
 - a. Parking for Multi-family Dwellings: No parking between the street and the front building plane of the principal structure on the lot. All parking areas are to be located to the rear and/or side of the principal structure on the lot.
 - b. Parking for Single-Family Detached and Duplexes: No driveways or parking areas between the primary structure and the street unless it is a driveway directly in front of an attached garage.

LAND USE PLAN AND PROPOSED USE

The 2007 Comprehensive Plan (Sector 3) recommends mostly Low Density Residential (LD) land use for the neighborhood. A few properties on Meadowthorpe Avenue are recommended for Medium Density Residential (MD) 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 exterior building materials, floor area ratio (FAR), building height, rear yard building setbacks, accessory structures, building wall openings, and off-street parking design regardless of the underlying zoning.

The Zoning Committee made no recommendation on this request.

The Staff Recommends: Approval of the ND-1 overlay zone with the Staff Alternative Design Standards, 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 overriding 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." This will be enhanced with this zoning overlay for Meadowthorpe. 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.
 - 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, independent of the underlying zoning.
 - c. The Meadowthorpe 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.
2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are proposed for the subject property via conditional zoning:

Alternative Design Standards (Additions are identified by an underline, and deletions to the original proposal are identified by a ~~strikethrough~~.)

1. **Exterior Building Materials (applicable to single-family detached, duplexes and multi-family)**
 - a. Exterior wall coverings of the primary structure, including attached garages and chimneys, but with the exception of dormers and porch coverings, are to consist of laid brick or laid natural stone. Brick is defined as brick made of kiln-dried clay or ground shale, and recognized by the Brick Industry Association as such. Exterior wall coverings of additions to the primary structure, other than those behind the rear wall plane of the existing primary structure, shall be of brick or stone. Exterior wall coverings of additions to the primary structure, behind the rear wall plane of the existing structure, may be of any material approved by local building codes.
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 - a. The floor area ratio, excluding basements, shall not exceed 0.25.
3. **Building Heights (applicable to single-family detached and duplexes)**
 - a. Maximum of 30 feet to highest ridge.
4. **Rear Yard Setbacks (applicable to single-family detached and duplexes)**
 - a. Setback shall be measured 60 feet from the front building plane (excluding porches) or 10 feet from the rear property line, whichever is greater.
5. **Accessory Structures (applicable to single-family detached, duplexes and multi-family)**
 - a. Maximum footprint of 800 square feet for all accessory structures per lot for single-family detached and duplexes. Maximum of 250 square feet per unit for multi-family. Maximum 22-foot height to roof ridge, ~~but no accessory structure shall be taller at the roof ridge than the height of roof ridge of the primary structure~~; maximum 12-foot height to eave (aka gutter line). Maximum 12-foot height for accessory structures with flat or shed roofs. Dormers shall be prohibited on accessory structures.
6. **Minimum Wall Openings (applicable to single-family detached, duplexes and multi-family)**
 - a. Minimum of 10 percent (10%) of the wall plane (surface) on each elevation (front, side and rear) of new construction to have windows, doors, and/or vented openings, unless such openings violate Building Code for fire protection. (Excludes any new construction with a wall plane area of less than 150 square feet, chimneys, and side walls of dormers).
7. **Parking**
 - a. **Parking for Multi-family Dwellings:** No parking areas between the street and the front building plane of the principal structure on the lot. All parking areas are to be located to the rear and/or side of the principal structure on the lot.
 - b. **Parking for Single-Family Detached and Duplexes:** No driveways or parking areas directly between the front facade of the primary structure and the street unless it is a driveway directly in front of an ~~attached garage~~. Loop or circular driveways shall also be prohibited.

These restrictions are appropriate, given the extensive study undertaken to identify the existing neighborhood character by the Meadowthorpe Neighborhood Association, and are necessary to maintain that existing character in the future.

Staff Presentation: Ms. Wade presented the staff's report on this ND-1 overlay zoning request by entering the following items into the record of the meeting: a copy of the staff's PowerPoint presentation; a summary of the staff's proposed alternative design standards; notebooks containing the design study and supporting information prepared by the Meadowthorpe Neighborhood Association; copies of the one letter received in opposition to the request, as well as several letters received in support; and the ND-1 ballots prepared by the neighborhood association as part of their initial request to the Planning Commission.

