

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION AND ZONING ITEMS PUBLIC HEARING

December 15, 2022

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The minutes of the November 17, 2022 meeting will be considered by the Planning Commission at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, December 1, 2022, at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Frank Penn, Janice Meyer, and Headley Bell. Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Cheryl Gallt, Hal Baillie, Autumn Goderwis, Daniel Crum, Sam Castro, Paula Schumacher, Greg Lengal, Division of Fire and Emergency Services; Stephen Parker, Division of Traffic Engineering; Tracy Jones, Department of Law; and Doug Burton, Division of Engineering. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

1. DEVELOPMENT PLANS

- a. PLN-MJDP-22-00058: CRESTWOOD MONTESSOURI SCHOOL (REDWOOD CO-OP SCHOOL EXPANSION) (AMD) (1/4/2023)* - located at 166 CRESTWOOD DRIVE, LEXINGTON, KY

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

Council District: 3
Project Contact: Midwest Engineering, INC

Note: The purpose of this amendment is to construct a new educational building.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding compliance with parking.

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Dimension all existing structures and playground areas.
14. Denote: A geotechnical study shall be submitted to the Divisions of Engineering, Environmental Services, and Planning, prior to issuance of a Zoning Compliance Permit.
15. Denote Board of Adjustment approval of the expanded conditional use.
16. Discuss building conflict with existing stormwater facility.

- b. PLN-MJDP-22-00062: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY (THE FOUNTAINS AT PALOMAR)(AMD)(1/1/2023)* - located at 3801 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise the building, parking, and circulation on Lots 1, 4, 6, & 8.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding the proposed loading dock and compactor at rear of building relative to rear screening notes, as well as questions regarding the service road.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Denote time of proposed turn lane construction on Harrodsburg Road.
14. Discuss enhanced vehicular use area (VUA) screening along Man O' War Boulevard.
15. Discuss proposed loading dock and compactor at rear of proposed building on Lot 8, and impact on existing access easement and traffic movement through the site.

- c. PLN-MJDP-22-00063: SHRINERS HOSPITAL/ MASONIC TEMPLE ASSOCIATION OF LEXINGTON (1/1/2023)* - located at 4085 HARRODSBURG ROAD, LEXINGTON, KY

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

Council District: 9
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict the commercial development, 13 townhomes, and 7 single family lots.

The Subdivision Committee Recommended: **Postponement.** Numerous development concepts need to be discussed and resolved.

Should this plan be approved, the following conditions should be considered:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Department of Highway's approval of access to Harrodsburg Road (state road).
14. Label cross-sections per location on plan face.
15. Denote proposed easements.
16. Discuss enhanced screening along Harrodsburg Road per note #14.
17. Discuss access easements and required finding by the Planning Commission.
18. Discuss design of configuration of proposed right-in/right-out.
19. Discuss sidewalk improvements to Harrodsburg Road.
20. Discuss timing of public improvements and required infrastructure.
21. Discuss timing or phasing of development of commercial and residential portions of property.

V. ZONING ITEMS - The Zoning Committee met on December 1, 2022, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Bruce Nicol, Zach Davis, Graham Pohl, and Robin Michler. Staff members present were; Traci Wade, Hal Baillie, Autumn Goderwis, Tom Martin, Daniel Crum, and Bill Sheehy; as well as Tracy Jones, Department of Law

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
- The petitioner concurs with the staff recommendations
- Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS - Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) Proponents (10 minute maximum OR 3 minutes each)
 - (b) Objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) Petitioner's comments (5 minute maximum)
 - (b) Citizen objectors (5 minute maximum)
 - (c) Staff comments (5 minute maximum)

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- Hearing closed and Commission votes on zone change petition and related plan(s).

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

1. DUTCH BROS, LLC ZONING MAP AMENDMENT AND WILLARD DAVIS SUBDIVISION (DUTCH BROS – SOUTH LIMESTONE) ZONING DEVELOPMENT PLAN

- a. **PLN-MAR-22-00015: DUTCH BROS, LLC** – a petition for a zone map amendment from a Planned Neighborhood (R-3) zone to a Neighborhood Business (B-1) zone, for 0.2916 net (0.3516 gross) acres, for property located at 507 S Limestone.

COMPREHENSIVE PLAN AND PROPOSED USE

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.

