

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION & ZONING ITEMS
December 14, 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** – The September 28, 2023, October 26, 2023, November 9, 2023, and November 30, 2023 minutes will be considered 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, December 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 David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Autumn Goderwis, Tom Martin, Daniel Crum, Cheryl Gallt, James Mills, Paula Schumacher; Greg Lengal and Embry Beatty, Division of Fire and Emergency Services; Tracy Jones, Department of Law; and Doug Burton, Division of Engineering. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) The Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) Proponents (10 minute maximum OR 3 minutes each)
 - (b) Objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) Petitioner's comments (5 minute maximum)
 - (b) Citizen objectors (5 minute maximum)
 - (c) Staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

1. **Final Subdivision Plans** – None at this time.

2. **Development Plans**

- a. PLN-MJDP-23-00041: HAMBURG PLACE OFFICE PARK, LOT 5 (UKFCU CORPORATE OFFICE EXPANSION) (AMD) (2/12/24)* - located at 1730 ALYSHEBA WAY, LEXINGTON, KY

Council District:

Project Contact: CARMAN

Note: The purpose of this amendment is to add building square footage and revise parking layout.

Note: This plan was approved by the Planning Commission on August 8, 2023. The applicant submitted a request for a continued discussion on November 13, 2023.

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. Addition of dimension to buildings.
14. Clarify building square footage for existing and proposed.
15. Resolve possible connection to Brighton Trail.

- b. PLN-MJDP-23-00059: COLEMAN PROPERTY (NEWTOWN PIKE HAMPTON INN & SUITES) (AMD) (12/14/2023)* - 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 and November 9, 2023 meetings.

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.

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

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.
- c. PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) (12/14/2023)* - 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.

Note: The Planning Commission postponed this item at the October 12, 2023 and November 9, 2023 meetings.

The Subdivision 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.

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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.

- d. 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.

Note: The Planning Commission postponed this item at the November 9, 2023 meeting.

The Subdivision Committee Agenda 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. 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: See Note # 36 in reference to amended building line.
14. Depict location for street cross-sections on plan face.
15. Addition of street cross section D-D.

- e. PLN-MJDP-23-00072: TUSCANY, UNIT 10, LOT 2 (2/4/24)* - located at 1820 MEETING STREET, LEXINGTON, KY
Council District: 6
Project Contact: EA Partners

Note: The purpose of this plan is to depict layout of 3 buildings with 33 dwelling units, parking, and future subdivision of the property.

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.

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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. Denote exterior yard per Article 9.

- f. PLN-MJDP-23-00073: TURFLAND MALL, OUTLOT E (PARLOUR PIZZA) (AMD) (2/4/24)* - located at 2099 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 10
Project Contact: Power of Design

Note: The purpose of this amendment is to depict redevelopment of Outlot E.

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. 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. Denote changes on the overall plan for the area of amendment.
12. Update site statistics box to include required and provided open space, both vegetated and useable open space.
13. Improve plan legibility.
14. Resolve compliance with the requirements of Articles 16 (parking), 18 (landscaping), and 20 (open space).

- g. PLN-MJDP-23-00075: ROSE H. BRIGDEN & MARC MCCLURE PROPERTY, TRACT A & CADENTOWN SUBDIVISION (GENTRY FARM) (AMD) (2/4/24)* - located at 2819 & 2833 LIBERTY ROAD, LEXINGTON, KY
Council District: 6
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict townhouse development on the site.

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.

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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. Denote: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.
13. