

MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
November 9, 2023

- I. **CALL TO ORDER** – Vice Chair Zach Davis called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **ATTENDANCE** – Planning Commission members present were Zach Davis, Janice Meyer, Graham Pohl, Ivy Barksdale, William Wilson, and Bruce Nicol. Planning staff members present were Jim Duncan, Traci Wade, Autumn Goderwis, Tom Martin, Daniel Crum, Cheryl Gallt, James Mills, and Paula Schumacher. Other staff present were Tracy Jones, Department of Law; David Filiatreau, Division of Traffic Engineering; Vaughan Adkins, Division of Engineering; and Greg Lengal, Division of Fire and Emergency Services.
- III. **APPROVAL OF MINUTES** – Ms. Meyer made a motion, seconded by Mr. Pohl, and carried 6-0 (Forester, Michler, Worth, and Owens absent) to approve the September 14, 2023 and October 12, 2023 minutes.
- IV. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal were considered at this time.

- A. 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.

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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.

Applicant Representation – Matt Carter, Vision Engineering, was present to represent the applicant. He requested a one month postponement to work out the issues with the plan.

Action – Mr. Pohl made a motion, seconded by Ms. Barksdale, and carried 6-0 (Forester, Michler, Worth, and Owens absent), to postpone PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) to the December 14, 2023 meeting.

- B. PLN-MJDP-23-00068: HAMBURG PLACE, B-5P & B-6P HIGHWAY COMMERCIAL, OUTLOT 14 (CHIPOTLE RESTAURANT) (AMD) (12/31/2023)* - located at 2200 WAR ADMIRAL WAY, LEXINGTON, KY
Council District: 6
Project Contact: Vision Engineering

Note: The purpose of this amendment is to develop a new outlot with a restaurant, accessory drive-through, and parking.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding exceeding the maximum gross building square per the Conditional Zoning Restriction.

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 building line setback.
14. Addition of bearing for new lot and record plat information.
15. Clarify lotting between development plan and plat.
16. Document useable and vegetated open space.
17. Discuss conditional zoning restrictions that limit the maximum gross building square footage to 532,000.

Applicant Representation – Matt Carter, Vision Engineering, was present to represent the applicant. He requested a one month postponement.

Action – Mr. Wilson made a motion, seconded by Mr. Pohl, and carried 6-0 (Forester, Michler, Worth, and Owens absent), to postpone PLN-MJDP-23-00068: HAMBURG PLACE, B-5P & B-6P HIGHWAY COMMERCIAL, OUTLOT 14 (CHIPOTLE RESTAURANT) (AMD) to the December 14, 2023 meeting.

- C. PLN-FRP-23-00019: COLEMAN PROPERTY (CLARION CONVENTION CENTER) (AMD) (11/9/23)* – 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.

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

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.

Applicant Representation – Attorney Nathan Billings, was present to represent the applicant. He requested that this plan be indefinitely postponed.

Action – Mr. Pohl made a motion, seconded by, Ms. Barksdale and carried 6-0 (Forester, Michler, Worth, and Owens absent), to postpone PLN-FRP-23-00019: COLEMAN PROPERTY (CLARION CONVENTION CENTER) (AMD) indefinitely.

- D. 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.

Note: The Planning Commission postponed this item at the October 12, 2023 meeting.

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.

* - 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. 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. Improve legibility of bearings and distances on all property lines.
14. Dimension canopy and plaza/amenity space.
15. Addition of proposed and existing utility easements.
16. Addition of building line setback at 20'.
17. Addition of vehicle use screening on Coleman Court.
18. Addition of access easement maintenance note.

Applicant Representation – Attorney Nathan Billings, was present to represent the applicant. He requested a one month postponement so they could have more communication with the neighboring property owner.

Action – Mr. Wilson made a motion, seconded by, Ms. Meyer and carried 6-0 (Forester, Michler, Worth, and Owens absent), to postpone PLN-MJDP-23-00059: COLEMAN PROPERTY (NEWTOWN PIKE HAMPTON INN & SUITES) (AMD) to the December 14, 2023 meeting.

- E. PLN-MJDP-23-00050: WOLF RUN INDUSTRIAL PARK, BLOCK A, LOT 1 (FRANKFORT COURT STORAGE FACILITY) (AMD) (11/9/23)* - 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.
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.

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

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.

Staff Comments – Mr. Martin informed that Planning Commission that the applicant had requested a two month postponement.

Action – Mr. Pohl made a motion, seconded by Ms. Barksdale, and carried 9-0 (Forester absent), to postpone PLN-MJDP-23-00050: WOLF RUN INDUSTRIAL PARK, BLOCK A, LOT 1 (FRANKFORT COURT STORAGE FACILITY) (AMD) to the January 11, 2024 meeting.

- F. PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) (11/9/2023)* - 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, September 14, 2023, and October 12, 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.

