

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
October 12, 2023

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – none at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponements and withdrawals will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, October 5, 2023 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Janice Meyer, and Mike Owens. 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, Daniel Crum, Cheryl Gallt, Autumn Goderwis, Paula Schumacher, Greg Lengal, Division of Fire and Emergency Services; and Chris Dent; Division of Water Quality. 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. **Final Subdivision Plans**

- a. PLN-FRP-23-00019: COLEMAN PROPERTY (CLARION CONVENTION CENTER) (AMD) (10/9/23)* – located at 1950 NEWTOWN PIKE, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The Planning Commission postponed this item at the August 10, 2023 and September 14, 2023 meetings.

The Subdivision Committee Recommended: **Postponement**. There are questions about required setbacks and frontages.

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.
 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.
 6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 7. Denote: This property shall be developed in accordance with the approved final development plan.
 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.
 10. Correct Planning Commission certification.
 11. Correct owner's certification.
 12. Addition of Urban County Engineer's certification.
 13. Delete building information.
 14. Addition of lots 3, 4, & 6 to plat and denote parcel lines with a solid line.
 15. Addition of private utility providers per Article 5-4(e).
 16. Addition of maintenance note per Article 5-4(g).
 17. Revise access easement to provide required frontage of 40 feet.
 18. Provided the Planning Commission makes a finding on the proposed access easement.
 19. Revise plan title to match staff report.
 20. Addition of Coleman Court, Newtown Pike, and interstate cross-sections.
 21. Discuss timing of proposed building demolition.
 22. Discuss required 20' front yard setback.
- b. PLN-FRP-23-00033: HAMBURG EAST, LOTS 1 & 2 (BAPTIST HEALTHCARE CAMPUS) (AMD) (1/3/24)* – located at 2000 POLO CLUB BOULEVARD, LEXINGTON, KY
Council District: 12
Project Contact: CMW

Note: The purpose of this amendment is to subdivide 1 lot into 6 lots.

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. 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.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.

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

8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Provided the Planning Commission makes a finding for lot frontage.
12. Denote submittal of 50% infrastructure report to the Planning Commission shall be done prior to certification.

2. **Development Plans**

- a. PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) (10/9/2023)* - 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, July 13, 2023, August 10, 2023, and September 14, 2023 meetings.

The Subdivision 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. Denote proposed and existing easements.
 15. Denote Exactions to the approval of the Division of Planning.
 16. Discuss stormwater management.
 17. Discuss proposed access points to Providence Place Parkway.
 18. Discuss compliance with supportive use regulations established in Article 23A-10(j)(12) of the Zoning Ordinance.
- b. PLN-MJDP-23-00049: HAMBURG PLACE FARM, LOT 5F (PLAUDIT PLACE) (AMD) (11/5/23)* - located at 1872 PLAUDIT PLACE, LEXINGTON, KY
Council District: 6
Project Contact: Thoroughbred Engineering

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

Note: The purpose of this amendment is to add 3,240 square feet to the existing building and revise parking layout.

Note: The Planning Commission postponed this item at the September 14, 2023 meeting.

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. 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. United States Postal Service Office's approval of kiosk locations or easement.
11. Correct site statistics to include new square footage, addition of missing information, and correct lot numbers.
12. Denote pedestrian access to right-of-way.
13. Denote compliance with open space per Article 20 of the Zoning Ordinance.
14. Modify area of detention basin on Lot 5E.

- c. PLN-MJDP-23-00050: WOLF RUN INDUSTRIAL PARK, BLOCK A, LOT 1 (FRANKFORT COURT STORAGE FACILITY) (AMD) (11/5/23)* - located at 2262 FRANKFORT COURT, LEXINGTON, KY
Council District: 11
Project Contact: RMJE

Note: The purpose of this amendment is to depict layout and circulation for 53 storage units.

Note: The Planning Commission postponed this item at the September 14, 2023 meeting.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding meeting Article 21 of the Zoning Ordinance and Old Frankfort Pike Landscape Ordinance.