Ms. Wade stated that this ND-1 request was initiated by the Planning Commission in October of 2011. The request is for ND-1 zoning in the Meadowthorpe neighborhood, including 484 individual properties. Of these properties, 440 contain single-family residences, while the other 44 are occupied by duplexes and multi-family units. Ms. Wade briefly oriented the Commission to the location of the Meadowthorpe neighborhood on Lee Road, across from the Townley development and Meadowthorpe shopping center. The neighborhood is bordered to the north and west by New Circle Road; industrial uses to the east, along Price Road; commercial uses to the north and east; and industrial uses to the north, across New Circle Road. The neighborhood is almost entirely zoned R-1C, with the exception of several duplexes along Meadowthorpe Avenue; that area is currently zoned B-1, making them non-conforming uses. The other duplexes and multi-family structures in the neighborhood are also non-conforming, since they are currently zoned R-1C. Ms. Wade noted that the several large properties that were excluded from this request, including: Meadowthorpe Elementary School; Meadowthorpe Baptist Church and Meadowthorpe Presbyterian Church; Meadowthorpe Park; the Westcott during the Circle apartment complex; and the single-family residences on Pelican Lane, which were developed during the 1990s.

Ms. Wade stated that Meadowthorpe was developed primarily during the 1940s and 1950s, with the last subdivision of property occurring in 1961. Most of the homes are Cape Cod-style, with some ranch-style homes, as well as 29 duplexes and 15 multi-family structures. The construction of New Circle Road in the 1950s limited the expansion of the neighborhood, which was originally the Meadowthorpe Stock Farm, to its current confines. The neighborhood was then developed as Lexington's first airport, called Hailey Field, in 1927; it had historical importance as a landing site for Charles Lindbergh.

Ms. Wade explained that, as part of the ND-1 process, the Meadowthorpe neighborhood was first required to prepare a design study, which helped determine whether the area could meet one or more of the seven district designation criteria as outlined in Article 29. They believe that they meet two of those criteria: there is a distinct visual character to the neighborhood that gives it its distinct identity; and the area has a character that is geographically defined, that possesses a significant concentration of buildings or structures united by common events, or has a plan or physical development that is united. Ms. Wade stated that Article 29 also requires a neighborhood to develop preservation goals as part of the ND-1 process. The Meadowthorpe neighborhood developed four such goals. The Zoning Ordinance also requires that any neighborhood seeking ND-1 designation must submit the results of a neighborhood survey. The Meadowthorpe ND-1 survey determined that 67% of property owners were in support of the ND-1 request; 25% had no response; and a little over 8% opposed the request. The staff sent survey postcards to Meadowthorpe property owners as well, prior to the Commission's initiation of this request. That survey revealed that, of all parcels, 40% of the postcards were in support; 8.7% were in opposition; 28% said they had no opinion; and 46.5% did not return the postcards at all.

Ms. Wade stated that the neighborhood had been through a two-year process to develop their seven proposed design standards. The first design standard would restrict all wall coverings, including garages and chimneys to brick or natural stone; dormers and porch coverings would be exceptions to that restriction. With regard to additions, any addition behind the primary structure would be allowed to have a different covering, provided it meets local building codes. The neighborhood found, as part of their research, that 100% of the homes in Meadowthorpe have either brick or natural stone cladding, while the existing additions have a variety of coverings. This standard is proposed to preserve the quality of the environment and maintain the commonality of the structure.

Ms. Wade said that design standard #2 is proposed to restrict the floor area ratio (FAR) for single-family structures and duplexes to .25, excluding basements. The intention of this standard is to keep homes in scale with the neighborhood and maintain the streetscape. Ms. Wade noted that the property owner who submitted the opposition letter received by staff is concerned primarily with this proposed standard. The staff reviewed the letter provided by the neighborhood, with the exception of duplexes, which cannot be expanded due to their non-conformity, and found that only five of the single-family homes in the neighborhood exceed the .25 FAR. The greatest FAR among those structures is .3; there are another two homes which are currently at the .25 FAR. If this standard is applied, five properties would become non-conforming, and would not be able to expand.

With regard to design standard #3, Ms. Wade stated that the neighborhood is proposing a building height restriction to a maximum of 30' to the roof ridge. The neighborhood's data indicate that all of the homes in the neighborhood are one, one-and-a-half, or two stories tall, so none exceed the 30' limit. This restriction is proposed in order to keep homes in scale with the neighborhood and maintain the appearance of the streetscape.

