

**MINUTES  
URBAN COUNTY PLANNING COMMISSION  
SUBDIVISION AND ZONING ITEMS PUBLIC HEARING**

**June 22, 2023**

- I. **CALL TO ORDER** - The meeting was called to order at 1:30 p.m. in the Council Chamber, 2<sup>nd</sup> Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.

Planning Commission members present: Frank Penn, Chair; Ivy Barksdale, Headley Bell (arrived at 1:32), Robin Michler, Janice Meyer (arrived at 1:33) Zach Davis, Bruce Nicol, and Judy Worth. Absent: Graham Pohl, Anthony de Movellan, Larry Forester.

Planning staff members present: Traci Wade, Autumn Goderwis, Tom Martin, Daniel Crum, and Paula Schumacher. Other staff members present were: Stephen Parker, Division of Traffic Engineering; Vaughan Adkins, Division of Engineering; Captain Greg Lengal, Division of Fire and Emergency Services; and Brittany Smith, Department of Law.

- II. **APPROVAL OF MINUTES** – A motion was made by Ms. Worth, seconded by Mr. Penn for the approval of the minutes of the May 25, 2023 public hearing, and carried 6-0 (Pohl, de Movellan, Bell, Meyer, and Forester absent)

- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.

1. **PLN-MAR-MAR-21-00018: FLORA INVESTMENTS, LLC (AMD)** – an amended petition for a zone map amendment from a Professional Office (P-1) zone to a Commercial Center (B-6P) Zone, for 1.04 net (1.04 gross) acres, for property located at 2717 Flora Fina Street (a portion of). A conditional use permit is also requested for a parking lot on the remaining P-1 zoned area of the property.

Applicant Comment – Matthew Carter, engineer for the applicant, asked for a one month postponement to alter the layout of the property.

Action – A motion was made by Mr. Michler, seconded by Mr. Davis and carried 8-0 (Pohl, de Movellan, and Forester absent) to postpone PLN-MAR-MAR-21-00018: FLORA INVESTMENTS, LLC (AMD) until July 27, 2023.

2. **PLN-MAR-23-00005: ANDERSON COMMUNITIES, INC** – a petition for a zone map amendment from a Highway Service Business (B-3) zone and Agricultural Rural (A-R) zone, to a Community Center (CC) zone, for 8.36 net (11.95 gross) acres, for property located at 4075 Old Richmond Road.

Applicant Comment – Dick Murphy, attorney for the applicant, asked for a one month postponement to address feedback from Staff and neighbors.

Action – A motion was made by Mr. Davis, seconded by Ms. Barksdale and carried 8-0 (Pohl, de Movellan, and Forester absent) to postpone PLN-MAR-23-00005: ANDERSON COMMUNITIES, INC until July 27, 2023.

3. **PLN-ZOTA-23-00002: AMENDMENT TO ARTICLE 17 FOR ADDITIONAL ELECTRONIC MESSAGE DISPLAY SIGNAGE INCLUDING VIDEO IN THE LEXINGTON CENTER BUSINESS (B-2B) ZONE** - a petition for a Zoning Ordinance text amendment to allow additional electronic message display signage including video displays (dynamic content) in association with a civic center in the Lexington Center Business (B-2B) zone.

Staff Comment – Ms. Wade indicated that the applicant was requesting a one month postponement.

Action – A motion was made by Ms. Meyer, seconded by Ms. Worth and carried 8-0 (Pohl, de Movellan, and Forester absent) to postpone PLN-ZOTA-23-00002: AMENDMENT TO ARTICLE 17 FOR ADDITIONAL ELECTRONIC MESSAGE DISPLAY SIGNAGE INCLUDING VIDEO IN THE LEXINGTON CENTER BUSINESS (B-2B) ZONE until July 27, 2023

- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, June 1, 2023 at 8:30 a.m. The meeting was attended by Commission members Judy Worth, Frank Penn, and Janice Meyer. Other 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, Daniel Crum, Boyd Sewe, Paula Schumacher,

Greg Lengal, Division of Fire and Emergency Services; and Tracy Jones and Emilee Buttrum, Department of Law. 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 Plan**

- a. PLN-MJDP-23-00031: GREYLINE STATION & MARKET (FKA TRANSIT AUTHORITY OF THE LFUCG) (AMD) (7/30/2023)\*** - located at 101 & 109 W. LOUDON AVENUE, LEXINGTON, KY

Council District: 1

Project Contact: Chad Needham Properties

Note: The purpose of this amendment is to add 5,000 square feet of building space and revise parking layout.

