

C. PUBLIC HEARING ON ZONING ORDINANCE TEXT AMENDMENT REQUEST (CONTINUATION)

- a. **ZOTA 2015-8: AMENDMENT TO ARTICLE 17 FOR SIGNAGE FOR HOSPITALS AND REGIONAL MEDICAL CAMPUSES (AMD.)** – an amended Zoning Ordinance text amendment to allow additional wall-mounted and free standing signage for a hospital or a regional medical campus.

REQUESTED BY: Baptist Hospitals, Inc.
PROPOSED TEXT: Underlined text indicates an addition to the current Zoning Ordinance.

ARTICLE 17: SIGN REGULATIONS

17-7(e) Professional Office Zone (P-1) and Mixed Use 1: Neighborhood Node (MU-1) – Permitted signs may be either free standing or wall mounted, as specifically noted; signs shall be non-illuminated, indirectly illuminated, or internally illuminated unless otherwise specified. No free standing sign shall exceed ten (10) feet in height, with the exception of hospitals, as regulated below.

(12) In addition, and within a hospital campus or Regional Medical Campus (as generally defined in 23A-10(b)(9)), only:

- (a) Project identification signs, maximum three per campus, free standing or wall mounted; not exceeding one hundred and fifty (150) square feet in area and twenty (20) feet in height along a street classified as a collector or arterial and not exceeding seventy-five (75) square feet and fifteen (15) feet in height along a street classified as a local.
- (b) Project entrance identification signs of permanent construction, free standing or wall mounted; not exceeding one hundred (100) square feet in area; not exceeding ten (10) feet in height; no more than two per entrance along a street classified as a collector or arterial; not more than two entrances to be identified
- (c) Three wall-mounted identification or business signs for buildings with two street frontages, located on separate wall faces, not to exceed five percent (5%) of the wall area to which the signs are attached. Signs not located on a street frontage shall not be placed on a building face directly adjacent to any residential zone.

17-7(n) Office, Industry and Research Park (P-2) zone

- (3) Project entrance identification signs shall be permitted and regulated under Section 17-7(e)(610)(c) above.

17-7(q) Expansion Area Zones

- (2)(a) Project entrance identification signs shall be for Professional Office ~~Parks~~ Projects, as specifically regulated under Section 17-7(e)(610). All free-standing identification or business signs shall be monument type.

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

The Staff Recommends: Approval of the staff alternative text, for the following reasons:

1. Hospitals often have multiple entrances, a need to help identify these entrances with additional free-standing signs, and a desire to assist visitors in arriving at these facilities quickly and safely.
2. The staff alternative text will ensure that this addition to the sign regulations will be consistent with other sign provisions in Article 17.

Chairman Comments: Mr. Owens noted that this item was continued from the Commission's December 17, 2015, meeting. He said that he and a couple of other members were absent from that meeting, but they had reviewed the video, the draft minutes and the associated documents, so they would all be able to participate in this hearing.

Mr. Owens said that this hearing was continued after the rebuttal had been offered. At that time, the staff was asked to review several items brought forth by the opposition during the hearing. The staff did so, and created a revised staff alternative text, which was distributed to the Commission members prior to the start of today's hearing.

Staff Presentation: Ms. Wade noted that she had distributed to the Commission members a packet of information received from Mr. Billings. She said that, after the Commission's December public hearing, Mr. Billings met with his clients, then consulted with the staff to discuss the residents' concerns. Based on those concerns, Mr. Billings submitted a revised alternative text.

Referring to the exhibit packet, Ms. Wade said that, at the December hearing, the staff had not had enough time to review the alternative text proposed by Mr. Billings. The staff has since reviewed that information, and found that the opposition is proposing the following changes: 1) to define "hospital campus;" 2) to clarify how signage would be handled at intersections, particularly the intersection of a collector street and local street; 3) to clarify "entrance" identification signs, which was generally a rewording of the text to which the petitioner had agreed; 4) to add a new section that would restrict the lighting of any sign adja-

cent to a residential zone or along a local street to indirect lighting or no illumination; and 5) to specifically define "entrance" as it relates to a hospital campus, in order to address concerns that signs could be installed in an area that is not an entrance.

