

MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
July 13, 2023

- I. **CALL TO ORDER** - Chair Larry Forester called to order at 1:31 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **ATTENDANCE** – Planning Commission members present were Larry Forester, Judy Worth, Ivy Barksdale, Zach Davis, Robin Michler, Janice Meyer, Bruce Nicol, Graham Pohl, and Headley Bell. Planning staff members present were Jim Duncan, Traci Wade, Tom Martin, Cheryl Gallt, Autumn Goderwis, and Paula Schumacher. Other staff present were Brittany Smith, Department of Law; David Filiatreau, Division of Traffic Engineering; Doug Burton and Vaughan Adkins, Division of Engineering; and Captain Greg Lengal, Division of Fire and Emergency Services.
- III. **APPROVAL OF MINUTES** – Ms. Worth made a motion, seconded by Mr. Pohl, and carried 8-0 (Barksdale absent) to approve the June 8, 2023 minutes.
- IV. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Mr. Michler made a motion, seconded by Ms. Worth, and carried 8-0 (Barksdale absent) to accept the bonds and letters of credit as presented.

V. **POSTPONEMENTS AND WITHDRAWALS**

- A. PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) (8/29/2023)* - located at 1061 PROVIDENCE PLACE PARKWAY, LEXINGTON, KY
Council District: 12
Project Contact: Barrett Partners Inc.

Note: The purpose of this amendment is to revise the proposed development on the lot.

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

Note: The Planning Commission postponed this item at the June 8, 2023 meeting.

The Technical Committee Recommended: **Postponement**. There are question regarding the compliance with Article 23A of the Zoning Ordinance.

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. Provided the Planning Commission finds the plan complies with the Expansion Area Master Plan.
14. Addition of purpose of amendment note.
15. Addition of topography lines at 2' intervals.
16. Denote proposed and existing easements.
17. Provide typical townhome details for middle and end units.
18. Denote proposed Development Standards, including lot size and setbacks per Article 23A-2(i) of the Zoning Ordinance.

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19. Denote Exactions to the approval of the Division of Planning.
20. Denote orientation of residential dwelling units along Providence Place Parkway, per Article 23A-2(j) of the Zoning Ordinance.
21. Discuss stormwater management.
22. Discuss proposed access points to Providence Place Parkway.
23. Discuss landscape buffer along northern RSA boundary and compliance with Article 23A-2(f) of the Zoning Ordinance.
24. Discuss compliance with supportive use regulations established in Article 23A-10(j)(12) of the Zoning Ordinance.

Applicant Representation – Dick Murphy, attorney, was present to represent the applicant. He asked the Planning Commission for a one month postponement.

Action – Ms. Meyer made a motion, seconded by Ms. Worth, and carried 8-0 (Barksdale absent) to postpone PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) to the August 10, 2023 meeting.

- B. PLN-MJDP-23-00029: RED MILE MIXED USE DEVELOPMENT (AMD) (7/30/2023)* - located at 1101 WINBACK WAY, LEXINGTON, KY
Council District: 11
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise buildings 29 & 30 to townhomes, and to revise parking and circulation.

Note: The Planning Commission postponed this item at the June 8, 2023 meeting.

The Technical Committee Recommended: **Postponement**. There are questions regarding proposed townhomes and conditional zoning restrictions, as well as compliance with Articles 16, 18, and 20 of the Zoning Ordinance.

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. 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. United States Postal Service Office's approval of kiosk locations or easement.
12. Remove cloud for area of amendment at 1101 & 1051 Winback Way.
13. Addition of typical townhome building and dimensions layout.
14. Denote construction vehicle access.
15. Correct site statistics for square footage and number of dwelling units.
16. Denote height of buildings in feet.
17. Correct commission certification for a major development plan.
18. Revise purpose of amendment note.
19. Discuss compliance with Articles 16, 18, & 20 of the Zoning Ordinance.
20. Discuss conditional zoning restrictions and proposed location of townhouses.
21. Discuss off-site detention basin for stormwater management.

Applicant Representation – Mark McIntosh, Vision Engineering, was present to represent the applicant. He requested a one month postponement so that they could modify the number of townhomes in the development.

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

Action – Ms. Worth made a motion, seconded by Ms. Meyer, and carried 8-0 (Barksdale absent) to postpone PLN-MJDP-23-00029: RED MILE MIXED USE DEVELOPMENT (AMD) to the August 10, 2023 meeting.

C. PLN-MJDP-18-00004 (AKA DP 2004-153): TRIPLE STARS PROPERTY (7/13/23)* - located at 920 OLD TODDS ROAD.

Council District: 7

Project Contact: CS International Group, Inc.

Note: The Planning Commission approved this plan at their October 14, 2004, meeting, and reapproved on February 8, 2018, subject to the following conditions. The applicant requested re-approval on November 14, 2022.

Note: The Planning Commission postponed this item at their December 8, 2022, January 12, 2023, February 9, 2023, March 9, 2023, May 11, 2023, and June 8, 2023 meetings.

The Subdivision Committee recommended: **Postponement**. There are questions regarding the plan meeting the new parking requirements and Article 8 of the Zoning Ordinance.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Landscape Examiner's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Denote: No building permits shall be issued until a final subdivision plan has been approved and certified by the Planning Commission.
6. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
7. Revise general note on grading to reference Article 16 of the Code of Ordinance.
8. Verify or correct owner, applicant name and information.
9. Denote: No amendments to the Final Development Plan shall be required for additions or alterations to individual townhouses provided they comply with the Zoning Ordinance.
10. Correct current zoning in the site statistics.

Staff Comments – Mr. Martin stated that he had received a request from the applicant for another one month postponement.

Action – Mr. Davis made a motion, seconded by Mr. Bell, and carried 8-0, (Barksdale absent) to postpone PLN-MJDP-18-00004 (AKA DP 2004-153): TRIPLE STARS PROPERTY to the August 10, 2023 meeting.

D. PLN-MJDP-22-00045: DISTILLERY DISTRICT WEST (U-HAUL LEXINGTON) (AMD) (7/13/23)* - located at 1158 & 1170 MANCHESTER STREET, LEXINGTON, KY

Council District: 11

Project Contact: Abbie Jones Consulting

Note: The purpose of this amendment is to revise use of the property.

Note: This plan requires the posting of a sign and an affidavit of such. The Planning Commission postponed this item at the February 9, 2023, March 9, 2023, April 13, 2023, May 11, 2023, and June 8, 2023 meetings.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the applicant's compliance with Article 19 of the Zoning Ordinance.

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

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

1. Urban County Engineer's acceptance of drainage, storm, sanitary sewers and floodplain information.
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 proposed apartment building.
14. Addition of contour lines.
15. Denote pedestrian access to public right-of-way.
16. Dimension 1170 building.
17. Revise note #6 to meet current requirements.
18. Discuss proposed apartment building compliance with Article 19 of the Zoning Ordinance.
19. Discuss display of rental vehicles and trailers.
20. Discuss reciprocal parking with the western area of the development.
21. Discuss timing of proposed right-of-way dedication.
22. Discuss timing or phasing of 1158 site improvements.

Staff Comments – Mr. Martin told the Planning Commission that the applicant had requested an indefinite postponement due to the floodplain issues on the lot.

Action – Mr. Bell made a motion, seconded by Ms. Worth and carried 8-0 (Barksdale absent) to indefinitely postpone PLN-MJDP-22-00045: DISTILLERY DISTRICT WEST (U-HAUL LEXINGTON) (AMD).

- E. PLN-MJDP-23-00032: HOMER C. RATLIFF PROPERTY (AMD) (7/30/2023)* - located at 938 MANCHESTER STREET, LEXINGTON, KY
Council District: 11
Project Contact: Anne Rouse/Earthcycle Design

Note: The purpose of this amendment is to depict adaptive reuse of the site and to denote compliance with the Adaptive Reuse Project criteria.

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

Note: The Planning Commission postponed this item at the June 8, 2023 meeting.

Note: The applicant submitted a revised plan on June 30, 2023. Based on that submittal, staff can offer the following revised conditions.

The Staff Recommends: **Postponement**. There are questions regarding the compliance with the conditional zoning restrictions per Article 6-7 of the Zoning Ordinance.

