

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION AND ZONING ITEMS PUBLIC HEARING

February 23, 2023

- 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 January 26, 2023 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, February 2, 2023 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale and Judy Worth. Committee members present were Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Autumn Goderwis, Tom Martin, Cheryl Gallt, Hal Baillie, Autumn Goderwis, Sam Castro, Paula Schumacher, Greg Lengal, Division of Fire and Emergency Services; Tracy Jones and Brittany Smith, 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-22-000085: SOUTH END PARK, UNIT 2 (DAVIS PARK) (2/26/23)* - located at 525 & 530 DE ROODE STREET, LEXINGTON, KY

Council District: 11

Project Contact: Prime Engineering

Note: The purpose of this plan is to depict new multi-family development and a workforce development building.

The Subdivision Committee Recommended: **Postponement.** There are concerns regarding compliance with Article 28-4 of the Zoning Ordinance.

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.
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. Denote compliance with Article 15-7 for infill/redevelopment design requirements and Article 28-6 for building feature requirements.
13. Clarify proposed use of MU-2 building in site statistics.
14. Discuss compliance with MU-2 uses regarding the proposed workforce building.
15. Discuss compliance with zero-foot setback requirement per Article 28-4 of the Zoning Ordinance.

- V. **ZONING ITEMS** - The Zoning Committee met on February 2, 2023, 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, Larry Forester, Graham Pohl, and Robin Michler. Staff members present were; Traci Wade, Autumn Goderwis, Hal Baillie, Tom Martin, Daniel Crum, Sam Castro, 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)
- Hearing closed and Commission votes on zone change petition and related plan(s).

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

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** (1/26/2023)* – 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 (a portion of).

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 Neighborhood Business (B-1) 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 meet 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.

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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) (1/26/2023)*

- located at 127 COLFAX STREET and 507 SOUTH LIMESTONE

Council District: 3

Project Contact: CMW, INC.

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 Recommended: **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. REALTY UNLIMITED BLUE GRASS, LLC ZONING MAP AMENDMENT & HIGBEE MILL COURT, LOT 11 DEVELOPMENT PLAN

- a. PLN-MAR-22-00016: REALTY UNLIMITED BLUE GRASS, LLC (1/26/2023)*** – a petition for a zone map amendment from a Single-Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.520 net (0.836 gross) acres, for property located at 940 Higbee Mill Road. Variances are also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner proposes the rezoning of the subject properties to the Townhouse Residential (R-1T) zone to allow the infill of the subject property with single family residential. The applicant is seeking to construct seven (7) single family attached dwelling units at a density of 13.5 dwelling unit per net acre.

The Zoning Committee Recommended: **No Recommendation.**

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

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

1. The applicant should review potential connections to the established pedestrian facilities (Theme A, Design Policy #5) and the need for street trees along the frontage of the subject property (Theme B, Restoration Policy #1).
2. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Enhanced Neighborhood Place-Type, and the Low Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - b. A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
 - c. B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3)
 - d. C-PS10-3: Over-parking of new developments should be avoided. (B-SU5)
 - e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - f. A-DS5-2: Roadways should provide a vertical edge, such as trees and buildings.
 - g. B-RE1-1: Developments should incorporate street trees to create a walkable streetscape.

b. VARIANCES –

1. Side yard setback western portion of site from eight (8) feet to five (5) feet
2. Side yard setback eastern portion of site from eight (8) feet to three (3) feet
3. Reduction of the front yard from ten (10) feet to zero (0) feet

Staff will report on these variances at the hearing.

- c. PLN-MJDP-22-00059: HIGBEE MILL COURT, LOT 11 (1/26/2023)* – located at 940 HIGBEE MILL ROAD, LEXINGTON, KY**
 Council District: 9
 Project Contact: Matt Miniard/Palmer Engineering

Note: The purpose of this plan is to depict 7 townhomes, in support of the requested zone change from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with Article 21 and Article 26, as well as general vehicular parking, landscaping and circulation as it relates to the right-of-way.

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

1. Provided the Urban County Council approves the zone change to R-1T; 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 site statistics.
10. Correct plan title to match staff report title.
11. Denote no access to Man O' War Boulevard and depict yard setback for a through lot per Article 15-2(a)(4).
12. Correct side yards per Articles 8-10 and 15-3 of the Zoning Ordinance.
13. Addition of bearings and distances along the property frontage of Higbee Mill Road.
14. Denote final record plat information.
15. Label topographic contour lines.
16. Denote proposed access point for construction vehicles.
17. Addition of cross-section location on plan face.
18. Denote proposed height of townhouses.
19. Correct drainage easement of 3' on each side lot line.

