

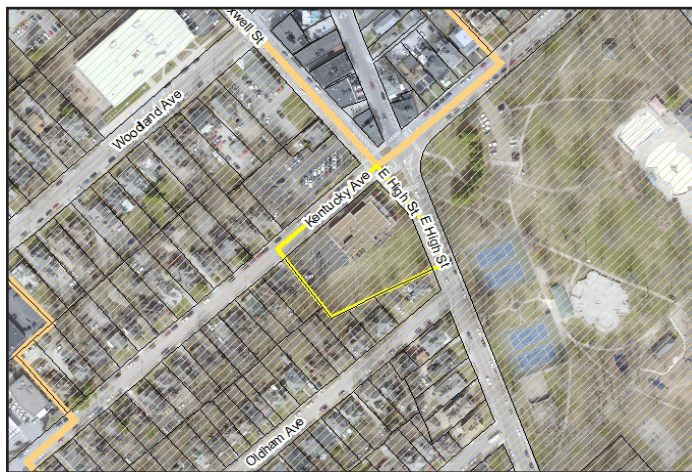
STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-22-00014: WINTERWOOD, INC.

DESCRIPTION OF ZONE CHANGE

Zone Change: From a Two-Family Residential (R-2) zone
To a High Density Apartment (R-4) zone
Acreage: 1.089 net (1.346 gross) acres
Location: 530 E High Street

EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-2	Church
To North	B-1	Neighborhood Commercial
To East	R-3	Public Park
To South	R-2 / R-1E	Single Family Residential
To West	R-2	Parking / Single and Multi Family Residential



URBAN SERVICE REPORT

Roads - The subject property is located on the southwest side of East High Street, a major arterial roadway, just east of the intersection of East Maxwell Street and East High Street. At this location, East High Street experiences approximately 11,000 average daily trips. The site is bound by Kentucky Avenue on the west, which connects East Main Street and Euclid Avenue.

Curb/Gutter/Sidewalks - East High Street and Kentucky Avenue were both constructed with curb, gutter and sidewalk facilities. These facilities are representative of the historic development of the area.

Utilities - All utilities, including natural gas, electric, water, phone, cable television, and internet are available in the area, and are available to serve future development.

Storm Sewers - The subject property is located within the Town Branch watershed. There have been documented stormwater issues elsewhere within the Alyesford Historic District, as a result of historical stormwater systems. With the proposed development, the applicant will be required to maintain the current rate of stormwater runoff in conformity with the adopted Stormwater Manuals.

Sanitary Sewers - The subject property is located within the Town Branch sewershed, and will be serviced by the Town Branch Wastewater Treatment Facility, located on Lisle Industrial Avenue inside New Circle Road, between Leestown Road and Old Frankfort Pike. Sanitary sewers have been constructed within the immediate area. Capacity of the sewer system will need to be verified prior to construction of any use on the subject property.

Refuse - The Urban County Government serves this area with refuse collection on Tuesdays. However, supplemental service by private refuse haulers is commonly utilized for multi-family residential land uses, such as those proposed on the associated development plan.

Police - The nearest police station is the Main Headquarters located on East Main Street, approximately one mile to the north west of the subject property.

Fire/Ambulance - Fire Station #5 is the nearest station to this site and is located one block northwest of the subject property at the corner of East Maxwell Street and Woodland Avenue.

Transit - LexTran service is available within the immediate area of the subject property. The Southland Drive (#16) has outbound and inbound service along Woodland Avenue, with an existing transit stop approximately 500 feet from the subject property. There is additional outbound and inbound service along Euclid Avenue (Routes #1, #3).

Parks - Woodland Park is located directly across East High Street from the subject property. Bell Place and Thoroughbred Park are also located less than a mile north of the subject property.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property from a Two-Family Residential (R-2) zone to the High Density Apartment (R-4) zone in an effort to continue the historical use of the Woodland Christian Church and add a three (3) storied multi-family residential structure. In addition to the zone change request, the applicant is seeking a conditional use permit for a place of religious assembly, to continue the use of the church, and a variance to the required parking.

PLACE-TYPE

ENHANCED NEIGHBORHOOD The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. Development should be context-sensitive to surrounding areas and should add to the sense of place. Incorporating multi-modal connections is crucial to neighborhood success and viability.

DEVELOPMENT TYPE

MEDIUM DENSITY RESIDENTIAL

Primary Land Use, Building Form, & Design
Primarily attached and multi-family units. Multi-family units should complement and enhance existing development through quality design and connections.