Ms. Wade said that proposed standard #5 refers to accessory structures. The neighborhood is proposing a maximum footprint of 800 square feet for structures accessory to a single-family dwelling or duplex. For the multi-family dwellings, accessory structures would be limited to 250 square feet per unit. This standard would also restrict the height of accessory structures to 22 feet. In reviewing the neighborhood's data, the staff found that the existing accessory structures range from 180 square feet to 1,700 square feet in size; the average size of 462 square feet is well below the proposed maximum. Over 95% of the properties with single-family residences are currently below that limit. Among the multi-family dwellings, only eight have accessory structures; two of those would have more square footage than would be permitted under the proposed design standard, so those structures would not be permitted to be expanded. This standard is proposed to maintain the streetscape, and to ensure that accessory structures remain secondary to the principal structures.

Ms. Wade stated that proposed design standard #6, which would require a minimum number of wall openings, is similar to an existing requirement in the defined Infill and Redevelopment Area. The neighborhood did not survey each property to ascertain the existing wall openings; however, they reviewed a sample of properties, and they estimate that all of the existing structures in the neighborhood would fall within the 16 – 22% range. This design standard is proposed to eliminate the possibility of structures with completely blank walls, which would be out of character with the neighborhood.

With regard to proposed design standard #4, Ms. Wade said that the neighborhood is proposing rear yard setbacks, to be measured 60' back from the front building plane, in order to maintain green space. They believe that large rear yards and open space are vital to the character of the neighborhood. The staff considered whether this guideline would create non-conformities, and found that 7.5% of the properties (or 35 parcels) have structures that are currently more than 60' deep. Those structures might be able to be expanded to either side, but not to the rear.

Ms. Wade said that design standard #7 pertains to parking, which is almost exclusively to the rear in the Meadowthorpe neighborhood. Most of the single-family homes have detached garages, and the multi-family units have parking to the rear as well. Under this proposed standard, parking for multi-family dwellings would be maintained to the rear or the side of the principle structure. For single-family structures, a driveway would be allowed in front of a garage, but it could not be expanded beyond the width of the garage. This standard is proposed to reinforce the character of the neighborhood. The staff found four properties in the neighborhood that currently have parking that is not located in front of a garage. Ms. Wade displayed several photographs of examples of such parking areas.

Ms. Wade stated that the staff is suggesting the following modifications to the proposed design standards, in order to aid in interpretation of the standards should any of the Meadowthorpe property owners request a zoning compliance permit or building permit:

2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are proposed for the subject property via conditional zoning:

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These restrictions are appropriate, given the extensive study undertaken to identify the existing neighborhood character by the Meadowthorpe Neighborhood Association, and are necessary to maintain that existing character in the future.

Ms. Wade stated, with regard to the recommendations of the 2007 Comprehensive Plan, that the Meadowthorpe neighborhood is recommended for mostly Low Density Residential use, with the exception of the B-1 properties along Meadowthorpe Avenue, which are recommended for Medium Density Residential use. The Comprehensive Plan also identifies eight overriding themes, one of which is preserving and protecting existing neighborhoods in order to improve quality of life. Goal 15, Objective I specifically recommends overlay zoning as a means to protect established neighborhoods. Ms. Wade said that the staff is recommending approval of the alternative design standards, for the reasons as listed in the staff report and on the agenda.

Commission Questions: Mr. Berkley asked if the Meadowthorpe neighborhood is included in the defined Infill & Re-development Area. Ms. Wade answered that it is not.

Ms. Copeland asked if the Meadowthorpe shopping center is included in this request. Using the rendered zoning map, Ms. Wade displayed the outline of the area proposed for ND-1 zoning, noting that the shopping center is not proposed to be added to the ND-1 area.

Mr. Owens asked, with regard to the standard for accessory structures, if a duplex would be allowed an 800-square foot accessory structure for each unit, or one structure only. Ms. Wade responded that the proposed standards would allow 800 square feet total.

Mr. Owens asked how parking would be addressed should a property owner wish to convert their garage to an enclosed building, and no longer use it for parking. Ms. Wade answered that parking would have to be provided somewhere on the property, behind the building line. She added that the rear yard setback issues have come about on properties where detached garages have been connected to the primary structures.