The applicant is seeking to construct a two-lane drive-through facility to support a proposed coffee shop use at this location. As proposed, the coffee shop use will have two access points on Colfax Street, with the existing access point along South Limestone being closed. Speakers and order points for the drive-through facility will be provided near the middle of the site.

The coffee shop will be a single story, 950 square-foot building that will be oriented towards South Limestone, with a pick up window located to the rear. While the building will have a walk up window to serve pedestrians along the South Limestone frontage, dine-in service will not be provided.

The Zoning Committee Recommended: No Recommendation.

The Staff Recommends: Disapproval, for the following reasons:

1. The requested rezoning to Commercial Center (B-6P) is not in agreement with the 2018 Comprehensive Plan for the following reasons:
 - a. The requested rezoning is not in agreement with the Goals, Objectives, and Policies of the 2018 Comprehensive Plan.
 1. The proposed development does not seek to construct at a density or intensity that might be reflective of a major corridor in Lexington, and is out of context with the surrounding area (Theme A, Goal #2.b).
 2. The low density and single-user vehicle focus detract from the effectiveness of mass transit in this area (Theme D, Goal #1.c).
 3. The design of the site may reduce the effectiveness of the overall transportation system by introducing additional vehicular conflicts on Colfax Street and South Limestone (Theme D, Goal #1).
 4. The application encourages the use of single-occupancy vehicles and will increase greenhouse gas emissions at this location (Theme B, Goal #2.d).
 - b. The proposed development is not in agreement with 2021 Imagine Nicholasville Road plan.
 1. The proposal does not increase the intensity of land uses along the corridor (Goal #1).
 2. The scale of the proposed development does is not in accordance with the height design requirements for the Urban Center Typology.
 - c. The proposed development does not meet the intent of the Medium Density Non-Residential /Mixed Use Development Type as established on page 272 of the Comprehensive Plan.
 - d. The requested rezoning is not in agreement with the Development Criteria of the 2018 Comprehensive Plan. The following Development Criteria are not being met with the proposed rezoning.
 1. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
 2. A-DS7-3: Development should create context-sensitive transitions between intense corridor development and existing neighborhoods.
 3. C-L17-1: Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
 4. DPL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 5. C-LI6-1: Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors.

6. A-EQ3-2: Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities)
7. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
8. D-CO2-2: Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.
9. B-SU11-1: Green infrastructure should be implemented in new development.
2. There have been no major unanticipated changes of an economic, social or physical nature in the area of the subject property since the adoption of the 2018 Comprehensive Plan.
3. The applicant has not provided evidence as to why the current zoning is inappropriate and the proposed zoning is appropriate for this location.

- b. **PLN-MJDP-22-00057: WILLARD DAVIS SUBDIVISION (DUTCH BROS – SOUTH LIMESTONE)**
(1/1/2023)* - located at 127 COLFAX STREET and 507 SOUTH LIMESTONE
Council District: 3
Project Contact: CMW, INC.
Planning Contact: A. Goderwis

Note: The purpose of this plan is to depict the size and location of the proposed restaurant with associated drive-through, parking, and circulation, in support of the requested zone change from Planned Neighborhood Residential (R-3) zone to Neighborhood Business (B-1) zone.

The Subdivision Committee Recommends: **Approval**, subject to the following conditions.

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Addressing office's approval of addresses.
6. Greenspace planner's approval of the treatment of greenways and greenspace.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Depict property perimeter screening between B-1 and R-1E zones.
9. Correct zoning labels for adjacent properties.
10. Denote canopy along South Limestone as part of the structure (solid line).
11. Discuss Placebuilder criteria.

2. **TURNER PROPERTY 4, LLC ZONING MAP AMENDMENT & TURNER PROPERTY & MEADOWTHORPE COMMUNITY BUSINESS CENTER DEVELOPMENT PLAN**

- a. **PLN-MAR-22-00021: TURNER PROPERTY 4, LLC** – a petition for a zone map amendment from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone, and a Light Industrial (I-1) zone to a Industrial Redevelopment Planned Unit Development (PUD-3) zone, for 27.087 net (27.461 gross) acres, for property located at 125 Turner Commons Way and 1409 N. Forbes Road.