Should the 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace planner's approval of the treatment of greenways and greenspace.

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8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Clarify plan information. Revise square footage of buildings in site statistics to meet dimensions.
- ~~13. Remove existing zone line information.~~
- ~~14. Addition of entire Adaptive Reuse Project area to the development plan.~~
- ~~15. Addition of all required Article 21 information. Clarify rear property boundary.~~
- ~~16. Correct plan title to match staff report.~~
- ~~17. Delete architectural information not required by Article 21.~~
- ~~18. Discuss compliance with Adaptive Reuse Project minimum criteria and scoring criteria. Provided the Planning Commission makes a finding that the plan complies with the Adaptive Reuse Project criteria.~~
- ~~19. Discuss proposed land uses and compliance with Article 8-21 of Zoning Ordinance.~~
- ~~20. Discuss compliance with conditional zoning restrictions.~~

Staff Comments – Mr. Martin explained that the applicant had requested a one month postponement so that they may obtain legal representation.

Action – Mr. Pohl made a motion, seconded by Ms. Meyer, and carried 8-0 (Barksdale absent) to postpone PLN-MJDP-23-00032: HOMER C. RATLIFF PROPERTY (AMD) to the August 10, 2023 meeting.

Ms. Barksdale joined the meeting at 1:40 p.m.

- F. PLN-MJDP-23-00037: NEWTOWN COPORATION INDUSTRIAL PARK (ABC STORAGE) (AMD) (7/30/2023)* - located at 673 KENNEDY ROAD, LEXINGTON, KY
Council District: 1
Project Contact: Geisler Domigan Engineering, PLLC

Note: The purpose of this plan is to show buildings and parking circulation.

The Technical Committee Recommends: Postponement. There are questions regarding meeting the requirements of Article 21 of the Zoning Ordinance, as well as Articles 16, 18, and 20.

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. Correct plan title to match staff report.
13. Label plan as a "Final Development Plan".
14. Addition of bearings and distances on property boundaries.
15. Addition of adjacent property information to the west of property.

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16. Addition of record plat information for property per S-405.
17. Addition and dimension of driveways and walkways.
18. Addition of points of ingress and egress and showing location of gates.
19. Depict access point for construction vehicles.
20. Addition of location of street cross-section on face.
21. Dimension all buildings.
22. Addition of floor area and open space in site statistics.
23. Addition on existing and proposed easements.
24. Addition of tree protection plan per Article 26 of the Zoning Ordinance.
25. Addition of 20' building line.
26. Addition of 10% tree canopy per Article 26-5 of the Zoning Ordinance.
27. Addition of owner's certification.
28. Addition of Planning Commission certification.
29. Addition of dashed lines for adjacent property and street.
30. Denote review of property with Royal Springs Aquifer Committee.
31. Discuss compliance Articles 16, 18, & 20 of the Zoning Ordinance.

Staff Comments – Mr. Martin stated that the applicant had requested a one month postponement.

Action – Mr. Michler made a motion, seconded by Ms. Worth, and carried 9-0 to postpone PLN-MJDP-23-00037: NEWTOWN COPORATION INDUSTRIAL PARK (ABC STORAGE) (AMD) to the August 10, 2023 meeting.

VI. LAND SUBDIVISION ITEMS – The Subdivision Committee met on Thursday, July 6, 2023 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Janice Meyer, and Headley Bell. Other Committee members present were Vaughan Adkins, Division of Engineering; and Steven Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Cheryl Gallt, Autumn Goderwis, Daniel Crum, Boyd Sewe, Paula Schumacher, Greg Lengal, Division of Fire and Emergency Services; Brittany Smith, Department of Law; Doug Burton, Division of Engineering; and Jeff Neal, Division of Traffic 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.

There were no items that qualified for “no discussion”, therefore, the Planning Commission took no action.

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. Preliminary Subdivision Plans

- a. PLN-FRP-23-00015: PENINSULA, LOT 2 (AMD) (9/3/23)* – located at 3230 PENINSULA WAY, LEXINGTON, KY
Council District: 7
Project Contact: EA Partners

Note: The purpose of this amendment is to create 30 buildable lots and 1 HOA lot.