Applicant Representation – Tony Barrett, Barrett Partners, Inc., was present to represent the applicant. He requested a one week postponement.

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

Action – Ms. Meyer made a motion, seconded by Mr. Wilson, and carried 6-0 (Forester, Michler, Worth, and Owens absent), to postpone PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) to the November 16, 2023 meeting.

- V. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, November 2, 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 David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Autumn Goderwis, Tom Martin, Daniel Crum, Cheryl Gallt, Boyd Sewe, James Mills, Paula Schumacher, Greg Lengal; Division of Fire and Emergency Services, and Emily 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.

Ms. Wade read the Consent Agenda.

1. PLN-MNDP-23-00006: NDC PROPERTY, UNIT 1-A, LOT 21C (AMD) (12/31/2023)* - located at 360 MEIJER WAY, LEXINGTON, KY
Council District: 9
Project Contact: Morley

Note: The purpose of this amendment is to depict site improvements, create a second drive through lane, reconfigure parking layout, and remove usable 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.
10. Addition of proposed and existing utilities to site enlargement area.
11. Document compliance with Article 21-7(7)(b)(3) of the Zoning Ordinance with Lynn Imaging at 859-255-1021.
12. Depict order point and 5 car stacking per Article 16-9 of the Zoning Ordinance.

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

2. PLN-MJDP-23-00065: GIVENS PRPOERTY, LOT 2 (LEXINGTON DENTAL OFFICE) (AMD) (12/31/2023)* - located at 2317 REMINGTON ROAD, LEXINGTON, KY
Council District: 2
Project Contact: Tarr Group, LLC

Note: The purpose of this amendment is to depict development of Lot 2.

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.
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 building height in feet.
14. Addition of Lot 1 statistics and tree canopy coverage.
15. Denote Royal Springs Aquifer Committee review for Lot 2.
16. Dimension proposed building.
17. Addition of written scale.

3. PLN-MJDP-23-00069: COVE LAKE, UNIT 2 (COLLINS, ORRELL, & WIGGINS PROPERTY (DF AUTOMALL) (AMD) (12/31/2023)* - located at 3360 & 3380 RICHMOND ROAD, LEXINGTON, KY
Council District: 7
Project Contact: EA Partners

Note: The purpose of this amendment is to depict development of a vehicle sales establishment on Lot 2.

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.
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. Add Lot 2 to purpose of amendment.
14. Remove yellow shading.
15. Addition of all site information on certified development plan for Phase I (PLN-MJDP-22-00054).

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

16. Addition of Notes 18 & 19 from PLN-MJDP-22-00054.

Action – Ms. Barksdale made a motion, seconded by Mr. Wilson and carried 6-0 (Forester, Michler, Worth, and Owens absent), to approve the consent agenda as presented.

- 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** – None at this time.

2. **Final Development Plans**

- a. 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.

Note: The Planning Commission postponed this item at the October 12, 2023 meeting.

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.

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

16. Denote exactions to the approval of the Division of Planning.
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.

Staff Presentation – Mr. Martin oriented the Planning Commission to the subject property, and informed them that the request for a hotel on the subject property was a supportive use for the Economic Development (ED) zone. He pointed to the access easement that led to a pump station, and stated that the developer would be required to go through an encroachment process with the Division of Water Quality for the maintenance and upkeep of the easement. An existing detention basin would be utilized by the property for stormwater. Mr. Martin pointed out the significant buffers that would be required due to the property's location at the edge of the Urban Service Area. He explained the Expansion Area Master Plan compliance report to the Planning Commission. He noted that the allowable square footage was tied to the overall square footage of Economic Development uses on certified development plans. He then indicated what parcels within the ED zoned land that had certified development plans, as well as approved and almost certified plans that could not be counted yet. Mr. Martin stated that the applicant had submitted an affidavit and picture of the required signage. He said that staff recommended that the Commission find that the development is in compliance with the EAMP, and the development plan with 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. 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 building envelope.
14. Denote exactions to the approval of the Division of Planning.
15. Provided the Planning Commission makes a finding that the plan complies with the Expansion Area Master Plan.
16. Revise supportive use statistics to reflect current status per this development plan.
17. Denote: Use of the LFUCG access easement is subject to an encroachment agreement to the approval of the Division of Water Quality.

Applicant Representation – Tony Barrett, Barrett Partners, Inc., was present to represent the applicant. He stated that they were in agreement with the conditions and asked for approval.

Commission Questions – Mr. Davis asked about the location of a family cemetery on the development plan, and if it had been taken care of. Ms. Wade pointed out the location of the cemetery and explained that it was located in another area of the Kingston Hall Property. She further explained that had been addressed at the time it had been presented to the Planning Commission.

Actions – Ms. Barksdale made a motion, seconded by Mr. Wilson, and carried 6-0 (Forester, Michler, Worth, and Owens absent) to approve PLN-MJDP-23-00058: KINGSTON HALL, UNIT 2, LOT 4 with the revised conditions.