COMPREHENSIVE PLAN AND PROPOSED USE

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This petitioner is proposing the Industrial Redevelopment Planned Unit Development (PUD-3) zone in order to create a mixed-use industrial development. The applicant's proposal includes 14 commercial buildings ranging from 1-3 stories that will incorporate a wide variety of uses including: restaurants, a winery, retail, office space, and flex industrial space. The development will also include a residential component, with 25 attached townhouse units located near the center of the development. The proposal includes 674 total parking spaces.

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The development will also create a linear park that will run adjacent to the western property line and serve as a buffer between the development and the adjacent single-family residential neighborhood. A centralized pond will serve as both an amenity and a stormwater management feature located along the western edge of the development.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Postponement**, for the following reasons:

1. The requested Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will activate an underutilized parcel within the infill and redevelopment area (Theme A, Goal #2) and will include a significant increase in density and mixing of uses.
 - b. The proposal will help reinforce an underutilized portion of the W Main Street corridor by redeveloping a primarily vacant tract into a destination-type development (Theme E, Goal #1.c)
 - c. The request will expand opportunities for mixed use development within Lexington-Fayette County and will provide diversity in housing types for the Meadowthorpe area (Theme A, Goal #3.a)
 - d. The proposed rezoning will help with the creation of a variety of jobs (Theme C, Goal #1.a) by allowing for the incorporation of neighborhood-scale retail and commercial uses.
 - e. The entertainment, dining, and retail uses detailed within the proposal will help create a development that is appealing to both tourists and young professionals (Theme C, Goal #1d, Theme C Goal #2.d)
2. The requested Industrial Redevelopment Planned Unit Development (PUD-3) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed development meets Density Policy #3 and Design Policy #12, as it will create walkable neighborhood amenities such as a park, restaurants, breweries, and wineries that will help supplement the residential component of the Meadowthorpe Neighborhood.
 - b. The increase in allowable uses will increase the diversity of job types available in this area, meeting Diversity Policy #2.
 - c. The proposed development meets Design Policy #5 by utilizing the linear park and multi-modal pathways to create pedestrian-friendly street patterns and walkable blocks to create inviting streetscapes.
 - d. The proposed development meets Sustainability Policy #4 by creating centrally located greenspace that is directly adjacent to the development's residential component.
 - e. The request meets Livability Policy #6 by providing the opportunities to accommodate additional entertainment and amenity opportunities that appeal to young professionals.
3. 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 it intensifies an underutilized site and creates a true mixing of uses that provides safe pedestrian-scale connections to community facilities, greenspace, employment, business, shopping, and entertainment for users of the development as well as the surrounding neighborhoods.
 - b. These proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development provides new roadway connections between N. Forbes Road and W. Main Street, incorporates direct pedestrian linkages to the nearby transit stop, and provides safe multi-modal connections throughout the development.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the request will increase the amount of green open space, tree canopy coverage, and reduce the overall amount of impervious surface on-site.

- b. **PLN-MJDP-22-00000068: TURNER PROPERTY & MEADOWTHORPE COMMUNITY BUSINESS CENTER (TURNER COMMONS)** (1/29/2023)* - located at 125 TURNER COMMONS WAY & 1409 N. FORBES ROAD, LEXINGTON, KY
Council District: 11
Project Contact: Palmer Engineering

Note: The purpose of this plan is to depict development of the site, in support of the requested zone change from a High Density Apartment (R-4) zone, a Neighborhood Business (B-1) zone, and a Light Industrial (I-1) zone to an Industrial Redevelopment (PUD-3) zone.

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

The Subdivision Committee Recommends **Postponement**. There are questions regarding the scale of plan and lack of required information per Article 21 of the Zoning Ordinance.

Should this plan be approved, the following conditions should be considered:

1. Provided the Urban County Council approves the zone change to PUD-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Correct Planning Commission certification.
10. Correct plan scale.
11. Addition of required topography contours.
12. Modify plan type to "Planned Unit Development Plan".
12. Denote height of proposed buildings in feet.
13. Denote proposed use of all buildings.
14. Dimension all proposed and existing buildings.
15. Denote typical parking space and drive aisle.
16. Revise purpose of plan note.
17. Clarify uses of area adjacent to West Main Street.
18. Dimension trail, sidewalks, and all hardscapes areas.
19. Clarify uses adjacent to buildings D & E.
20. Clarify Turner Commons Way cross-section north of access A.
21. Discuss design standards per Article 22C-5 of the Zoning Ordinance.
22. Discuss Placebuilder criteria.

