

1. URBAN COUNTY PLANNING COMMISSION ZONING MAP AMENDMENT

- a. PLN-MAR-18-00020: URBAN COUNTY PLANNING COMMISSION (11/4/18)*- petition for a zone map amendment to expand a Neighborhood Design Character Overlay (ND-1) zone for the Chevy Chase neighborhood for 4.21± net and gross acres, to preserve existing neighborhood character for properties located at 101-175 and 201-221 Romany Road.

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 Plan's 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, the Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The Planning Commission has initiated a zone change request to add a Neighborhood Design Character Overlay (ND-1) zone to a total of 22 properties along Romany Road in the Chevy Chase neighborhood. The ND-1 Zone is proposed to regulate rear yard setbacks, building height, roof pitch, off-street parking, garage door restrictions, and accessory structures, regardless of the underlying zoning.

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

The Staff Recommended: Approval, for the following reasons:

1. The Neighborhood Design Character (ND-1) overlay zone is substantially in agreement with the 2013 Comprehensive Plan and the Goals and Objectives of the 2018 Comprehensive Plan, for the following reasons:
 - a. The proposed overlay zone respects the context and design features of areas surround development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b).
 - b. The implementation of a Neighborhood Design Character (ND-1) overlay will enable the Chevy Chase neighborhood to continue to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing throughout Lexington-Fayette County (Theme A, Goal #3.a).
 - c. The Chevy Chase neighborhood completed a design character study, defined the existing character of the neighborhood, developed preservation goals, and proposed appropriate neighborhood design standards, thus meeting the requirements of the ND-1 zone. This 2008 study covered the 100 and 200 blocks of Romany Road.

Staff Zoning Presentation – Mr. Baillie presented the staff report and recommendations for the zone change. He displayed photographs of the subject property and aerial photographs of the general area. He said that the Planning Commission initiated a zone change to a Neighborhood Character Design Overlay (ND-1) back in 2008; however, 22 properties did not receive the required notice providing them information regarding public participation and the impacts of the proposed overlay. This zone change will complete the ND-1 zone overlay as intended by the neighborhood. He added that these properties were notified with this zone change and staff has received eight responses. He said that the Chevy Chase neighborhood is unique, and has a distinctive character within the county. He added that the neighborhood has a rhythm and beauty to the manner that almost appears park-like. In order to protect the neighborhood from inappropriate or incompatible development, the ND-1 Overlay zone was requested to maintain the existing rear yard setbacks, limit building height, establish a minimum roof pitch, limit off-street parking and limit the size of accessory structures.

Mr. Baillie reviewed the ND-1 Overlay design standards, which are: rear yard setbacks measure seventy feet from the front building plane or ten feet from the rear property lines, whichever is greater; building heights of a maximum of thirty feet at the highest ridge and maximum eave height at two inch floor ceiling line; roof pitch to a minimum of 7:12 slope for gabled primary roofs; wall openings have a minimum of 10% of the wall plane on each elevation of new construction; parking for single-family attached townhomes and multi-family developments is required to be located in the rear of the buildings; and the size of detached garages and other accessory structures limited to a maximum footprint of eight-hundred square feet per lot with a maximum roof height of twenty-two feet and an eave height of twelve feet.

Mr. Baillie said that this zone change request is in agreement with the 2007 Comprehensive Plan, because of the initial zone change, the 2013 Comprehensive Plan, as well as the adopted Goals and Objectives of the 2018 Comprehensive Plan. He added that the staff has recommended approval of this zone change.

Commission Questions – Mr. Penn asked why these properties were left out of the initial zone change. Mr. Baillie said that they were inadvertently left out of the notification area. Mr. Penn asked if these properties had been notified and whether or not they agree with the standards. Mr. Baillie said that the staff received seven positive and one negative responses from the neighborhood at the time of the requested initiation.

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

Citizen Comment – Mr. David Smith 108, Romany Rd, said that this is the first he had understood that an error had occurred. He said that he was involved in the initial meetings and assumed that their property was already included in this ND-1 Overlay. He added that he is in support of this zone change.

Commission Comment – Mr. Penn said that he appreciated the work of the staff and the citizens present to support this zone change.

Zoning Action – A motion was made by Mr. Penn, seconded by Mr. Forester, and carried 9-0 (Brewer absent) to approve PLN-MAR-18-00020: URBAN COUNTY PLANNING COMMISSION, for the reasons provided by the staff.