Note: This plan requires the posting of a sign and an affidavit of such.

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

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.

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

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. United States Postal Service Office's approval of kiosk locations or easement.
12. Revise purpose of amendment note to include revisions to parking layout.
13. Remove "to" from type of plan in title block – should read "Amended Final Development Plan".
14. Denote access for construction vehicles.
15. Dimension all buildings.
16. Update land use table site statistics to reflect proposed changes, including new brewery/distillery.
17. Clarify building square footage and parking in site statistics.
18. Remove "Existing Zoning B-4" label and clarify existing Lighting Industrial (I-1) zoning.
19. Remove certification signatures from previous plan.
20. Addition of building coverage, floor area, and open space (usable and vegetated) area in site statistics.
21. Resolve compliance with Articles 16, 18, and 20 of the Zoning Ordinance.

Staff Development Plan Presentation – Ms. Cheryl Gallt oriented the Planning Commission to the location and characteristics of the subject property. Ms. Gallt indicated that this development plan was postponed because the applicant forgot to post the required sign, but submitted documentation that the sign had been posted since.

Ms. Gallt stated that the applicant is proposing to add two new structures on the adaptive reuse property, and stated that there were some clean-up conditions that included being in compliance with Articles 16, 18, and 20.

Ms. Gallt concluded her presentation by stating that Staff is recommending approval for the development plan and could answer any questions from the Planning Commission.

Commission Questions – Mr. Penn asked if this meets the adaptive reuse ordinance, and Ms. Gallt indicated that it did, and it is in line with what was approved previously.

Applicant Comment – Chad Needham, applicant, indicated that he had posted the sign and was ready to proceed.

Action – A motion was made by Mr. Nicol, seconded by Ms. Worth and carried 8-0 (Pohl, de Movellan, and Forester absent) to approve PLN-MJDP-23-00031: GREYLINE STATION & MARKET (FKA TRANSIT AUTHORITY OF THE LFUCG) (AMD with the 21 conditions recommended by Staff.

- V. ZONING ITEMS** - The Zoning Committee met on June 1, 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, Larry Forester, Robin Michler, Graham Pohl, and Zach Davis. Staff members present were; Traci Wade, Tom Martin, Daniel Crum, Boyd Sewe, 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).

**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.

**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.

**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 JULY 2023**  
Subdivision Committee, Thursday, 8:30 a.m., in 3<sup>rd</sup> Floor Conf Room, Phoenix Building ..... July 6, 2023  
Zoning Committee, Thursday, 1:30 p.m., in 3<sup>rd</sup> Floor Conf Room, Phoenix Building ..... July 6, 2023  
**Subdivision Items Public Hearing**, Thursday, 1:30 p.m. in Council Chambers, 2<sup>nd</sup> Floor, Gov’t Center..... **July 13, 2023**  
Work Session, Thursday, 1:30 p.m., in 3<sup>rd</sup> Floor Conf Room, Phoenix Building ..... July 20, 2023  
Technical Committee, Wednesday, 8:30 a.m., in 3<sup>rd</sup> Floor Conf Room, Phoenix Building..... July 26, 2023  
**Zoning Items Public Hearing, Thursday, 1:30 p.m, in Council Chambers, 2nd Floor, Gov’t Center..... July 27, 2023**

**X. ADJOURNMENT**

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Larry Forester, Chair

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Janice Meyer, Secretary

TW/DC/RS-8/18/23

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