3. **CALLER PROPERTIES, LLC ZONING MAP AMENDMENT & FOX PROPERTY, LOT 4 ZONING DEVELOPMENT PLAN**

- a. **PLN-MAR-22-00021: CALLER PROPERTIES, LLC** – a petition for a zone map amendment from a Neighborhood Business (B-1) zone, to a Highway Service Business (B-3) zone, for 0.92 net (1.15 gross) acres, for property located at 2400 Versailles Road.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner proposes the rezoning of the subject property to the Highway Service Business (B-3) zone to allow for the construction of a coffee shop that is purely focused on the traveling public. The applicant is proposing a small structure with a double drive-through facility and a bypass lane.

The Zoning Committee Recommended: **Postponement.**

The Staff Recommends: **Disapproval, for the following reasons:**

1. The requested Highway Service Business (B-3) zone is not in agreement with the 2018 Comprehensive Plan's Goals, Objectives and Policies, for the following reasons:
 - a. The proposed development represents a reduction of the square footage of the proposed structure, a reduction of the floor area ratio (FAR), and an increase of paved surfaces and is not representative of the context of the surrounding area (Theme A, Design Policy #4)

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

- b. The current zoning with the conditional zoning restrictions acts as transition from the more intense commercial land uses to the east to the residential land uses located to the west of the subject property (Theme A, Density Policy #1).
 - c. The establishment of a drive-through facility is not a proper transition to residential, which flanks this property on two sides (Theme A, Goal #2.b). Additionally, the other conditional zoning restrictions that were established during the 2016 rezoning that were specifically added to lessen the impact of commercial development on the surrounding residential context continue to be relevant to the subject property (Theme A, Density Policy #2).
 - d. The proposed development would eliminate established significant trees to allow for the large area dedicated to drive-through operations (Theme B, Sustainability Policy #5) and increases impervious surfaces (Theme B, Goal #3).
 - 2. The proposed development does not meet the intent of the Medium Density Non-Residential / Mixed-Use Development Type.
 - 3. The justification and corollary development plan are in not in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning does not meet the following criteria for Site Design, Building Form and Location:
 - i. A-DS4-2 New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
 - ii. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - iii. E-GR10-2 Developments should provide walkable service and amenity-oriented commercial spaces.
 - iv. A-DS5-4 Development should provide a pedestrian-oriented and activated ground level.
 - v. A-DN3-2 Development should incorporate residential units in commercial centers with context sensitive design.
 - vi. C-LI6-1 Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors.
 - vii. A-EQ3-1 Development should create context sensitive transitions between intense corridor development and existing neighborhoods.
 - b. The proposed rezoning does not meet the following criteria for Transportation and Pedestrian Connectivity
 - i. A-EQ3-2 Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3)
 - ii. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
 - iii. D-CO2-2 Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.
 - c. The proposed rezoning does not meet the following criterion for Greenspace and Environmental Health:
 - i. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
 - 4. The Highway Service Business (B-3) zone is not a recommended zone within the Corridor Place-Type and Medium Density Non-Residential / Mixed-Use Development Type and the proposed development does not meet the development criteria for such developments. The proposed development is not in agreement with the density that is recommended by the 2018 Comprehensive Plan.
 - 5. There have been no major unanticipated changes of an economic, social or physical nature in the area of the subject property since the adoption of the 2018 Comprehensive Plan.
 - 6. The current restricted Neighborhood Business (B-1) zone remains appropriate for the subject property, as it provides a buffer between the commercial development located to the east of the subject property and the neighborhood and residential development that is located to the west of the subject property.
- b. **PLN-MJDP-22-00072: FOX PROPERTY (1/29/2023)*** - located at 2400 VERSAILLES ROAD, LEXINGTON, KY
Council District: 11
Project Contact: Barrett Partners Inc.

Note: The purpose of this plan is to depict redevelopment of the property and remove conditional zoning in support of the requested zone change from Neighborhood Business (B-1) zone to Highway Service Business (B-3) zone.

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

The Staff Recommends **Postponement**. There are questions about traffic impacts to Versailles Road associated with the proposed zone change and land use.

Should this plan be approved, the following conditions should be considered:

1. Provided the Urban County Council approves the zone change to B-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Revise access to a right-in/right-out only.
10. Discuss improvements to Versailles Road.
11. Discuss drive-through facilities impact.
12. Discuss cross access to 2320 Versailles Road.
13. Discuss Placebuilder criteria.

4. **IVCP ATHENS SOUTH LLC ZONING MAP AMENDMENT & BOONESBORO MANOR (INTERSTATE PARK) ZONING DEVELOPMENT PLAN**

- a. **PLN-MAR-22-00023: IVCP ATHENS SOUTH LLC** – a petition for a zone map amendment from an Interchange Service Business (B-5P) zone, to a Highway Service Business (B-3) zone, for 30.24 net (37.36 gross) acres, for property located at 5380 and 5354 (a portion of) Athens-Boonesboro Road. In association with the application, the petitioner is seeking a conditional use permit to allow for the construction of a soccer stadium.

COMPREHENSIVE PLAN AND PROPOSED USE

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The applicant is seeking to rezone the subject property to the Highway Service Business (B-3) zone to allow for the construction of a 6,500 seat soccer stadium, training facility, and a medical treatment facility. To allow for the construction of the stadium, the applicant is also requesting a conditional use permit. The proposed development would be accessed from Doe Run Trail and a proposed access point a 1,000 feet west of the current access point.

The Zoning Committee Recommended: **Postponement**.

The Staff Recommends: **Postponement**, for the following reasons:

1. The applicant should provide information regarding the broader impact factor on the Lexington community and how the proposed stadium complements the established conditional use located to the south of the proposed development.
2. The applicant should review impact of the allowable land uses within the B-3 zone and the potential impacts to the surrounding agriculture, Rural Settlements and viewsheds.
3. The applicant should provide greater information as to how the proposed development will promote the Blue Sky Rural Activity Center's goals, while protecting the viewshed along Athens Boonesboro Road, which is an identified gateway into Lexington.
4. The Parking Demand Mitigation Study must be clarified regarding the shared nature of the parking lot and the proposed outlot uses.

- b. **PLN-MJDP-22-00073: BOONESBORO MANOR (INTERSTATE PARK) (AMD)** (1/29/2023)* - located at 5380 ATHENS-BOONESBORO ROAD, LEXINGTON, KY
Council District: 12
Project Contact: CMW, Inc.

Note: The purpose of this amendment is to depict the size and location of the proposed stadium and training facility, in support of the requested zone change from Interchange Service Business (B-5P) zone to Highway Service Business (B-3) zone.

The Subdivision Recommends: Postponement. There are questions regarding the infrastructure, services, parking, and access. Also, there are technical issues with the Preliminary Development Plan, which do not match the requested zone change area.

Should this plan be approved, the following requirements should be considered:

1. Provided the Urban County Council approves the zone change to B-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Department of Highway's approval of proposed access to Athens Boonesboro Road (KY 418).
9. Depict topography with contour intervals no greater than 5 feet.
10. Denote size, floor area, and height of stadium.
11. Label and provide cross-section for Doe Run Trail.
12. Dimension drive aisles and walkways.
13. Label construction access.
14. Depict environmentally sensitive areas.
15. Depict proposed and existing easements for utilities.
16. Inclusion of bike parking in site statistics.
17. Provided the Planning Commission approve the conditional use permit for a stadium.
18. Provided the Planning Commission accept the Parking Demand Mitigation Study.
19. Discuss access to Tract 3B.
20. Discuss parking locational and connection standards.
21. Discuss stormwater management.
22. Discuss Kentucky Transportation Cabinet's roadway project for Richmond Road/ Athens Boonesboro Road.
23. Discuss access to Athens Boonesboro Road at Doe Run Trail.
24. Discuss sanitary sewer connection and pump station upgrades.
25. Discuss bicycle/pedestrian infrastructure at roadway intersections and bicycle parking.
26. Discuss missing land included within zone change application.
27. Discuss Placebuilder criteria.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

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

VII. STAFF ITEMS – The staff will report at the meeting.

LONG RANGE PLANNING ACTIVITY REPORT

November 2022

Planning Commission Work Session

The Goal 4 Report was presented by Council staff to the Urban County Council at a Committee of the Whole on November 10, 2022.

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Goal 4 Work Group

The Goal 4 Report was presented by Council staff to the Urban County Council at a Committee of the Whole on November 10, 2022.

Accessory Dwelling Units

Staff had no new ADU pre-apps in November.