Ms. Wade stated that, in their review of the opposition's proposal, they believed that the two definitions were not necessary. She said that all hospitals are on development plans, and the staff's view is that anything included contiguously on the development plan would be considered part of the hospital campus, while other sites owned by the same entity would not. With regard to the definition of "entrance" for hospital campuses, the staff did not believe that it was necessary, because the definition was so specific to that single use. The staff did generally agree with the neighbors' wording concerning how signage should be regulated at intersections. For project identification signs, the proposed text would allow three signs per campus; if located along a collector or arterial street, a sign could be 150 square feet in size and 20 feet in height. If a project identification sign was located at the intersection of a collector or arterial with a local street, it would only be allowed at half the size, and only 15 feet in height. No identification signs would be allowed along a local street, or at the intersection of two local streets. For project entrance identification signs, two entrances could be identified per campus. Rather than defining "entrance," the staff felt the opposition's concern could be addressed with the addition of this sentence: "Signs shall only be located at entrances shown on an approved development plan." Ms. Wade explained that the Planning Commission approves those entrances as part of the development plan process, and that wording would clarify for all parties where entrances could be identified. Up to two entrances would be permitted, with project entrance signs allowed only along collectors and arterials.

Ms. Wade said that the staff did consider the other nine hospitals in Lexington-Fayette County, and how the proposed changes to this text could affect them. The staff does not believe that there will be any unintended consequences resulting from the proposed text amendment.

Petitioner Presentation: Nick Nicholson, attorney, stated that this hearing was continued in order for the staff to have sufficient time to address the issues brought forth by the opposition at the December 2015 meeting, not to agree completely with their proposal or rehash the hearing. The petitioner continues to be in complete agreement with the staff's recommendation, including the proposed changes outlined at today's meeting.

Mr. Nicholson noted that during this process, the petitioner has agreed three times to reduce the number, size, and possible location of signs in order to directly address concerns brought forth by neighborhood residents. The petitioner has agreed to reduce the size of project identification signs by half and the height by one-fourth; and to eliminate those signs on local streets completely. The petitioner has also agreed to reduce the size of project entrance signs, and to locate them only on arterials and collectors.

Opposition Presentation: Nathan Billings, attorney, stated that his clients appreciated the staff's time and consideration in reviewing their proposed changes to the text. He said that his clients are largely in agreement with the staff's recommendation, while requesting that the Commission consider adopting the proposed definitions. The opposition would also like to ask that the Commission consider adopting their proposed changes with regard to lighting.

Rebuttal Comments: Ms. Wade indicated that the staff had no rebuttal comments.

Commission Discussion: Mr. Owens stated that the hearing was closed, and opened the floor for Commission comments.

Action: A motion was made by Ms. Richardson, seconded by Ms. Plumlee, and carried 9-0 (Brewer and Penn absent) to approve the staff alternative text of ZOTA 2015-8.

Chairman Comments: Mr. Owens opined that he is typically in favor of less signage, and that the Baptist Health campus is a well-known enough destination that it does not need three identification signs. He recognized, however, that signage is needed to direct drivers to the large facility, and asked that the petitioner attempt to be a good neighbor whenever possible, particularly with regard to the residents on Hiltonia Park.

VI. **COMMISSION ITEMS** – No such items were presented.

VII. **STAFF ITEMS** – No such items were presented.

VIII. **AUDIENCE ITEMS** – No such items were presented.

IX. **MEETING DATES FOR February, 2016**

| | |
|---|--------------------------|
| Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (101 East Vine Street)..... | February 4, 2016 |
| Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (101 East Vine Street)..... | February 4, 2016 |
| Subdivision and ND-1 Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers..... | February 11, 2016 |
| Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers..... | February 18, 2016 |
| Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (101 East Vine Street)..... | February 24, 2016 |
| Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers..... | February 25, 2016 |

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