

1. URBAN COUNTY PLANNING COMMISSION ZONING MAP AMENDMENT

- a. MAR 2014-2: URBAN COUNTY PLANNING COMMISSION - petition for a zone map amendment to a Historic District (H-1) overlay zone for 0.40 ± net (0.532 ± gross) acre, for properties located at 149 and 151 Jefferson Street; 611, 638-640 and 644 Ballard Street; and 609 West Short Street (rear portion).

The Zoning Committee Recommended: Approval, for the reasons provided by staff.

The Staff Recommends: Approval, for the following reasons:

1. The expansion to the Western Suburb Historic District Overlay (H-1) zone area is consistent with the following Themes, Goals and Objectives of the 2013 Comprehensive Plan, as well as the text of the 2007 Comprehensive Plan as it relates to Historic Preservation:
 - a. Growing a successful community through well-designed neighborhoods, by encouraging existing neighborhoods to flourish through the use of neighborhood character preservation (Theme A.3.a).
 - b. Improving a desirable community through protection and enhancement of the cultural landscapes that give our community its unique identity and image. This can be accomplished through protection of historic resources (obj. a); encouraging renovation, restoration and maintenance of historic structures (obj. b); and developing incentives to retain, restore, preserve, and continue use of historic sites and structures (Theme D.3.a-c).
2. Historic District Overlay (H-1) zoning for this area would be consistent with the recommendation of the Board of Architectural Review for expansion of the Western Suburb Historic District (H-1) Overlay, with the recommendations found in the *Expansion of Western Suburb Historic District (H-1) Designation Report*, and with the provisions of Article 13-3(g) of the Zoning Ordinance. Specifically, the following findings are applicable to the subject area:
 - a. The structures evaluated in the study area were constructed over a 100-year period, but are representative of the different time periods in which they were built. They reflect the architectural styling popular at the time they were constructed and add to the understanding of how the Western Suburb developed between the early 19th century and mid 20th century.
 - b. The shallow front setbacks, scale and visual presence of each of the dwellings is an integral part of the overall streetscape. The varied architectural styles fit seamlessly within the character of the Western Suburb Historic District.
 - c. The study area has a similar rhythm of lot sizes, building setbacks, and streetscapes with structures ranging from sizable to quite modest. The footprint of the neighborhood is fairly compact and includes more handsome, brick structures along its primary streets and smaller, vernacular, often frame houses interspersed on its side streets and alleys. The properties and structures in this expansion area retain their integrity and will add to and complete the history and architecture of the existing Western Suburb Historic District.
 - d. The study area meets four of the nine criteria necessary in order to establish Local Historic (H-1) Overlay zoning, as listed in Article 13-3(g) of the Zoning Ordinance. According to the Designation Report, the criteria met are:
 - i. Criteria 13-3(g)(5): It has value as a building that is recognized for the quality of its architecture and that retains significant elements showing its architectural significance.
 - ii. Criteria 13-3(g)(6): It has distinguishing characteristics of an architectural style valuable for the study of a period, method of construction or use of indigenous materials.
 - iii. Criteria 13-3(g)(7): It has character as a geographically definable area possessing a significant concentration of buildings or structures united by past events or by its plan or physical development.
 - iv. Criteria 13-3(g)(8): It has character as an established and geographically definable residential neighborhood, agricultural area or business district united by culture, architectural style or physical plan and development.

Staff Presentation: Ms. Wade presented the staff report on this request, explaining that it was initiated by the Commission at the request of William Johnston, who owns several properties in the area. The proposed zone change would add a Historic District overlay to six parcels, consisting of approximately .4 acre of land adjacent to the existing Western Suburb Historic District.

Ms. Wade said that the existing zoning of the subject parcels is a mixture of B-1 and R-4. It is surrounded on the southeast by mostly B-1 zoning, along Jefferson Street; and by R-4 zoning to the southwest, along West Short Street. She displayed a graphic depicting the existing Western Suburb Historic District, as well as the six parcels proposed for addition to that district.