Transit Infrastructure & Connectivity
Nearby commercial/employment uses and greenspaces should be easily accessible, and bicycle and pedestrian modes should be maximized to connect residents to destinations.

Quality of Life Components
These developments should include intentional open space designed to fit the needs of area residents, and a variety of neighborhood-serving commercial/ employment uses.

PROPOSED ZONING



This zone is primarily for multi-family dwellings, but at a higher density than the R-3 zone. The R-4 zone should be at locations and at the density (units/acre) recommended by the Comprehensive Plan, and in areas of the community where necessary services and facilities will be adequate to serve the anticipated population.

PROPOSED USE



The petitioner proposes the rezoning of the subject property to the High Density Apartment (R-4) zone to allow for a partial conversion of the existing church and the addition of a three (3) storied multi-family residential structure. The applicant is proposing to expand the building to the east to accommodate the primary residential component, which also updating the interior of the historical structure. The units are being proposed to be affordable units for individuals or couples over the age of 55. The applicant is seeking to develop a total of thirty-eight (38) one-bedroom dwelling units, at a residential density of approximately 35 dwelling units per net acre.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant held a meeting with the adjoining Aylesford Neighborhood Association on August 16th, 2022 at the subject property. The applicant should provide greater detail regarding the meeting and the comments from the attendees. At this meeting, members of the church leadership, representatives from Winterwood Inc. and the design team members from Necto Architecture and Earthcycle Design outlined the proposal to keep the Church and its services and community support, while providing for a sustainable and viable future for the next century, with an addition of 38 affordable housing units for seniors. During the hour and half meeting a number of questions were raised by attendees ranging from the church's future activities to the affordability of the housing units. At the end of the meeting, the current president of Aylesford Place Neighborhood Association expressed their thanks for the presentation and offered an endorsement of the project to the Church and team.



In addition to the engagement with the neighborhood association, the design team met on-site with staff from LFUCG's Historic Preservation Office to discuss and review the proposed project scope on July 22, 2022. On August 17, 2022, Jay Copley with Necto Architecture attended LFUCG's Board of Architectural Review to present the schematic design in a preliminary review process. In addition to LFUCG's Historic Preservation Office engagement, the design team met and reviewed the schematic design with Kentucky Heritage Council for feedback on August 25, 2022.

PROPERTY & ZONING HISTORY



The subject property has been zoned Two-Family Residential (R-2) since the establishment of the zone in the City of Lexington. The zoning remained during the comprehensive rezoning of the city and the county in 1969. With the exception of the Woodland Triangle business district and the Woodland Park, the area surrounding the church was and continues to be residential in nature.

Initially, East High Street acted as a point of delineation between the Two-Family Residential (R-2) and Planned Neighborhood Residential (R-3) zoning, with the R-2 zoning located to the south. However, due to the historical aspects of the area, many of the land uses were reflective of a period during which zoning did not regulate the variability of housing form and density. There are various examples of non-conforming multi-family dwelling units in the area surrounding the subject property. Furthermore, the presence of non-conformities increased during the late 1990s, when there was a significant push by the neighborhood to downzone areas that were seen as being converted to duplexes, rather than maintaining single family land uses. This push for the preservation of the historic land uses and form of the structures ultimately led to the establishment of the Aylesford Historic (H-1) Overlay zone in 1998.

The Woodland Christian Church has been located at this property since 1908. Originally, the church was constructed of wood, but as the congregation grew, the original structure was dismantled and replaced with the current brick construction, which was finalized in 1925. The structure is comprised of three levels and includes the sanctuary, meeting rooms, and classrooms. The church has not only been utilized for religious services and education, but has also acted as an important meeting space for the Aylesford neighborhood since its construction.

COMPREHENSIVE PLAN COMPLIANCE



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.

GOALS, OBJECTIVES & POLICIES

Within their letter of justification the applicant stresses that the proposed development will infill underutilized land and redevelop a property that will include a mix of both affordable housing, religious services, and education (Theme A, Goal #2). They opine that they are in agreement with the adopted Goals, Objectives, and Policies of the 2018 Comprehensive Plan. First, they state that the proposed project will encourage expanded housing choices (Theme A, Goal #1) by including multi-family housing in an area that is primarily zoned for duplexes and single family detached dwelling units. The applicant indicates that the mix of uses and the inclusion of multi-family residential dwelling units will uphold the Urban Service Area concept by accommodating the demand for housing in Lexington responsibly, prioritizing higher-density residential and a mixture of housing types (Theme A, Goal #1.b & d, Theme A, Goal #2.a, b, c & d, Theme A, Goal #3.a, b & d and Theme A, Goal #4.b).