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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Greenspace planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Provided the Planning Commission makes a finding per Article 6-8(m) for frontage on an access easement.

Staff Presentation – Ms. Gallt presented the final record plat to the Planning Commission. She identified the access easement for the rear townhomes and recommended that the Commission make a finding that the access easement would be appropriate as sole access for the units, with a condition that the easement be maintained by a homeowner's association.

Applicant Representation – Rory Kahly, EA Partners, was present to represent the applicant. He stated that the conditions and the finding were acceptable, and he requested approval.

Action – Mr. Davis made a motion, seconded by Ms. Worth, and carried 9-0 to approve PLN-FRP-23-00015: PENINSULA, LOT 2 (AMD) along with the requested finding.

- b. PLN-FRP-23-00016: MELROSE ADDITION, BLOCK E, & J. BARRINGER BANKER PROPERTY (AMD) (9/3/23)* – located at 320 THOMPSON ROAD, LEXINGTON, KY
Council District: 11
Project Contact: CAM Surveying

Note: The purpose of this amendment is to subdivide 1 lot into 2 lots.

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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information for the R-1C zone portion of property.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. United States Postal Service Office's approval of kiosk locations or easement.

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10. Improve legibility of zoning boundaries.
11. Addition of build to setbacks on the B-1 zone portion of lot.
12. Provided the Planning Commission grants the requested waiver.
13. Resolve access point locations.

Staff Presentation – Mr. Martin identified the location of the church and parking lot that were included in the plat. He stated that because of the success of a neighboring business, and their need for additional parking, the church had agreed to sell some of their parking lot to the business to help alleviate the parking concerns. He explained that a waiver was necessary for the sanitary sewer. He further explained that since the newly proposed lot was just a parking lot, there was no need to sewer the lot. The staff recommended a condition for the waiver that the sanitary sewer shall be completed for any future developments.

Applicant Comments – Pastor Don Hamilton was present to answer any questions regarding the plan and asked for approval.

Action – Ms. Meyer made a motion, seconded by Ms. Barksdale, and carried 9-0 to approve PLN-FRP-23-00016: MELROSE ADDITION, BLOCK E, & J. BARRINGER BANKER PROPERTY (AMD) along with the waiver request.

- c. PLN-FRP-23-00017: WYNDALE SUBDIVISION, LOT 2A (AMD) (9/3/23)* – located at 1500 HIGBEE MILL ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

Note: The purpose of this amendment is to create 20 buildable townhome lots and 1 HOA lot.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace planner's approval of the treatment of greenways and greenspace.
8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
9. United States Postal Service Office's approval of kiosk locations or easement.
10. Depict adjoining streets and property boundaries with dash lines per Article 5-4 (d)(1) of the Land Subdivision Regulations.
11. Provided the Planning Commission makes a finding to allow access easement to allow an access frontage to individual lots per Article 6-8(m).
12. Resolve status of LOMR.

Staff Presentation – Ms. Gallt presented the plan as well as the request for a finding for use of an access easement. She identified the floodplain area and stated that a LOMR would have to be complete as a condition of approval.

Applicant Representation – Mark McIntosh, Vision Engineering, was present to represent the applicant. He explained that the LOMR was in process, and that it would be issued at the time of completion. He stated that the applicant was agreeable to the conditions of approval.

Commission Questions – Mr. Bell, off microphone, asked if the conditions and the LOMR were agreeable to the Division of Engineering and staff. Ms. Adkins, Division of Engineering, nodded in the affirmative. He asked if other members could recall the discussion they had during Subdivision Committee Ms. Meyer replied that she recalled it was regarding the process of getting the CLOMR, building, and obtaining the

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LOMR. Ms. Worth recalled that the major concerns had been addressed with the CLOMR, and the remainder of the items were procedural. Mr. McIntosh confirmed that obtaining the CLOMR allowed them to go ahead with the building.

Ms. Worth requested confirmation that the townhomes were being built at a higher elevation due to the flooding potential. Mr. McIntosh replied that they were built at least two feet higher to address the concerns.