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20. Denote: No grading, stripping, excavation, filling or other disturbance of the natural ground cover shall take place prior to approval of an erosion control plan. Such plan must be submitted in accordance with Chapter 16 of the Code of Ordinances.
21. Discuss 30' platted building line for the existing zone.
22. Discuss parking requirements.
23. Discuss 50% pavement limit in front yards for residential zones.
24. Discuss improvements to Higbee Mill Road, including an appropriate termination.
25. Discuss pedestrian access easement parallel to Man O' War Boulevard.
26. Discuss compliance with Article 26 of the Zoning Ordinance (tree inventory map).
27. Discuss vehicular use area landscaping per Article 18.
28. Discuss Placebuilder criteria.

3. EASTLAND LEGACY CENTER, INC ZONING MAP AMENDMENT & EASTLAND SHOPPING CENTER (AMD) ZONING DEVELOPMENT PLAN

- a. **PLN-MAR-22-00024: EASTLAND LEGACY CENTER, INC** – a petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Light Industrial (I-1) zone, for 1.80 net (2.22 gross) acres, for property located at 1301 Winchester Road (a portion of).

COMPREHENSIVE PLAN AND PROPOSED USE

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This petitioner is proposing the Light Industrial (I-1) zone in order to construct flexible warehouse space for the operation of shops of specialty trade. The proposed development would be comprised of two buildings to include nine potential areas for special trade contractors to operate. The proposed development would be situated in a portion of the property that is currently being utilized for parking, as well as a small portion of the current shopping center.

The Zoning Committee Recommended: Approval with the addition of conditional zoning restrictions.

The Staff Recommends: Approval, for the following reasons:

1. A restricted Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed amendment will help to eliminate the vacant and underutilized employment space of the subject property by providing job opportunities to Lexington residents in general and particularly for residents who live near the subject property along the Winchester Road corridor (Theme A, Goal # 2.a; Theme E, Goal #1.c).
 - b. The proposed building design and character will be in keeping with the context of the surrounding business structures (Theme A, Goal #2.b).
 - c. The proposed rezoning will strengthen efforts to develop a variety of job opportunities that can lead to upward prosperity and impact individuals from various economic and educational backgrounds (Theme C, Goal #1.a).
2. 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 the development will create an industrial development that provides connectivity for bike and pedestrian mobility through the site, and infills an area of parking to provide a wider range of employment opportunities, which are compatible within the area.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian access throughout the site and better delineate the internal vehicular circulation for this portion of the site
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage, and reduce impermeable surface.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:

- a. Prohibited Uses:
 - i. Self-storage warehousing.
 - ii. Outdoor Storage.
 - b. Fencing in the front yard along Industry Road shall be limited to four (4) feet and barbed wire or razor wire are prohibited.
- These restrictions are appropriate and necessary for the following reasons:
- 1. To maintain agreement with the 2018 Comprehensive Plan by limiting those uses which have low employment opportunities.
 - 2. To maintain the context of the Eastland Shopping Center.
4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00076: Eastland Shopping Center (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

- b. **PLN-MJDP-22-00076: EASTLAND SHOPPING CENTER (2/26/2023)*** - located at 1301 WINCHESTER ROAD, LEXINGTON, KY
Council District: 1
Project Contact: Barrett Partners Inc.

Note: The purpose of this plan is to depict redevelopment of the property and remove a conditional zoning restriction in the Neighborhood Business (B-1) zone.

The Subdivision Committee Recommended: **Approval**, subject to the following revised conditions:

- 1. Provided the Urban County Council approves the zone change to I-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. 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. Dimension access points onto property.
- 9. Denote location for construction access.
- 10. Denote height of buildings in feet.
- 11. Denote uses on property.
- 12. Addition of tree inventory map.
- 13. Addition of record plat information.
- 14. Discuss proposed one-story building at intersection of Eastland Drive and Industry Road.
- 14. Discuss Placebuilder criteria.

4. **GOODWILL INDUSTRIES OF KENTUCKY, INC ZONING MAP AMENDMENT & BURKE, HOCKENSMITH & MAGGARD LOT 1 (AMD) ZONING DEVELOPMENT PLAN**

- a. **PLN-MAR-22-00029: GOODWILL INDUSTRIES OF KENTUCKY, INC** – a petition for a zone map amendment from a Highway Service Business (B-3) zone to a Light Industrial (I-1) zone, for 0.823 net (1.037 gross) acres, for property located at 1793 Atoma Drive.