The applicant also alludes to the adaptive reuse of the building. The reuse of the building and the expansion associated with the proposed project will also protect and enhance the cultural landscapes that gives Lexington-Fayette County its unique identity and image (Theme D, Goal #3). The Woodland Christian Church is located in the Aylesford Historic District and has been a central historical site as both religious and community facility. The applicant is seeking to restore, redevelop and maintain the historical aspects of the



structure, while also adding a residential component that will provide longer term viability of the site (Theme D, Goal #3.b). By situating the residential addition behind the front building plane, decreasing the height of the new construction, and by blending elements between the historical structure and the modern addition, the applicant is seeking to maintain the prominence of the original structure and diminish some of the contrasts between the historic and modern construction. The applicant stresses that the redevelopment of the property and the adherence to the Historic Guidelines will allow for more contextually sensitive development (Theme A, Density Policy #2).

Additionally, the applicant opines that the proposed project will provide safe and desirable affordable housing to low income seniors within the Lexington community (Theme A, Goal #1.c; Theme A, Equity Policy #1; Theme A, Equity Policy #2), along a higher capacity roadway (Theme A, Density Policy #4), which currently includes safe pedestrian facilities and access to a variety of amenities (Theme B, Sustainability Policy #2, 3, & 4).

Staff agrees that these Goals, and Objectives of the 2018 Comprehensive can be met with the proposed rezoning of the subject property.

PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject property. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2018 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant indicates that the project is located within the Enhanced Neighborhood Place-Type and is a Medium Density Residential Development Type. The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. The Medium Density Residential Development Type should avoid homogeneous neighborhoods and should be supplemented by a variety of uses and housing options to create sustainable places. The staff agrees that the subject property is located within the established Aylesford neighborhood and the proposed development would provide another housing form within the area. The staff agrees that the Enhanced Neighborhood Place-Type and the Medium Density Residential Development Type are appropriate. Additionally, the High Density Apartment (R-4) zone is a recommended zone with the Place-Type and Development Type and can be appropriate for the subject property.

DEVELOPMENT CRITERIA

The development criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2018 Comprehensive Plan. The development criteria represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed Corridor Place-Type and Medium Density Non-Residential / Mixed-Use Development Type.

1. Site Design, Building Form and Location

The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development and community facility that supports pedestrian mobility, deemphasizes the impact of parking, and provides activated and usable open space.

2. Transportation and Pedestrian

The proposed rezoning includes safe facilities for the potential users, through the integration of the site with the established pedestrian facilities along the property's frontages. The applicant also proposes providing parking behind and to the side of the church and multi-family dwelling units and limits the amount of vehicular access points. The parking provided across Kentucky Avenue will be enhanced to limit the impact of the lot on the adjacent right-of-way. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.



3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage and reduce the impact of the built environment and impervious surfaces by providing green infrastructure and integrating new stormwater facilities.

STAFF RECOMMENDS: **APPROVAL**, FOR THE FOLLOWING REASONS:



1. The requested High Density Apartment (R-4) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives and Policies, for the following reasons:
 - a. The proposed development will infill underutilized land and redevelop a property that will include a mix of both affordable housing, religious services, and education (Theme A, Goal #2).
 - b. The proposed project will encourage expanding housing choices (Theme A, Goal #1) by including multi-family housing in an area that is primarily zoned for duplexes and single family detached dwelling units.
 - c. The proposed rezoning will provide a mix of uses, including multi-family residential, which will uphold the Urban Service Area concept by accommodating the demand for housing in Lexington responsibly, prioritizing higher-density residential (Theme A, Goal #1.b & d, Theme A, Goal #2.a, b, c & d, Theme A, Goal #3. a, b & d and Theme A, Goal #4.b).
 - d. The reuse of the building and the expansion associated with the proposed project will protect and enhance the cultural landscapes that gives Lexington-Fayette County its unique identity and image (Theme D, Goal #3) by restoring and redeveloping a historic structure in Lexington (Theme D, Goal #3.b).
 - e. The proposed redevelopment of the property and the adherence to the Historic Guidelines will allow for more contextually sensitive development (Theme A, Density Policy #2) that is established and integrated into the Aylesford neighborhood.
 - f. The proposed project will provide safe and desirable affordable housing to low income seniors within the Lexington community (Theme A, Goal #1.c; Theme A, Equity Policy #1; Theme A, Equity Policy #2), along a higher capacity roadway (Theme A, Density Policy #4), which currently includes safe pedestrian facilities and access to a variety of amenities (Theme B, Sustainability Policy #2, 3, & 4).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development and community facility that supports pedestrian mobility, deemphasizes the impact of parking, and provides activated and usable open space.
 - b. The proposed rezoning includes safe facilities for the potential users, through the integration of the site with the established pedestrian facilities along the property's frontages. The applicant also proposes providing parking behind and to the side of the church and multi-family dwelling units and limits the amount of vehicular access points. The parking provided across Kentucky Avenue will be enhanced to limit the impact of the lot on the adjacent right-of-way. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage and reduce the impact of the built environment and impervious surfaces by providing green infrastructure and integrating new stormwater facilities..
3. This recommendation is made subject to approval and certification of PLN-MJDP-22-00056: Woodland Christian Church, Inc., prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