With regard to the proposed standard for floor area ratio, Mr. Owens asked if the staff could provide the average floor area ratio for all of the properties in the neighborhood. Ms. Wade stated that she believed that it could be .19 or .20; the neighborhood representatives might be able to provide more concrete information. Coleman Bush, neighborhood representative, noted that the average FAR is .17.

Ms. Roche-Phillips asked if the Commission had already ruled that parking in front yards is not permitted. Ms. Wade responded that required parking cannot be provided in front of the building line, but non-required parking is permitted there, as long as no more than 50% of the front yard is paved. Ms. Roche-Phillips asked if it would be possible for a property owner to double the width of their driveway in order to provide more parking. Ms. Wade answered that there are a few such driveways in the neighborhood, and some of them have a parking space that is no longer in front of the garage door. She explained that, if the garage has a double door, the property owner should be able to widen the driveway. Ms. Wade also noted that these restrictions apply only in front of the building line; there would be no such restrictions behind the building line. Ms. Roche-Phillips asked if this standard would prohibit widening of a driveway in front of the house. Ms. Wade responded that, if a property

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Citizen Support: Mark Feibes, 288 Larch Lane, was present in support of this request. He quoted the following passage from *Rock Fences of the Bluegrass*:

"Our society does aspire to preserve some of the artifacts of the past, but we do this selectively. It is simpler to argue that a great building designed by a great architect, or occupied by a great man, merits preservation than it is to argue that a neighborhood market or a row of common working peoples' houses are worthy of the same effort. The unfortunate result of such selective preservation is that the geographic, historic, and cultural past is lost, and what is left is a unique artifact out of context amidst other structures to which it has no functional attachment. Such artifacts tell very little of their place in the events during the time they flourished."

Mr. Feibes stated that the Meadowthorpe neighborhood still exists nearly as it was 50 years ago. Out of the 484 original residences, only two have been torn down: one, in order to provide land for the Meadowthorpe Presbyterian Church, and the other due to a fire. Mr. Feibes said that he believes that this is the perfect time for ND-1 overlay zoning protection for the neighborhood, before it succumbs to changes.

Terry Terry, 1490 Townley Drive, stated that she lives near the home in one of the photographs displayed by Mr. Bush, which has a large addition. She said that, when she purchased her home 16 years ago, one of her main concerns was the size of the lot, in relation to the sizes of the homes around it. She and her family chose to live in Meadowthorpe partly because of the large lots and open space, since they spend a great deal of time outdoors. Ms. Terry said that, if she lived near the home at 1740 Townley Drive, she might consider selling her property, since that residence, the addition, and two-car garage occupies such a large portion of the lot and is out of character with the other homes on the street. She added that the neighborhood residents are seeking the ND-1 overlay zone in order to protect the other properties in the neighborhood for that type of overdevelopment, which does not fit in with the neighborhood.

Shirley Young, 220 Boiling Springs Drive, stated that she was a former president of the Meadowthorpe Neighborhood Association. Ms. Young said that she was first introduced to Meadowthorpe in 1980, while visiting a friend. In 1983, she sold a newer house on the south side of Lexington in order to relocate to Meadowthorpe.

Ms. Young stated that Meadowthorpe has important history, but the best feature of the neighborhood is its residents and the generations of families that make up the community. The neighborhood was developed by forward-thinking people who constructed many different types of housing to make it possible for people of many income ranges to live there. Ms. Young noted that, present in the audience at this meeting, are: Mary Owen Bush, who bought her home in Meadowthorpe in 1956; Mary's son Coleman and daughter Nora, both of whom live in Meadowthorpe; and her granddaughter and two great-grandsons, who live in the neighborhood as well. She said that the proposed standards would not prevent additions or improvements to existing homes, but they can help to preserve the unique character and style of the homes in Meadowthorpe.

Joe Collins, president of the Meadowthorpe Neighborhood Association, stated that the Planning Commission has a great opportunity to protect a wonderful neighborhood, and he hopes that they will choose to do so.

Elizabeth Robertson, 1602 Meadowthorpe Avenue, stated that she was originally from Bourbon County. She chose to return to Lexington after college in order to establish roots for her family. She purchased her home in Meadowthorpe in 2010 because of the quality of the homes, proximity to downtown life, and the sense of being part of a small, historic community.

Ms. Robertson said that her home was originally built for the Hillenmeyer family, and has been maintained in its original state for the past 45 years by the Collier family. She noted that she supports the proposed ND-1 overlay zone, because it will protect the historic homes and strong character of the Meadowthorpe neighborhood for future generations.