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

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. 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. Addition of written scale.
14. Correct plan title to match staff report.
15. Correct plan type "Amended Final Development".
16. Boundaries of property should be solid bold line and adjacent property boundaries should be dashed.

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17. Addition of adjacent property information.
18. Dimension access points and parking.
19. Denote height of building in feet.
20. Denote the DBH (diameter at breast height) of all trees per Article 26 of the Zoning Ordinance.
21. Denote farm entrance from Old Frankfort Pike to be removed.
22. Discuss the type and size of oak tree(s) on plan.
23. Discuss Old Frankfort Pike Landscape Ordinance relationship to open usable space.
24. Discuss how to resolve conflict between building and retention easement.
25. Discuss gates to be located 40' from property boundary.

- d. PLN-MJDP-23-00053: MORNINGSIDE MARKET (AMD) (12/4/2023)* - located at 819 NATIONAL AVENUE, LEXINGTON, KY
Council District: 3
Project Contact: The Roberts Group

Note: The purpose of this amendment is to modify use of a portion of the project, modify right-of-way and revise site statistics.

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

The Subdivision Committee Recommend: **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. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Update site statistics to include all buildings and/or uses.
10. Add I-1 to list of zoning in site statistics.
11. Resolve timing and status of improvements per notes #19, #20, and #21.

- e. PLN-MJDP-23-00055: SHARKEY PROPERTY (TOWNLEY CENTER) UNIT 1, LOT 15 (AMD) (12/4/2023)* - located at 124 TOWNE CENTER DRIVE, LEXINGTON, KY
Council District: 11
Project Contact: Barrett Partners Inc.

Note: The purpose of this amendment is to add building square footage, revise parking circulation, and relocate dumpsters.

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. 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.

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

9. Division of Waste Management's approval of refuse collection locations.
10. Addition of useable and vegetated open space.
11. Discuss new location for dumpster and who it serves.

- f. PLN-MJDP-23-00057: JERRICO INC. PROFESSIONAL OFFICE PROJECT, LOT 2 (AMD) (12/4/2023)* - located at 3475 BLAZER PARKWAY, LEXINGTON, KY
Council District: 7
Project Contact: Banks Engineering

Note: The purpose of this amendment is to add parking spaces, and reduce open space.

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. 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.

- g. PLN-MJDP-23-00058: KINGSTON HALL, UNIT 2, LOT 4 (12/4/2023)* - located at 1171 PROVIDENCE PLACE PARKWAY, LEXINGTON, KY
Council District: 12
Project Contact: Barrett Partners Inc.

Note: The purpose of this plan is to depict development of a hotel.

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

The Subdivision Committee Recommended: **Postponement**. There are questions regarding addition of entire development plan information for the Kingston Hall development.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Denote review and recommendation of Royal Springs Aquifer Committee.
14. Revise plan to include total development plan information for Kingston Hall.
15. Dimension proposed building envelope.
16. Denote exactions to the approval of the Division of Planning.

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

17. Provided the Planning Commission makes a finding that the plan complies with the Expansion Area Master Plan.
18. Discuss stormwater management.
19. Discuss proposed access from Providence Place Parkway.

- h. PLN-MJDP-23-00059: COLEMAN PROPERTY (NEWTOWN PIKE HAMPTON INN & SUITES) (AMD) (12/4/2023)* - located at 1880 NEWTOWN PIKE and 1480 COLEMAN COURT, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The purpose of this amendment is to add drop off area and canopy, add parking, and revise circulation with an agreement with adjacent property.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding meeting Articles 16 & 26 of the Zoning Ordinance.

Should this plan be approved, the following requirements 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. Addition of bearings and distances on all property lines.
14. Dimension driveway access points, walkways, and canopy.
15. Addition of proposed and existing utility easements.
16. Clarify floor area.
17. Discuss improvements to Coleman Court.
18. Discuss the 41 parking spaces and agreement.
19. Discuss the removal of 13 significant trees by DBH (diameter at breast height) size.
20. Discuss origin and status of access easement.
21. Addition of access easement maintenance note.