COMPREHENSIVE PLAN AND PROPOSED USE

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

This petitioner is proposing the Light Industrial (I-1) zone in order to construct a donation and distribution center. As proposed, the development will include a single building where individuals will be able to donate goods, which will then be sorted and distributed to the various retail establishments in the area. No retail is proposed on site.

The Zoning Committee Recommended: **Approval with the addition of conditional zoning restrictions.**

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

1. A restricted Light Industrial (I-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed project will supply jobs, resources, and services to the most vulnerable of Lexington and will allow for the maximization of Goodwill's reach to geographically underserved areas (Theme A, Goal #4, Theme A, Goal #4.b).
 - b. The proposed facility will also provide jobs for residents, through the development of a warehousing and distribution center, which will also act as a convenient location for residents to donate unneeded items to support Goodwill's mission (Theme C, Goal #1.a; Theme C, Diversity Policy #2).
 - c. The proposed rezoning will allow for the development of community services, in the form of a donation drop-off location and distribution that will provide for the quality of life needs for Lexington's sometimes overlooked citizens (Theme D, Goal #2.c).
2. 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 the development will provide a industrial development that provides connectivity for pedestrian mobility, and promotes the preservation and maintenance of the environmental aspects of the site.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian access along the lot frontage.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increases tree canopy coverage, and protects the natural features on the site, including the Royal Springs Aquifer.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Self-storage warehousing.
 - ii. Billboards.
 - iii. Outdoor storage
 - iv. All above ground and underground storage tanks.
 - v. On-site disposal of any hazardous waste materials.
 - vi. Mining of non-metallic minerals and/or radium extraction.

These restrictions are appropriate and necessary for the following reasons:

1. To protect the appearance of the Georgetown corridor as a gateway into Lexington, while promoting employment that is appropriate along Lexington's freight corridor.
2. The Planning Commission has adopted a Wellhead Protection Plan for the Royal Spring Aquifer, which sets forth a plan to ensure a continual source of potable groundwater from Royal Spring for Georgetown and Scott County, and to preserve the integrity of surface waters. This plan has been adopted by both the Planning Commissions of Fayette and Scott Counties, and has most recently been approved by the Kentucky Division of Water on 8/28/03.
3. The proposed restrictions within the Wellhead Protection Area will better protect the surface and groundwater in the area by prohibiting some uses and requiring "best management practices" for other uses that could potentially be harmful to the wellhead, thus ensuring greater compliance with the Royal Spring Wellhead Protection Plan.
4. This recommendation is made subject to approval and certification of PLN-MJDP-22-00084: Burke, Hockensmith and Maggard, Lot 1 (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

- b. **PLN-MJDP-22-00084: BURKE, HOCKENSMITH, & MAGGARD, LOT 1 (AMD) (2/26/2023)*** - located at 1793 ATOMA DRIVE, LEXINGTON, KY
Council District: 2

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

Project Contact: Vision Engineering

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 Committee Recommended: **Approval**, subject to the following revised conditions;

1. Provided the Urban County Council approves the zone change to I-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. Department of Environmental Quality's approval if environmentally sensitive areas.
6. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Division.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Revise typical parking space dimensions.
9. Dimension loading and compactor areas.
10. Denote canopy height.
11. Discuss access to Atoma Drive.
12. Discuss Placebuilder criteria.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-22-00019: AMENDMENT TO ARTICLE 8-2(D): ATHLETIC FIELDS AND STRUCTURES** – a petition for a Zoning Ordinance text amendment to allow athletic fields with lighting and loud speakers in the Agricultural Buffer (A-B) zone as a conditional use and to increase the allowable structure size from 10,000 sq ft to two percent of the lot.

INITIATED BY: SAYRE SCHOOL

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval of the staff alternative.**

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

1. The proposed amendment is reflective of the intent of the Agricultural Buffer (A-B) zone and allows for greater conformity with the allowable conditional uses within the Agricultural Rural (A-R) zone. Conditional uses near Blue Sky would have less impact because of development in existence along the Interstate interchange.
2. This text amendment is very limited in scope, and will not threaten the agricultural economy in the Rural Services Area.
3. The proposed amendment promotes the retention of larger lots within the Agricultural Buffer (A-B) zone, which would allow for an easier transition back to a traditional agricultural land used should a conditional use no longer be active.