STAFF REPORT ON CONDITIONAL USE PERMIT REQUEST



In association with the zone change request for the property, the applicant is seeking a Conditional Use Permit within the High Density Residential (R-4) zone to operate a place of religious assemble at 530 East High Street. Included in the area of notification for the conditional use is the property located at 205 Kentucky Avenue, which serves as the parking lot for the church facilities. With any zone change the Planning Commission shall have the power to hear and decide applications for conditional use permits. These permits are to allow the proper integration into the planning area of uses which are specifically named in this Zoning Ordinance, which may be suitable only in specific locations in the zone only if certain conditions are met and which would not have an adverse influence on existing or future development of the subject property or its surrounding neighborhood.

ZONING ORDINANCE

Article 6-4(c) states that the Planning Commission may hear and act upon requested conditional uses and variances associated with a zone change. If the Planning Commission should choose to hear a conditional use or variance request, the Planning Commission shall have all of the powers and responsibilities of the Board of Adjustment, as defined in Sections 7-6(a) and 7-6(b) of the Zoning Ordinance. All conditional use and variance applications shall be acted upon by the Planning Commission within ninety (90) days from the date of the application, unless postponed further by the applicant.

Article 8-13(d)(1) refers to the permitted conditional uses within the R-3 zone.

Article 8-12(d)(1) refers to the permitted conditional uses within the R-1A zone.

Article 8-5(d)(6) states that places of religious assembly are a conditional use within the single family residential (R-1A) zone.

CASE REVIEW

The applicant is requesting to continue to utilize the property located at 530 East High Street as a place of religious assembly. The Woodland Christian Church has been located at this property since 1908. Originally, the church was constructed of wood, but as the congregation grew, the original structure was dismantled and replaced with the current brick construction, which was finalized in 1925. As the structure was built and the use established prior to the establishment of zoning restrictions, the church has been operating as a legal non-conformity in the R-2 zone. Due to the rezoning, it is appropriate that the applicant request the conditional use permit for the property, so that the use can conform with the LFUCG Zoning Ordinance.

The current structure is comprised of three levels and includes the sanctuary, meeting rooms, and classrooms. The church has not only been utilized for religious services and education, but has also acted as an important meeting space for the Aylesford neighborhood since its construction. The parking for the church is both located on the subject property and directly across Kentucky Avenue. The parking located at 205 Kentucky Avenue is and will continue to be a non-conforming use, as stand alone parking lots are not an allowable principal or conditional use in the R-2 zone. The applicant is not seeking to expand the non-conformity at 205 Kentucky Avenue.

In review of the applicant's submission and the historical use of the property, staff finds that the continuation of the Woodland Christian Church is appropriate and that the location of the property and the facilities available to the property are adequate to serve the site.

STAFF RECOMMENDS: **APPROVAL**, FOR THE FOLLOWING REASONS:



1. The continued use of the Woodland Christian Church, a place of religious assembly, is suitable at it's current location and does not have an adverse influence on existing or future development of the subject property or its surrounding neighborhood.
2. The continued use of the Woodland Christian Church provides an amenity to both the neighborhood and the potential residents of the proposed affordable housing development.
3. All necessary public facilities and services are available and adequate for the proposed use.



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

- a. Provided the Urban County Council approves the requested zone change to the R-4 zone, otherwise the requested conditional use 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.

STAFF REPORT ON VARIANCE REQUEST



As part of their application, the petitioner is also requesting a reduction of the minimum required parking for the continued use of the property as a place of religious assembly and the addition of the 38 dwelling units within a High Density Apartment (R-4) zone. The applicant is seeking to reduce the minimum required parking from 102 parking space to 61 parking spaces (41% reduction), a requirement of Article 8-13(n) of the LFUCG Zoning Ordinance.

