

1. **CALVARY BAPTIST CHURCH ZONING MAP AMENDMENT & CALVARY BAPTIST CHURCH SUBDIVISION ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-17-00009 CALVARY BAPTIST CHURCH (5/7/17)* - petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Downtown Center Business (B-2B) zone, for 0.609 net (0.768 gross) acre, and from a High Density Apartment (R-4) zone to a Downtown Center Business (B-2B) zone, for 2.053 net (2.639 gross) acres, for property located at 100 and 152 E. High Street (a portion of each), and 238, 240, 242, 244, 250 and 252 Rodes Avenue.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that 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.

In addition to the Comprehensive Plan mission statement, the Goals and Objectives of the Plan also encourage growing successful neighborhoods (Theme A), protecting the environment (Theme B) and creating jobs and prosperity (Theme C). The petitioner proposes a B-2B zone in order to consolidate the zoning of the applicant's entire landholdings within the block, except for one property.

The Zoning Committee made no recommendation, due to lack of a quorum.

The Staff Recommends: Postponement, for the following reasons:

1. The applicant's proposed rezoning of R-4 and B-1 portions of their site does not match the legal description of the zone change that created the B-2B zone on their property more than 40 years ago. This discrepancy should be resolved in some manner prior to the Planning Commission's public hearing on this zone change.
- b. PLN-MJDP-17-00007: CALVARY BAPTIST CHURCH (5/7/17)* - located at 100 and 152 E. High Street; 212 and 216 S. Limestone; 238 and 252 Rhodes.

(Abbie Jones Consulting)

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

1. Provided the Urban County Council rezones portions of the property B-2B; 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. Building Inspection's approval of landscaping and landscape 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. Division of Waste Management's approval of refuse collection locations.
9. Addition of all required information on plan per Article 21-6(a) of the Zoning Ordinance.
10. Denote record plat information on plan, including for adjoining property where available.
11. Addition of platted building line on Rodes Avenue.

Staff Zoning Presentation – Mr. Sallee presented and summarized the staff report and recommendations for this zone change. He displayed several photographs of the subject property and the general area and said that the rear half of the church's property is proposed for rezoning. He said that the applicant wants to have all of their property in one category for future planning purposes. He said that the applicant's justification states the proposed zone is more appropriate for their campus.

Mr. Sallee said that there was a technical issue discovered prior to the Zoning Committee meeting, which dates back to when the B-2B zone was first created. He said that the zone line that splits the church was on a mylar Zoning Atlas and that information has since been transferred to the current GIS mapping system. The initial filing of the application caused GIS to refer to the original zone change from 1977. That discovered that the Zoning Atlas didn't match the legal description used in the 1977 rezoning, thus the applicant's zone line also didn't match. He said that this discovery prompted the staff to recommend postponement of this application; however, the applicant revised their application and the survey information and the proposed zone change does match the 1977 zoning line.

Mr. Sallee referred to the supplemental staff report and identified the necessary adjustments to the acreage of the proposed zone change. He said that a mixture of zones is not nearly as appropriate as a single zone would be for this church site. He said the staff is now recommending approval for this zone change. He also said that the church does

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

have a small property that isn't included in this zone change, it's located at the corner of Maxwell Street and S. Martin Luther King, Jr. Boulevard which is used for student ministry, and it is a P-1 zone.

Development Plan Presentation – Mr. Martin presented the staff report on the Development Plan associated with this zone change. Mr. Martin identified the existing structures and parking. He said that there will not be any major changes but a gravel parking lot will be made into a through connection from Crystals Court to Rodes Avenue.

Mr. Martin said that this is a revised plan submittal with a recommendation for the standard sign-off conditions for this Final Development Plan. He said that additional Article 21 information also needs to be added. He said that the Subdivision Committee did recommend approval of this plan.

Petitioner Presentation – Abbie Jones, engineer, was present representing the petitioner. She said the applicant is in agreement with the staff's recommendations.

Commission Question – Mr. Penn asked if there was intent to consolidate the property. Ms. Jones replied that they are planning to consolidate the subject property.

Citizen Comment – There were no citizens present to speak to this application.

Zoning Action – A motion was made by Mr. Owens, seconded by Mr. Brewer, and carried 10-0 (Drake absent; Penn abstained) to approve PLN-MAR-17-00009 CALVARY BAPTIST CHURCH, for the reasons provided by the staff.

Development Plan Action – A motion was made by Mr. Owens, seconded by Mr. Brewer, carried 10-0 (Drake absent; Penn abstained) to approve PLN-MJDP-17-00007: CALVARY BAPTIST CHURCH, for the reasons provided by the staff.