Mr. Michler asked if there could be a pedestrian connection or access to Elkhorn Creek. Mr. McIntosh stated that, while he could not remember if that had been addressed on the Development Plan, he would look into the possibility.

Action – Mr. Davis made a motion, seconded by Mr. Bell, and carried 9-0 to approve PLN-FRP-23-00017: WYNDALE SUBDIVISION, LOT 2A (AMD) along with the requested access easement finding.

2. Final Development Plans

- a. PLN-MJDP-22-00085: SOUTH END PARK, UNIT 2 (DAVIS PARK) (9/20/23)* - located at 525 & 530 DE ROODE STREET, LEXINGTON, KY
Council District: 11
Project Contact: Prime Engineering

Note: The Planning Commission approved this plan on February 23, 2023.

Note: The applicant requested a continued discussion on June 20, 2023 to discuss compliance with Article 9-6(b) of the Zoning Ordinance.

The Staff Recommended: **Approval**, subject to the following revised 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
11. Delete interior architectural information in the buildings on the plan face.

Staff Presentation – Mr. Martin explained that the applicant had requested further discussion on this plan because this plan fell under Article 9 of the Zoning Ordinance. He pointed out that the applicant had purchased same additional land so that they could come into compliance and meet the FAR (Floor Area Ratio) requirement of the Zoning Ordinance.

Mr. Nicol asked for clarification for why this had been approved previously if it did not meet the FAR. Mr. Martin stated that it was an oversight, and purchasing a small piece of land was the simplest way to come into compliance. Mr. Martin also said that that the alternative would have included a process that included public outreach and the inability to vary greenspace.

Ms. Worth asked how many affordable housing units would be built. Mr. Martin replied that it would be 72 units with 132 bedrooms.

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Applicant Representation – Clay Johnson, Prime Engineering, was present to represent the applicant. He concurred with what the staff had presented.

Action – Mr. Nicol made a motion, seconded by Ms. Barksdale, and carried 9-0 to approve the compliance of PLN-MJDP-22-00085: SOUTH END PARK, UNIT 2 (DAVIS PARK).

- b. PLN-MJDP-23-00022: GLEN CREEK (DOVE CREEK) (AMD) (7/13/23)* – located at 1155 JONESTOWN LANE, LEXINGTON, KY
Council District: 8
Project Contact: Element Design

Note: The purpose of this amendment is to depict revised layout for townhomes and parking circulation.

The Subdivision Committee Recommended: **Approval**, subject to the following revised 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.
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. Addition of record plat information on current adjacent property.
13. Addition of typical townhome layout with dimensions for all phases (including those on DP 2014-10).
14. Addition of tree protection plan areas.
15. Renumber general notes starting with #12.
16. Submit letter of withdrawal of plan PLN-MJDP-17-00038.
17. Correct number of dwelling units in site statistics.
18. Discuss pedestrian facilities for all dwelling units.

Staff Presentation – Ms. Gallt presented the development plan and revised conditions. She oriented the Planning Commission to the areas for the development that had been completed, and stated that this was the last section to be finished. Ms. Gallt also mentioned that the design engineer had spent considerable time to make sure that Articles 16, 18, and 20 of the Zoning Ordinance had been addressed properly. She noted the additional access point that was being requested. She also presented the following revised conditions, and said that staff was recommending approval.

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. United States Postal Service Office's approval of kiosk locations or easement.
12. Addition of record plat information on current adjacent property.
- ~~13. Addition of typical townhome layout with dimensions for all phases (including those on DP 2014-10).~~
- ~~14. Addition of tree protection plan areas.~~
- ~~15. Renumber general notes starting with #12.~~

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

- ~~16. Submit letter of withdrawal of plan PLN-MJDP-17-00038.~~
~~13. 17. Correct number of dwelling units in site statistics.~~
~~14. 18. Discuss Resolve pedestrian facilities for all dwelling units.~~

Commission Questions – Ms. Meyer asked how many units would be built. Ms. Gallt replied that there would be 48 new units and clarified where they would be located.

Applicant Representation – Billie Motsch, Element Design, was present to represent the applicant and requested approval of the plan.