Citizen Opposition: Donna Blauvelt, 252 Boiling Springs Drive, stated that she used to own the property at 344 Boiling Springs Drive. She purchased her current home following the death of her father-in-law, so it truly is a generational house.

Ms. Blauvelt stated that she is in opposition to the proposed ND-1 overlay. When she bought her home, it was in a state of complete disrepair, and no one else would buy it. Ms. Blauvelt revamped the house, keeping it consistent with the character of the neighborhood. As part of those renovations, she added a dormer in the rear of the house to accommodate her family of three children, which is the first phase of the alterations she planned to make. The next phase would involve the addition of a large deck in the rear of the home; removing the existing concrete-block, two-car garage; replacing it with a brick façade, three-car garage; and constructing an extra

parking space beside the garage. Ms. Blauvelt stated that the proposed design standards would prohibit her from constructing that extra parking space. She explained that she had previously lived in a newer neighborhood with a homeowners' association, which had many regulations about the use and aesthetics of the properties, and she is concerned about the proposed ND-1 standards and how they could affect the use of her property. She said that she bought her home with the understanding that there were no restrictions on additions; she believes that it is unfair to apply restrictions to her property now, when she is partway through her renovation plans. Ms. Blauvelt asked that the Planning Commission consider the rights of the homeowners in the Meadowthorpe neighborhood, because she believes that dictating to a homeowner what they can and cannot do is not the American way.

Community Support: John Rhorer, Chair of the Historic Preservation Commission, stated that his organization is in support of this ND-1 request. He said that the Ordinance sets out the following jurisdiction for the Historic Preservation Commission:

"Providing guidance to LFUCG in all matters concerning historic preservation; conservation or enhancement of structures, premises, areas; or historic cultural and architectural significance."

Mr. Rhorer said that he believes that the amount of effort put forth by the Meadowthorpe Neighborhood Association with respect to data gathering and preparation for the ND-1 process is impressive. He noted that the Historic Preservation Commission had submitted a letter in support of this request, and he asked that the Commission recommend approval.

Chairman Comments: Since there were no other citizens wishing to speak to this proposal, Mr. Cravens declared the hearing closed at this time.

Commission Questions: Mr. Owens asked if there are required front yard setbacks in the Meadowthorpe neighborhood. Ms. Wade answered that the R-1C zone requires a 30' setback.

Ms. Roche-Phillips asked if Ms. Blauvelt would be permitted to construct an 800-square foot garage and a deck under the proposed design standards. Ms. Wade answered that that would be permitted. Ms. Roche-Phillips asked if Ms. Blauvelt would be able to construct an additional parking space beside the garage. Ms. Wade responded that the design standards would only restrict parking when it is between the front façade of the primary structure and the street. Ms. Roche-Phillips stated that it seemed, then, that Ms. Blauvelt's concerns should be met. Ms. Wade said that there might be some concern about the size of the garage, or the height, if dormers are added to it.

Ms. Copeland asked if this ND-1 request is typical, or if there is anything "radically different" about it. Ms. Wade answered that she did not believe that there was anything radically different about this request. She noted that, compared to the three existing ND-1 overlay areas, the design standards proposed by the Meadowthorpe neighborhood are not the strictest or the least restrictive.

Ms. Roche-Phillips asked Mr. Berkley if he knew the standard size for a two-car garage. Mr. Berkley responded that a two-car garage would likely be approximately 20x25 feet in size. Ms. Roche-Phillips asked what the dimensions would likely be for a three-car garage. Mr. Berkley answered that that would likely add another 10 to 15 feet to the structure. Ms. Roche-Phillips stated that 750 square feet should usually be sufficient for a garage, but that size would not account for storage space. She asked if the Commission members might be amenable to expanding the 800 square-foot restriction proposed by the neighborhood for accessory structures to 820 square feet.

Mr. Brewer asked if the neighborhood is in agreement with the proposed staff alternative design standards. Mr. Bush answered that the neighborhood is in agreement with the standards, and noted that they had been working closely with the staff.

Commission Discussion: Ms. Beatty commended the neighborhood for seeking ND-1 zoning, particularly due to their location in Lexington.