Open Space ZOTA

The Open Space Zoning Ordinance Text Amendment project is an outcome of Imagine Lexington the 2018 Comprehensive Plan, which called for regulations changes to redefine open space requirements within the Zoning Ordinance. The goal of this project is to incorporate intentionally designed and equitably distributed open space and green space into all development projects. After over two years of study, review, and work, and over twenty meetings with public groups, organizations, and stakeholders, the Planning Commission recommended unanimous approval of this regulation change at their meeting on November 17, 2022. It will be heard by the Urban County Council early 2023.

Imagine Lexington

Staff continued to implement items of the 2018 Comprehensive Plan and updated the Imagine Lexington Website to reflect these implementations.

Social Media

Staff continued to maintain the Imagine Lexington Facebook, Twitter, and Instagram social media accounts.

ZONING COMPLIANCE PLANNING ACTIVITY REPORTBoard of Adjustment

Nine (9) applications were on the agenda for consideration by the Board of Adjustment at their regular meeting on November 14, 2022. One (1) of those was for an Early Rehearing of a variance request which was heard and denied by the Board in July of 2022. Based on newly obtained information received by the applicant, they requested to be re-heard early, rather than wait the required one year to reapply.

Two (2) of the applications were requests for variances; both of which were approved by the Board. There were six (6) applications for conditional uses. One (1) of those requests was withdrawn by the applicant prior to the meeting. Therefore, it was not heard by the Board. Four (4) requests were approved by the Board and one (1) was postponed for two (2) months, to the January, 2023 Board of Adjustment meeting.

The Board also voted to adopt the 2023 Meeting and Filing Schedule for the Board of Adjustment.

TRANSPORTATION PLANNING / MPO ACTIVITY REPORT

The MPO outlines an annual scope of work for transportation planning activities in the Unified Planning Work Program which contains the follow six work elements. Progress over the last month is reported by work element.

1.0 Transportation System Data & Monitoring

- Continued to review and collect relevant regional freight study data.
- Several staff continued StreetLight tutorials for the transportation insight data platform.
- Met with Traffic Engineering staff to prepare StreetLight Insight traffic data analytics and demos for the CMAQ committee meeting of December.
- Continued update of GIS layers for traffic counts, truck volumes, bridge condition, traffic crashes and severity.
- Continued work constructing and formatting GIS Story Map for the MPO website to show transportation projects.
- Adopted regional bridge condition targets for National Highway System roadways for 2024 and 2026.
- Analyzed KYTC and MPO area pavement and travel time reliability data.
- Compiled count data for bicycle and pedestrian use on shared use paths in Lexington.

2.0 Identify & Prioritize Projects

- Conducted a team meeting for the East Lex Trail Connectivity & Safety Study.
- Drafted an MOA for local funds for the Virginia / Red Mile / Forbes Rd Trail Safety Study.
- Began discussions regarding potential projects for Lex Area MPO Carbon Reduction Program funds.
- Reviewed and provided input on the potential scope of an LFUCG Corridor Typology Study & Design Guide.
- Conducted a team meeting for the Wilmore Trail project looking at alternative alignments, project opportunities and constraints.

3.0 Program & Project Implementation

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- Approved MPO priorities for Fayette County project applications to the Congestion Mitigation and Air Quality program call for projects.
- Authorized SLX dollars for Mt Tabor Multimodal Improvements and Town Branch Trail Mid-Block Crossing Projects to address construction cost increases.
- Evaluated Shared Mobility Vehicle permits for compliance with the ordinance, managed current licensees and associated data, and completed daily enforcement activities regarding the rebalancing requirement.
- Reviewed paving lists for bicycle facility improvement opportunities during upcoming resurfacing projects
- Attended 4 weekly paving coordination meetings.
- Continued work on a MPO-Level Complete Streets Policy including a presentation to the Transportation Policy Committee.
- Continued work on a Lexington Complete Streets Policy including a presentation to LFUCG Council regarding the details of the Policy.
- Addressed 2 bus shelter inquiries, including field visits
- Conducted a Project Coordination Team meeting to track the status of projects in the TIP.
- Processed TIP Modification 24 - Mt Tabor Multimodal Improvements & Town Branch Trail Crossing
- Processed TIP Modification 25 - TIP Reconciliation with Enacted 2022 KYTC Highway Plan
- Attended KYTC pre-design scoping meeting for the New Circle Rd project from Woodhill Dr to Trade Center Dr.
- Participated in debrief with FHWA officials regarding LFUCG's RAISE grant application.
- Continued work on multimodal transportation corridor conceptual projects and traffic calming standards at intersections.
- Attended a review regarding conceptual traffic designs for proposed UK development in the vicinity of South Limestone and Waller.