Action – Ms. Worth made a motion, seconded by Mr. Bell, and carried 9-0 to approve PLN-MJDP-23-00022: GLEN CREEK (DOVE CREEK) (AMD).

VII. COMMISSION ITEMS

- A. PFR 2023-3: HOPE CENTER** – a Public Facilities Review regarding the renovation and addition to the existing Hope Center Emergency Shelter facility located at 360 West Loudon Avenue.

Staff Presentation - Ms. Goderwis oriented the Commission to the site and presented the public facilities review. She identified the existing building and described how it was being used currently. She then identified the two-story addition. She said that the plan was in agreement with the Comprehensive Plan, but that there were some Placebuilder criteria that the site plan did not address. She voiced staff's concerns with building orientation, pedestrian connections and access, and landscaping in parking areas.

Applicant Representation – Chris Mitchell, Palmer Engineering, and Celia Moore, Integrity Architecture, were present to represent the Hope Center.

Commission Questions – Ms. Meyer asked how the number of parking spaces had been figured, and if that number was needed. Mr. Mitchell replied that the additional parking would be for additional staff that would be working in the new addition. He stated that they would be adjusting the landscape to better comply with the regulations, and it would possibly change the number of parking spaces.

Mr. Michler asked about the building orientation and location of the front entrances. Ms. Moore replied that the building orientation did not face the street because of the triangular shape of the site. She stated that it was the only way they could fit the additional building into the lot. She further explained the entrances were laid out according to wishes of the Hope Center to have three distinct entrances for the different groups of people that would be using the facility.

Ms. Worth asked if the veteran's units were separate from the rest of the facility. Ms. Moore replied that they were separate from the emergency shelter area.

Action – Ms. Worth made a motion, seconded by Ms. Worth, and carried 9-0, to find the facility addition to be in compliance with the 2018 Comprehensive Plan.

- B. INITIATION OF A LAND SUBDIVISION REGULATION AMENDMENT** – Ms. Wade explained that the Division of Engineering had requested a change to Article 4-8 so that the regulations would be similar to their sureties' process. She further explained that this subdivision regulation amendment would go to the Subdivision Committee for review and then the full Planning Commission.

Action - Mr. Davis made a motion, seconded by Mr. Nicol, and carried 9-0 to initiate an amendment to Article 4-8 of the Land Subdivision Regulations to update the regulations related to public improvements and sureties.

- C. INITIATION OF ZONING ORDINANCE TEXT AMENDMENT** – The Urban County Council asked that the Planning Commission update the Accessory Dwelling Units ordinance.

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Ms. Worth asked if the Planning Commission would see the information that has been collected regarding the new ordinance. Ms. Wade replied that they would do so at the next work session.

Ms. Worth made a motion, seconded by Mr. Pohl, and carried 9-0 to initiate an amendment to update regulations related to Accessory Dwelling Units.

- D. ELECTION OF OFFICERS** – The Commission's By-laws state that at the first regular meeting in July, the Commission shall elect a Chairperson, Vice-Chairperson, Secretary, and Parliamentarian. The Nominating Committee was named at the June 8th Planning Commission meeting and has presented its slate for consideration by the Planning Commission. Nominations may also be made from the floor.

The current officers are as follows:

Chair: Larry Forester

Vice Chair: Anthony de Movellan

Secretary: Janice Meyer

Parliamentarian: Zach Davis

The Nominating Committee recommended the following slate:

Chair: Larry Forester

Vice Chair: Zach Davis

Secretary: Janice Meyer

Parliamentarian: Judy Worth

Action – Mr. Pohl made a motion, seconded by Mr. Bell, and carried 9-0 to approve the new slate of officers as presented.

- E. DELEGATION OF SECRETARY'S DUTIES** – Ms. Meyer made a motion, seconded by Ms. Worth, and carried 9-0 to delegate the authority of carrying out the Secretary's duties, except for signing minutes, to the Director of the Division of Planning and his staff.

Ms. Wade reminded the Planning Commission of the Work Session the following week.

- VIII. ADJOURNMENT** – The meeting was adjourned at 2:28 p.m.

Larry Forester

Janice Meyer