Mr. Owens stated that he had driven through the neighborhood, and had found it to be one of the most uniform neighborhoods in Lexington. He said that he believes that the proposed design standards are reasonable, and they should allow for reasonable expansions of existing homes in the future. He noted that there will be a few non-conformities created, but they should not have a significant impact on the neighborhood.

Ms. Blanton stated that she believes that the Meadowthorpe neighborhood is beautiful, with well-kept homes. She said that she grew up in homes of that era, however; and many of them are not functional by the standards of many families today, since they typically have only one bathroom and three bedrooms. Ms. Blanton stated

that she is concerned that the proposed design standards are too restrictive, and that they might have an opposite effect of their intention, in that younger families might not choose to locate there due to the lack of accommodation for modern lifestyles.

Mr. Cravens stated that he does not see why ND-1 overlay zoning is necessary in the Meadowthorpe neighborhood, since the homes there have been well maintained for 60 years and "the pride of the neighborhood keeps them that way." He added that he would hate to come home and find a postcard informing him that his neighbors wanted to rezone his house, and take away his rights to build an addition, garage, or circle driveway in the front yard. Mr. Cravens agreed with Ms. Blanton that many of the homes of that age are obsolete, and need more restrooms. He believes that the .25 FAR restriction could prevent those needed expansions, adding that the Infill & Redevelopment Area regulations allow a .35 FAR.

Mr. Cravens also noted that, if deed restrictions were in effect for the Meadowthorpe neighborhood, it would take 100% support to have them changed, rather than the approximately 70% support for this request.

Ms. Blanton asked if accommodations could be made to the proposed design standards in order to meet ADA regulations or for someone who might need to park close to the front of their house. Mr. Sallee answered that there is a process through which an owner could seek to change the restrictions on their property, but it would not be an automatic process; as an application, mailed notice, and public hearing would be required.

Ms. Roche-Phillips stated that the Meadowthorpe neighborhood has been working on the ND-1 process for over two years, and noted that it would be very difficult to achieve 100% consent for anything in an area with 484 property owners. She said that she believes that the neighborhood has clearly put forth a great deal of effort through this process, and that they have the best interests of all of the property owners in mind in their attempt to preserve the historical integrity of the neighborhood.

Action: A motion was made by Ms. Roche-Phillips, seconded by Mr. Wilson, and carried 6-3 (Penn absent; Berkley, Blanton, and Cravens opposed) to approve MAR 2012-2 with the staff alternative design standards, for the reasons provided by staff.

Note: Chairman Cravens declared a brief recess at 3:16 p.m. The meeting reconvened at 3:23 p.m.

VI. COMMISSION ITEMS

A. REVISED COMMISSION BY-LAWS – Mr. Cravens stated that Mr. King had prepared a draft change to the Planning Commission's by-laws, as discussed at the recent work session.

Mr. Owens stated that, under the proposed change to the by-laws, the nominating committee would be elected by the Planning Commission at their first regular meeting in June. The nominating committee would report on their progress at a work session the following week, for discussion by the Commission. The vote on the new officers, either via slate or nominations from the floor, would then take place at the Commission's first meeting in July.

Mr. Cravens said that he had encouraged the nominating committee to pursue this change to the by-laws in order to have elections in July, but he does not support the amendment as proposed. He explained that he believes that the Chair should appoint the nominating committee, and he does not believe that it is necessary to discuss the slate at a work session.

Ms. Roche-Phillips said that there had been some previous discussion about "breaking apart the slate" to elect individual officers, and asked if that would still be permitted under the proposed change to the by-laws. Mr. Owens answered that that would be allowed, if anyone had concerns with the proposed slate of officers or wished to make a nomination from the floor.

Mr. Brewer asked why the Planning Commission could not elect officers at a work session, rather than at a public meeting. Ms. Boland answered that, although work sessions are technically public meetings, there is no published agenda. She explained that it has always been the practice that official action is not taken at a work session, since the Planning Commission is a public body, and since state law requires that official actions of that body shall be televised and recorded.

Ms. Roche-Phillips asked if that practice was codified in the Planning Commission's by-laws. She said that she agreed with Mr. Brewer. Ms. Boland responded that the law requires that the Planning Commission act officially through their meetings, and official actions are recorded in minutes. She added that, since work sessions are not considered official meetings, no minutes are taken. Ms. Boland stated that, in order to hold elections at a work session, the Planning Commission would have to completely change their policy, and have formal minutes taken at their work sessions, which would

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