- i. PLN-MJDP-23-00060: INTERSTATE PARK PROPERTY (IVCP ATHENS SOUTH) (AMD) (12/4/2023)* - located at 5380 ATHENS BOONSBORO ROAD, LEXINGTON, KY
Council District: 2
Project Contact: CMW

Note: The purpose of this amendment is to depict development of a stadium, complimentary commercial development, and proposed lotting.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.

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

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. Revise site statistics to clearly denote lot coverage and Floor Area Ratio per Article 21 requirements.
 14. Provide summary table for entire site in site statistics.
 15. Dimension all stadium facilities.
 16. Revise proposed tract labels to clarify and match site statistics.
 17. Denote proposed lot lines as solid lines.
 18. Denote: No Development on Tract #1, Unit 1A, until final development plan has been approved and certified.
 19. Re-label TIP to TPP.
 20. Discuss need for Board of Adjustment approval for training building access in the A-R zone.
 21. Discuss timing of sanitary sewer infrastructure and pump station capacity.
 22. Discuss timing of proposed street system.
- j. PLN-MJDP-23-00061: WEBB PROPERTIES, UNIT 1, BLOCK A, OUTLOT 2 (AMD) (12/4/2023)* - located at 2350 NORMAN LANE, LEXINGTON, KY
Council District: 10
Project Contact: CMW

Note: The purpose of this amendment is to depict development of a restaurant with drive-through, and revise parking.

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. 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. United States Postal Service Office's approval of kiosk locations or easement.
12. Addition of Nicholasville Road cross-section at property.
13. Addition of existing and proposed easements.
14. Adjust purpose of amendment.
15. Addition of usable and vegetated open space per Article 20 of the Zoning Ordinance.
16. Addition of 8' Vehicular Use Area screening per Article 18 of the Zoning Ordinance.
17. Addition of access easement maintenance note.
18. Modify order point to meet vehicle stacking per Article 16-9 of the Zoning Ordinance.
19. Resolve the current building line setback per plat M-419.
20. Resolve VUA (Vehicular Use Area) in the front yard.

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

- k. PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) (12/4/2023)* - located at 2450 GEORGETOWN ROAD, LEXINGTON, KY
Council District: 2
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict 66,070 square feet of commercial space and parking circulation.

The Technical Committee Recommended: **Postponement**. The proposed development does not comply with Article 12 of the Zoning Ordinance.

Should this plan be approved, the following requirements 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. Addition of purpose of amendment note.
14. Addition of conditional zoning restrictions.
15. Correct plan title to match staff report.
16. Improve plan legibility for bearings and distances.
17. Addition of record plat information.
18. Addition of topography elevations on amendment.
19. Addition of dimensions on access points.
20. Denote construction access point.
21. Addition of street cross-section and location on plan face.
22. Addition of building line setback per plat M-165.
23. Consolidation of property to create one lot.
24. Addition of proposed and existing easements.
25. Denote review and recommendations for the Royal Springs Aquifer recharge area.
26. Denote plan shall comply with Georgetown Road Landscape Ordinance.
27. Addition of pedestrian access between structures for multi-modal accommodations per Article 12-8(h) of the Zoning Ordinance.
28. Addition of arterial screening easement along Citation Boulevard.
29. Denote the maintenance responsibility of walking trail.
30. Discuss the proposed access to Citation Boulevard.
31. Discuss compliance with B-6P zone minimum floor area ratio of 0.40.

C. PERFORMANCE BONDS AND LETTERS OF CREDIT – Bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

- V. ZONING ITEMS** - The Zoning Committee met on October 5, 2023, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Larry Forester, Robin Michler, Graham Pohl, Zach Davis, and Bruce Nicol. Staff members present were; Traci Wade, Autumn Goderwis, Daniel Crum, Tom Martin, Chris Taylor, and Brittany Smith; Department of Law.

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

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.