Before any variance is granted, the Planning Commission must find the following:

- a. The granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Planning Commission shall consider whether:
 1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone.
 2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
 3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- b. The Planning Commission shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

ZONING ORDINANCE

Article 6-4(c) states that the Planning Commission may hear and act upon requested variances associated with a zone change. In such cases, they may assume all of the powers and responsibilities of the Board of Adjustment, as defined in Article 7-6(b) of the Zoning Ordinance.

Article 7-6(b) states that the Board may grant a variance to reduce the minimum number of parking spaces by 50% of the otherwise required number in accordance with Article 16-10 for projects within the defined Infill & Redevelopment Area. Any reduction granted by the Board shall account for and include all other allowable parking reductions. The Board may impose any reasonable conditions or restrictions on any variance it decides to grant, and may revoke a variance for non-compliance with the conditions thereof.

Article 8-13(n) refers back to the Planned Neighborhood Residential (R-3) zone (Article 8-12(n)) which states that the minimum parking for senior living facilities are three (3) spaces per every four (4) dwelling units. Article 18-12(n) also refers back to Single Family Residential (R-1A) zone (Article 8-5(n)) which states that the minimum required parking for places of religious assembly is one (1) space per every five (5) seats in the main auditorium, with a minimum of five spaces.

Article 16-10(5)(a) states that sites having fifty (50) or more parking spaces may reduce the total minimum automobile parking space requirement by one (1) parking space for every one (1) bicycle space provided on a permanently constructed bicycle rack. The maximum reduction of required parking spaces shall not be reduced less than five percent (5%) of the otherwise required amount. Only the provision of additional bicycle spaces shall count toward this reduction when a minimum bicycle space is required. Provision of bicycle spaces shall not count against the otherwise required minimum for the calculation of the maximum parking allowed.

Article 16-10(5)(b) states that sites located within 300 feet of a transit stop with a shelter may be allowed a ten percent (10%) reduction of the minimum required parking. Sites located within 300 feet of a transit stop without a shelter may be allowed a five percent (5%) reduction of the minimum required parking. If the site is located within 300 feet of more than one transit stop, the maximum reduction allowed will be ten percent (10%) for this specific parking reduction. Provision of a transit stop shall not count against the otherwise required minimum for the calculation of the maximum parking allowed.

CASE REVIEW

The applicant is requesting a forty-one (41%) percent reduction in the required minimum parking for their



proposed development, located at 530 East High Street. The proposed project seeks to mix the established place of religious assembly, the Woodland Christian Church, with affordable housing for seniors. Despite the current church use operating at a lesser amount of parking as a non-conformity, the added residential use necessitates that the applicant request a reduction in the required parking. The applicant indicates that the request is appropriate as the Woodland Christian Church has operated at the currently location since 1925 without meeting current off-street parking requirements. They stress that there is an abundance of on-street parking within walking distance of property and that there are various transit routes within proximity of the property. Finally, they indicate that the proposed project, with limited parking, supports many of the Goals, Objectives, and Policies of 2018 Comprehensive Plan that call for a more inclusive, dense, and walkable community.

The staff is supportive of a parking variance in this location for many of the reasons provided by the applicant. Three factors typically explored by staff in assessing this sort of variance request include the walkability of the area, available transit service in the area, and whether there is anything about the particular use that results in the generation of less parking than with a typical user. This property has a Walk Score rating of 94, which is considered very walkable; a place where “daily errands do not require a car.” Additionally, the property has a Bike Score of 97, which is considered very bikeable. The property is also located within proximity to various amenities, including Woodland Park, the neighborhood businesses located in Woodland Triangle, and the grocery store along Euclid Avenue, which further support the reduction in the required parking.

STAFF RECOMMENDS: APPROVAL OF THE REQUESTED VARIANCE TO REDUCE THE NUMBER OF REQUIRED PARKING FROM 102 SPACES TO 61 SPACES (41% REDUCTION), FOR THE FOLLOWING REASONS:



1. Approval of the variance should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public. This property has historically been utilized with a lesser amount of parking provided.
2. Walk Score rating for the area is 94, which is considered very walkable and a Bike Score of 97, which is considered very bikeable.
3. Other parking is available in the area, including metered on-street parking and on-street parking for those with residential permits, which may be acquired through LexPark for residents of the street.
4. The property is located within close proximity to various amenities, including but not limited to Woodland Park, the neighborhood businesses located in Woodland Triangle, and the grocery store along Euclid Avenue. This location represents a special circumstance that increase the likelihood that residents who choose to live in this location will be less car dependent than average.

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 R-4 zone, otherwise the requested variances 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.