4.0 Land Use & Transportation Impact

- Reviewed and submitted comments in Accela for bike/pedestrian circulation requirements associated with development plans.
- Corresponded on development plans approved by the Planning Commission for compliance with conditional signoff requirements.
- Responded to inquiries and conducted meetings with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
- Attended seven LFUCG pre-application meetings to provide transportation planning input on future land-use applications.
- Attended regular LFUCG Subdivision and Zoning Committee meetings.
- Attended LFUCG Board of Adjustment new case review meeting.
- Participated in monthly ZOTA work group meeting.
- Held transportation stakeholder meeting for the Imagine New Circle Plan. Reviewed draft bicycle/pedestrian and redevelopment report.
- Met with Bluegrass Greensource to discuss a Transportation & Land Use Sustainability Summit the agency would like to host.

5.0 Participation & Outreach

- Launched community outreach efforts for the LFUCG Complete Streets Policy including website <https://www.lexingtonky.gov/complete-streets>, social media campaign, and hosting two public informational Q&A sessions.
- Connected with UK's Safe Kids initiative for general outreach purposes
- Continued work on the Lexington Bicycle Map
- Prepared and delivered a meeting packet for Idle Hour neighborhood meeting to gather local information on transportation patterns in and around their neighborhood.
- Continued work to update the MPO's Participation Plan
- Started coordinating with EQPW PIE team for social media outreach in the new calendar year.
- Social media:
 - Promoted monthly BPAC meeting
 - Promoted LexPark's "Food for Fines" donation program
 - Shared NHTSA's tips for safe winter driving
 - Shared FHWA's time-change and safe driving after dark infographic
 - Encouraged trail-use over the holiday (Thanksgiving) weekend
 - Shared information about Lextran's holiday service
 - Promoted Glow Ride event on Nov 5
 - Shared post-Glow Ride photos and messaging
 - Shared information about Lextran's Election Day service
 - Shared how-to video for repurposing yard signs after Election Day
- MPO Facebook has 3,631 followers (-9 followers); 4 posts; reached 540 users; and had 5 engagements in November.
- MPO Twitter has 2,010 followers, reached 398; had 3 tweets with 4 engagements; and 141 profile visits in November.
 - Drop-off in Twitter activity was expected given recent upheaval on platform
- LexBikeWalk Facebook page had 4,627 followers (+27 followers); 7 posts; reached 2,508 users; and had 160 engagements in November.
- LexBikeWalk Instagram page had 522 followers (+65 followers); 7 posts; reached 2,436 users; and had 171 engagements in November.
 - Instagram reached 132% more accounts compared to October

6.0 Program Administration

- Prepared meeting packet and minutes for the Bicycle Pedestrian Advisory Committee.
- Conducted Transportation Policy Committee meeting rescheduled from October.
- Viewed Lextran board meeting.
- Conducted weekly MPO Staff Meetings.
- Assisted Commission for People with Disabilities with draft revisions to committee Bylaws and Ordinance.
- Coordinated with FTSB Director to oversee financial matters.
- Attended Corridors Commission meeting.
- Attended LFUCG Pedestrian Safety Workgroup meeting.
- Attended Bluegrass ADD Regional Transportation Committee meeting
- Prepared financial information to close out various MPO-related grants.
- Attended the following Webinars / Workshops / Conferences:
 - Attended Association of MPOs Emerging Technologies Work Group Leadership Meeting
 - Attended Kentucky Public Transportation Association (KPTA) Conference

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. MEETING DATES FOR JANUARY 2023

Subdivision Committee, Thursday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building January 5, 2023
 Zoning Committee, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building January 5, 2023
Subdivision Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov't Center..... January 12, 2023
Work Session, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building..... January 19, 2023
 Technical Committee, Wednesday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building January 25, 2022
Zoning Items Public Hearing, Thursday, 1:30 p.m, in Council Chambers, 2nd Floor, Gov't Center January 26, 2023

X. ADJOURNMENT

TW/HB/RS

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