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

- a. **PLN-CELL-23-00001: MUNICIPAL COMMUNICATIONS III, LLC AND DISH NETWORK, LLC** – an application for a 120-foot monopole cellular tower with a 5-foot lightning arrestor, proposed to be located at 2190 Ft. Harrods Drive.

Staff will report on these findings at the hearing.

- b. **PUBLIC HEARING: IMAGINE LEXINGTON 2045 - COMPREHENSIVE PLAN GOALS & OBJECTIVES** – Continued from the February 16th Public Hearing.

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

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

LONG RANGE PLANNING ACTIVITY REPORT

January 2023

Planning Commission Work Session

The Planning Commission held a work session on January 19, 2023 and finalized the proposal for the Goals & Objectives of Imagine Lexington 2045. They agreed to hold a public hearing for the Goals & Objectives on February 16, 2023.

Additionally, the Planning Commission heard a one-year update on the Accessory Dwelling Units (ADU) ordinance. Staff reported that there have been five ADU permit applications in the past year. In total, there were 15 pre-application meetings so far for those interested in exploring ADUs on their property. Planning Staff will return to the Planning Commission in the coming months to explore changes in the ordinance that could make it more effective at achieving the desired outcomes.

Accessory Dwelling Units

Staff had two new ADU pre-apps in January.

Imagine Lexington

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

Long-Range staff continued work on Imagine Lexington 2045 Goals & Objectives and began initial preparation for the elements and implementation phase.

Social Media

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

ZONING COMPLIANCE PLANNING ACTIVITY REPORT

Board of Adjustment

Six (6) applications were on the agenda for consideration by the Board of Adjustment at their regular meeting on January 9, 2023. Five (5) of the applications were requests for variances. Four (4) of those requests were approved by the Board and the other one (1) was disapproved. One (1) of the applications was a request for a conditional use permit for a home-based beauty salon, which was approved by the Board.

The Board also held their yearly election of officers for the 2023 calendar year. The Board voted to have the officers remain the same as the previous year: Raquel Carter, Chair; Chad Needham, Vice-chair; Harry Clarke, Secretary.

TRANSPORTATION PLANNING / MPO ACTIVITY REPORT

1.0 Transportation System Data & Monitoring

- Began to collect system data and conducting data analysis tasks for the 2050 Metropolitan Transportation Plan (MTP).
- Several staff continued StreetLight tutorials for the transportation insight data platform.
- Continued update of GIS layers for traffic counts, truck volumes, bridge condition, traffic crashes and severity.
- Collected and analyzed highway fatalities, serious injuries, non-motorized fatalities & serious injuries and fatalities & serious injuries per 100 million vehicle miles traveled to assess regional trends as part of federal requirement to adopt regional safety targets for 2023.
- Continued work constructing and formatting GIS Story Map for the MPO website to show transportation projects.

2.0 Identify & Prioritize Projects

- Reviewed draft report for the East Lex Trail Connectivity & Safety Study.
- Submitted MOAs between KYTC and UK to LFUCG Council for the Virginia / Red Mile / Forbes Rd Trail Safety Study.
- Developed an outline and work plan for the 2050 MTP update.
- Reviewed the Congestion Management Bottleneck Study projects and recommendations for the 2050 MTP update.
- Attended a steering committee meeting for the Lexington Safety Action Plan.

- Attended nine (9) SHIFT meetings with KYTC representatives and elected officials to review potential projects for the next highway plan.
- Met with Long Range Planning to discuss updates to the Empower Lexington Plan and reviewed the LEED for Cities & Communities evaluation criteria for applicability to Lexington.

3.0 Program & Project Implementation.

- 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.
- Met with representatives of Jessamine County Planning regarding MPO complete streets policy
- Received TPC approval of the MPO Complete Streets Policy.
- Addressed 2 bus shelter inquiries, including field visits.
- Continued work on multimodal transportation corridor conceptual projects and traffic calming standards at intersections.
- Distributed information on Transportation Alternatives Program (TAP) call for projects and assisted Lexington and Nicholasville with grant preparation.
- Coordinated with LFUCG and KYTC regarding RAISE grant applications under development.
- Coordinated with LFUCG, KYTC and FHWA regarding Reconnecting Communities grant application.
- Recommendation to MPO committees to authorize Carbon Reduction Program Funds for Lextran to purchase one (1) Battery Electric Bus.
- Recommendation to MPO committees to authorize SLX Funds for the construction of the Rosemont Garden Sidewalk project.
- Recommendation to MPO committees to adopt CY 2023 Regional Highway Safety Targets.
- Recommendation to MPO committees for MPO to support Lextran Transit Asset Condition Targets of CY 2023.
- Conducted a Project Coordination Team meeting to track the status of projects in the TIP.