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

Ms. Barksdale made a motion, seconded by Mr. Wilson, and carried 6-0 (Forester, Michler, Worth, and Owens absent) to adopt the EAMP Compliance report as presented by staff.

VI. PERFORMANCE BONDS AND LETTERS OF CREDIT – Ms. Meyer made a motion, seconded by Mr. Pohl and carried 6-0 (Forester, Michler, Worth, and Owens absent), to approve the performance bonds and letters of credit as presented.

VII. COMMISSION ITEMS

A. PETITION FOR WAIVER OF THE LAND SUBDIVISION REGULATIONS

1. PLN-FRP-23-00026: WILSON SUBDIVISION, LOTS 21, 22, & 23 – located at 128, 130, & 132 Garrett Avenue, LEXINGTON, KY

Staff Presentation - Mr. Martin presented the petition for a waiver of the Land Subdivision Regulations. He oriented the Commission to the location of the subject properties. He reminded them that full street improvements were required by the Land Subdivision Regulations, but this development was built before the regulations were put in place. He said that analysis had been done regarding the stormwater system that suggested too much water could collect on the property if all of the required improvements were constructed. He said that staff and the Division of Engineering concurred that no changes should be made at this time, but rather a comprehensive upgrade was necessary. He stated that the applicant had agreed to construct sidewalks on the frontage.

Commission Question - Mr. Pohl asked how often an area like this received public improvements, and if the city had anything planned specifically. Mr. Martin replied that the city did do projects like this when funding was available, but did not know of any specific plans.

Mr. Wilson wanted to go on record as having nothing to do with this subdivision plan.

Applicant Representation – Greg Smorstad, Banks Engineering, was present to represent the applicant. He requested approval of the waiver.

Action – Mr. Pohl made a motion, seconded by Ms. Barksdale, and carried 6-0 (Forester, Michler, Worth, and Owens absent), to approve the waiver request for PLN-FRP-23-00026: WILSON SUBDIVISION, LOTS 21, 22, & 23 as presented.

- B. PFR 2023-5: UNIVERSITY OF KENTUCKY - a Public Facility Review regarding the construction of new hospital facilities (cancer center and associated parking garage) on properties located at 1101-1225 S. Limestone, 121-201 Waller Avenue, 111-141 University Avenue, 110-144 State Street, 112-200 Conn Terrace (even only), and 201-205 Conn Terrace (odd only).

Staff Presentation - Ms. Goderwis oriented the Commission to the location of the proposed construction for expanded hospital facilities. She pointed out a proposed parking structure, a realignment of Elizabeth Street, and drop-off areas that were included in the proposal. She shared the findings of staff that the plan was in agreement with the Goals and Objectives of the Comprehensive Plan. She did note that there were some Placebuilder criteria that were not fully addressed by the plan, specifically with pedestrian experience along corridors (especially along South Limestone), a lack of a bus shelter, and activation of the ground level of the parking garage.

Commission Questions – Mr. Wilson asked how to address the issues that needed some improvement. Ms. Jones said that since it is a public facilities review, the Planning Commission could recommend changes, but not enforce them.

Mr. Pohl stated that he was concerned about the loss of the residential component due to the demolition of over 30 homes.

Mr. Pohl also spoke about the pedestrian connection, suggesting that a ground level pedestrian connection from parking facilities to the hospital would be important.

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

Applicant Representation – Tim Sorenson stated that their design goal was to safely get pedestrians to a signalized crossing. He stated that the design of the parking garage was made to put more vehicular traffic onto Elizabeth Street and take them off of Limestone.

Action – Mr. Wilson made a motion, seconded by Ms. Barksdale and carried 6-0 (Forester, Michler, Worth, and Owens absent), to find that the plan was in agreement with the Comprehensive Plan as presented in the staff report.

- C. ADOPTION OF 2024 MEETING & FILING SCHEDULE – Ms. Meyer made a motion, seconded by Mr. Pohl, and carried 6-0 (Forester, Michler, Worth, and Owens absent), to approve the “Official Meeting and Filing Schedule for 2024”.
- D. Amendment to the 2023 Meeting & Filing Schedule – Mr. Duncan suggested that the Planning Commission amend the 2023 Meeting & Filing Schedule to change November 30, 2023 from a Work Session to a public hearing to present the Comprehensive Plan update.

Action – Mr. Nicol made a motion, carried by Mr. Pohl, and carried 6-0 (Forester, Michler, Worth, and Owens absent) to amend the 2023 Meeting Filing Schedule to have a public hearing on November 30, 2023.

Mr. Duncan reminded the Planning Commission of their next hearing date on November 16, 2023.

VII. ADJOURNMENT – The meeting was adjourned at 2:21 p.m.

Larry Forester

Janice Meyer