Ms. Wade stated that the subject properties were requested to be added to the Historic District by Bill Johnston, a current resident and active member of the neighborhood. He is an owner of four of the parcels included in this request; two other parcels were added in order to maintain adjacency to the existing H-1 area boundary. Ms. Wade noted that this request is the first time an addition to a local historic district has been proposed in Lexington-Fayette County.

Ms. Wade said that, after a request such as this is initiated by the Planning Commission or the Urban County Council, the Planning staff forwards it to the Division of Historic Preservation. They prepare a study of all the properties proposed to be included in the historic district, and a designation report. The designation report for

this request includes the history of the Western Suburb Historic District; a list of notable citizens connected with the area, including Mary Todd Lincoln; a review of the architectural styles in the area; and a description of the building construction of each of the structures. The designation report also notes that the rear of 609 West Short Street was not included in the original request, but is included at this time in order to provide adjacency for the requested properties.

Ms. Wade displayed the following photographs of the subject properties: 1) a small yellow cottage at the corner of Jefferson Street; 2) a larger, Federal-style building adjacent to it; 3) a small cottage on Ballard Street to the rear of the Jefferson Street properties; 4) a duplex at 638-640 Ballard Street; 5) a single-family residence at 644 Ballard Street; and 6) the rear of the property at 609 West Short Street.

Ms. Wade stated that the Board of Architectural Review (BOAR) held a public hearing on this request in mid-November, where they voted to recommend that the subject properties to be added the existing Western Suburb Historic District. The findings on which they based that recommendation address the Comprehensive Plan and its recommendations for preservation, as well as Article 13-3(g) of the Zoning Ordinance, which identifies the nine criteria for historic districts. In this case, the BOAR and the Historic Preservation staff found that this request met four of the nine criteria. Ms. Wade said that the Zoning Committee reviewed this request, at which time they were in agreement with the staff recommendation of approval, for the reasons as listed in the staff report and on the agenda.

Historic Preservation Presentation: Randy Shipp, Division of Historic Preservation, began his presentation by submitting the designation report, BOAR Design Guidelines, and Article 13 of the Zoning Ordinance into the record of the meeting. Displaying a rendered map, he noted the location of the existing Western Suburb Historic District, and the six properties proposed for addition to the district. He displayed several photographs of structures in the existing Historic District, which includes several commercial properties.

Referring to the six properties proposed for addition to the Historic District, Mr. Shipp stated that 611 Ballard Street is a one-story cottage that was built around 1890. Also on Ballard Street, 638-640 is a one-story duplex constructed around 1940, while 644 Ballard Street is a one-story shotgun cottage constructed around 1930. On Jefferson Street, 149 is a one-story, brick shotgun cottage, which was constructed around 1880. Mr. Shipp noted that that structure does have additions at the rear, but they are in keeping with the character of the original house. He said that 151-153 Jefferson Street is a two-story, Federal-style brick house, which was originally a single-family residence but has now been converted to two-family, and was built around 1818. With regard to the rear portion of 609 West Short Street, Mr. Shipp said that, when the Western Suburb Historic District was first designated as a historic district in 1975, the parcel was separate and was not considered for designation. It was consolidated into 609 West Short Street in 2000, which created a single, legal property that was partly within the Historic District, and partly outside of it. Adding this parcel to the historic district as part of this request will not only provide adjacency for the other requested properties, but will also make that parcel more uniform.

Mr. Shipp stated that the BOAR discussed this request at their meeting in November, and voted unanimously to recommend approval.

Citizen Comments: Bill Johnston, 645 West Short Street, stated that he had, at one time or another, owned all of the properties that are part of this request, with the exception of the rear of 609 West Short Street. He said that he still has an interest in several of the properties as well. Mr. Johnston explained that he "had nurtured these properties for 25 years," and he wanted to ensure that they would continue to be protected after he is no longer able to do so.

Zoning Action: A motion was made by Ms. Blanton, seconded by Mr. Brewer, and carried 8-0 (Beatty, Cravens, and Penn absent) to approve MAR 2014-2, for the reasons provided by staff.