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.
- Participated in meeting with LFUCG Planning and Water Quality Divisions regarding discussion on storm and sanitary sewer infrastructure
- Held internal meeting regarding corridor design guidelines for the Imagine New Circle Plan as well as outreach strategies for the next round of public input.
- Held internal Imagine Nicholasville Road Implementation Team meeting.
- Held meeting regarding the roll out of approved changes to LFUCG's Street Continuity regulations.
- Reviewed LFUCG Comprehensive Plan to identify relevant transportation updates that are needed.
- Held coordination meeting with Jessamine County Director of Planning to discuss Jessamine Co. Comp. Plan update and MPO Complete Streets Policy implementation.
- Several staff members attended a meeting with FCPS to review a revised road Adequacy request letter for properties off of Greendale Road.

5.0 Participation & Outreach

- Continued discussions with and received quote from behavior-change platform Love to Ride for increasing bicycle/scooter ridership in upcoming fiscal year
- Continued work on the Lexington Bicycle Map
- Continued work to update the MPO's Participation Plan
- Met with EQPW PIE team to start planning May/Bike Month and Streetfest
- Continued coordination with EQPW PIE team for social media outreach in the new calendar year.
- Attended an orientation meeting for the AMPO Emerging Technologies Interest Group
- Social media:

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

- Promoted monthly BPAC meeting
- Promoted monthly TPC meeting
- Announced TPC's adoption of an MPO Complete Streets policy
- Continued Scooter States series with quarterly post
- Continued staff spotlight series: profiling certified League Cycling Instructors on LFUCG staff
- Shared LFUCG Health Dept Safe Walking in Winter post
- Posted resources for safe cycling in winter weather
- Shared KYTC and District 7 updates (signage and signalized intersections)
- MPO Facebook has 3,640 followers (+9 followers); 7 posts; reached 1,364 users; and had 87 engagements in January.
- MPO Twitter has 2,001 followers (-4 followers), reached 1,131; had 5 tweets with 24 engagements; and 58 profile visits in January.
- LexBikeWalk Facebook page had 4,632 followers (+4 followers); 11 posts; reached 3,718 users; and had 141 engagements in January.
- LexBikeWalk Instagram page had 554 followers (+13 followers); 7 posts; reached 2,054 users; and had 224 engagements in January.

6.0 Program Administration

- Prepared meeting packet and minutes for the Bicycle Pedestrian Advisory Committee (BPAC) and Transportation Policy Committee (TPC).
- Worked on the MPO annual budget, including federal and local match funding requests.
- Discussed to plan and schedule an orientation session for new TPC members, their alternates, their staff and aides to address and convey MPO staff's and TPC members' roles, responsibilities and other MPO topics in general.
- Met with LFUCG Grants and Finance divisions to discuss FY 24 MPO budget and non-federal match request
- Viewed Lextran board meeting.
- Conducted weekly MPO Staff Meetings.
- Attended Commission for People with Disabilities meeting.
- Attended meeting with BUILD representatives regarding micro-transit service.
- Attended KYTC Statewide Planning meeting
- Attended MPO Statewide Planning meeting.
- Participated on Corridors Commission Typology Study and Design Guide RFP Selection Committee. Coordinated with FTSB Director to oversee financial matters.
- Attended Corridors Commission meeting.
- Attended Jessamine County Transportation Task Force meeting.
- Initiated LFUCG Council approval of Jessamine County funding budget and contribution to the MPO.
- Prepared and submitted the UPWP - Q2 Progress Report to KYTC.
- Attended Bluegrass ADD Regional Transportation Committee meeting
- Attended the following Webinars / Workshops / Conferences:
 - KY Statewide ITE training - MPO staff presented on the LFUCG Complete Streets Policy
 - Webcast: Planning for Sustainable Energy Production: A Nature-Based Approach to Large-Scale Solar
 - StreetLight Quarterly Product Updates webinar
 - LFUCG computer security awareness training

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 MARCH 2023

Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	March 2, 2023
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	March 2, 2023
Subdivision Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov't Center.....	March 9, 2023
Work Session, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	March 16, 2023
Technical Committee, Wednesday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	March 29, 2023
Zoning Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov't Center	March 23, 2023
Work Session, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building.....	March 30, 2023

X. ADJOURNMENT

TW/HB/RS-2/17/23