

Christy Jo Harper, pastor of Woodland Christian Church, stated she was grateful to the developer and staff to create something new.

Applicant Rebuttal – Mr. Woodall addressed some comments that had been made regarding the project. He addressed the concerns that they would not follow through with this and stated that the federal benefits for raising rent on affordable housing is severe, so that would not be an issue at all.

Public Rebuttal – Amy Clark, 628 Kastle Drive, reaffirmed her concerns with the variance request for parking and questioned if the Planning Commission has the authority to address the enlargement of a non-conforming use.

Staff Rebuttal – Mr. Baillie began by addressing if you can ask for a zone change in the H-1 overlay and you can change the use of a historic site without changing the exterior of it. Additionally, Mr. Baillie stressed that affordable housing should be available everywhere in the community and not to specific places. Finally, Mr. Baillie addressed the parking concerns and stated that there simply was not room at the church to accommodate everyone's parking.

Commission Comment – Mr. Pohl stated that he sat on the Board of Architectural Review, and rarely saw a project that came close to the quality of this one and he commends the team who worked on it. Additionally, Mr. Pohl stated that he thought it was nice that the church was providing parking, but it was not their responsibility to provide it. He added later that this was a fabulous way to preserve a wonderful piece of architecture.

Mr. Michler said that he can sympathize with the businesses around the church about parking, but overall appreciate the thought and creativity that went into this and will help the neighborhood that he grew up in.

Mr. Bell echoed the comments by Mr. Pohl and Mr. Michler.

Zoning Action – A motion was made by Mr. Pohl, seconded by Mr. Bell and carried 8-0 (Barksdale, Davis and Nicol absent) to approve PLN-MAR-22-00014: WINTERWOOD INC for reasons provided by staff.

Variance Action – A motion was made by Mr. Pohl, seconded by Mr. Bell and carried 8-0 (Barksdale, Davis and Nicol absent) to approve the variance request to reduce the minimum required parking from 102 parking space to 61 parking spaces (41% reduction) as presented by staff.

Conditional Use Action – A motion was made by Mr. Pohl, seconded by Mr. Bell and carried 8-0 (Barksdale, Davis and Nicol absent) to approve the conditional use request to operate a place of religious assemble at 530 East High Street and 205-219 Kentucky Avenue.

Development Plan Action – A motion was made by Mr. Pohl, seconded by Mr. Bell and carried 8-0 (Barksdale, Davis and Nicol absent) to approve PLN-MJDP-22-00056: WOODLAND CHRISTIAN CHURCH INC, with the revised staff conditions.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS

1. PLN-ZOTA-22-00015: AMENDMENT TO ARTICLES 8, 10, 11, 22, AND 23 TO THE ZONE INTENT STATEMENTS – a petition for a Zoning Ordinance text amendment to update the "intent" statement for numerous zoning categories to more clearly align with the adopted Comprehensive Plan. Intent statements are included for each zoning category and are meant to explain the location, criteria and/or purpose of the zone.

INITIATED BY: Urban County Planning Commission

PROPOSED TEXT: Copies are available from the staff.

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

The Staff Recommends: **Approval**, for the following reasons.

1. The proposed text changes will provide greater consistency between Lexington's adopted documents and remove references to defunct future land use categories from past Comprehensive Plan methodologies.
2. The proposed text will also modernize the language of the Zoning Ordinance to reflect current and anticipated land use practices and to strengthen the vital link between the Comprehensive Plan and Zoning Regulations.

3. The proposed text changes will provide greater transparency to the community as to the purpose of zones and can provide a foundation to any future text amendments to zones.
4. The proposed text amendment is in agreement with the 2018 Comprehensive Plan's Goals, Objectives, and Policies, for the following reasons:
 - a. An accurate and modern Ordinance is imperative to the implementation of the 2018 Comprehensive Plan (Goal #2).
 - b. The proposed language will update the Zoning Ordinance to reflect the direction of the 2018 Comprehensive Plan, proactively planning for the next 20 years of growth (Theme E, Accountability Policy #2).
 - c. The proposed language will allow for the implementation of the Comprehensive Plan and the Placebuilder, which includes criteria for zone change applications, based upon the goals and objectives, to ensure development compliance with the Comprehensive Plan (Theme E, Accountability Policy #3).

Staff Presentation – Mr. Baillie gave the Planning Commission updated findings from this continued item, as well as a refresher regarding the purpose of the text amendment. Mr. Baillie stated that the intents statements need to be updated to reflect what Lexington looks like in 2022, not 1983, the last time it was updated. Additionally, Mr. Baillie stated that this allows for more transparency and gives a better idea of what zones best fits in the Comprehensive Plan Placebuilder criteria. Mr. Baillie went on to highlight concerns from the previous Planning Commission public hearing including, concern with the inclusion of intents in general, bullet points that exceed the regulations, and lack of community outreach. Mr. Baillie indicated that staff has taken out language that was of the greatest concern to those who were in opposition, but maintained the original intents statements that were in reference to the specific locations and requirements of the zone.

Mr. Baillie concluded his presentation by stating that staff is recommending approval of the text amendment and he could answer any questions that the Planning Commission has.

Commission Questions – Mr. Penn asked if this text amendment follows the 2018 Comprehensive Plan and if they are, are they in support of the Comprehensive Plan as well. Mr. Baillie indicated yes to both questions.

Mr. de Movellan asked if this was the text amendment that was mentioned earlier that night be passing shortly. Mr. Baillie indicated that it was not.

Public Comment – Amy Clark, 628 Kastle Drive, presented a slideshow of her objections to this text amendment, including that the language no longer offers a clear guide for intensity of use.

Staff Rebuttal – Mr. Baillie addressed Ms. Clark's concerns in here slideshow including that the intents for the R-1B, R-1C, and R-1D zones are not changing. Mr. Baillie also stated that a discussion about the R-2 zone intent will happen at a later time to have more community interaction, and stated that staff supports patio homes and compact housing types in the R-1E zone.

Mr. Baillie also reiterated that this text amendment does not change anything about what is or is not allowed in a zone, instead it gives much needed modern context and information for the zone.

Commission Questions – Mr. Pohl asked if it is staff's position that changing the intent language for the R-2 zone to allow a mix of housing types does not bias the future discussions of R-2 changes? Mr. Baillie indicated that staff sees it as a possibility to include other types of low density housing options and does not see it as a bias.

Mr. Penn asked we are heading down a road where R-1, R-2, and other related zones are irrelevant. Mr. Baillie indicated that was not the case at all and the intents section does not make any zone irrelevant and is really about having a better descriptor of the zones.

Mr. Worth asked about some of the concerns Ms. Clark brought up and Mr. Baillie indicated a lot of what Ms. Clark was saying would be a whole other text amendment process.

Mr. Bell wanted to thank the staff for all the hard work that they do.

Zoning Action – A motion was made by Mr. de Movellan, seconded by Mr. Bell and carried 8-0 (Barksdale, Davis and Nicol absent) PLN-ZOTA-22-00015: AMENDMENT TO ARTICLES 8, 10, 11, 22, AND 23 TO THE ZONE INTENT STATEMENTS to approve for reasons provided by staff.

VI. COMMISSION ITEMS - The Chair will announce that any item a Commission member would like to present will be heard at this time.

Ms. Wade provided the Planning Commission the draft 2023 Filing Schedule and indicated that the PC must make a motion to adopt if they were in agreement with the schedule.

Action – A motion was made by Mr. Bell, seconded by Mr. Pohl, and carried 8-0 (Barksdale, Davis, and Nicol absent) to adopt the 2023 MEETING & FILING SCHEDULE.