1. 509 E MAIN, LLC ZONING MAP AMENDMENT AND ZEE FAULKNER PROPERTY (AMD) DEVELOPMENT PLAN

- a. PLN-MAR-23-00012: 509 E MAIN, LLC** – a petition for a zone map amendment from Neighborhood Business (B-1) zone with conditional zoning restrictions to Neighborhood Business (B-1) zone with no conditional zoning restrictions, for 0.485 net (0.666 gross) acres, for property located at 509 E. Main Street.

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 remove the existing conditional zoning restrictions on the subject property to establish a private club use. The use will consist of a membership-only space that will include restaurant and event space, without live entertainment. The applicant is not proposing any external modifications to the existing 10,047 square-foot structure at this time. The site's 2,000 square-foot third floor residential dwelling unit will remain in operation.

The Zoning Committee Recommended: **Postponement**.

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

1. The applicant should provide information regarding neighborhood outreach regarding new conditional zoning use restrictions at this location.
2. The applicant should provide greater information regarding the economic feasibility of the other permitted uses at this location.
3. The applicant should provide information regarding physical or social changes in this portion of the Main Street corridor since the initial 1990 rezoning.

- b. **PLN-MJDP-23-00052: ZEE FAULKNER PROPERTY (AMD)** (11/5/2023)* - located at 509 E. MAIN STREET, LEXINGTON, KY
Council District: 3
Project Contact: Baron Gibson Design, LLC

Note: The purpose of this plan is to revise conditional zoning restrictions in an existing Neighborhood Business (B-1) zone.

Note: The applicant submitted a revised plan on October 3, 2023. Based on that submittal, staff can offer the following revised recommendation.

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

1. Provided the Urban County Council approves the revised conditional zoning restrictions; 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. Correct note #6, deleting word "resolution."
6. Discuss on-site drop off location for members and deliveries.

VI. **COMMISSION ITEMS**

- A. **PFR 2023-4: BLUE GRASS AIRPORT** - a Public Facilities Review regarding the construction of two new hangars and expansion of the commercial "fuel farm" for property located at 4000 Terminal Drive.

The staff will report at the meeting.

- B. **SRA 2023-1: AMENDMENT TO ARTICLE 4 FOR SURETIES RENEWAL** – to update Article 6 of the Land Subdivision Regulations to ensure sureties are renewed as required and to update surety release language to match current practices.

INITIATED BY: Urban County Planning Commission
PROPOSED TEXT: Copies are available from the staff.

The Subdivision Committee Recommended: **Approval**.

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

1. These Land Subdivision Regulation text amendments will clarify matters pertaining to the posting of sureties and warranties, the reduction of said sureties and the release of the surety when all work has been completed and the warranty periods have ended.
2. The text amendments reflect the Division of Engineering and the Department of Public Works ongoing efforts to improve the development process and ensure quality public improvements.

VII. **STAFF ITEMS**

- A. **ARTICLE 4-5(B) IMPROVEMENT PLAN PROGRESS REPORT** - When the project engineer has completed approximately fifty percent (50%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how storm water, sanitary sewer and environmental conditions imposed by the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient

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meeting. The report is for information only, and no action by the Commission shall be taken; however, there shall be no issuance of the Notice to Proceed, as outlined in section 4-5(d), until the Planning Commission meeting is complete.

B. PLN-MNDP-23-00019: BURKE, HOCKENSMITH, & MAGGARD, LOT 1 (GOODWILL INDUSTRIES OF KENTUCKY) (AMD)

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 October and November

Work Session, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	October 19, 2023
Technical Committee, Wednesday, 8:30 a.m., 3 rd floor Conference Room, Phoenix Building.....	October 25, 2023
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	October 26, 2023
Subdivision Committee, Thursday, 8:30 a.m., 3 rd Floor Conference Room, Phoenix Building.....	November 2, 2023
Zoning Committee, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building.....	November 2, 2023
Subdivision Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center.....	November 9, 2023

X. ADJOURNMENT

TW/TM/CG/PS

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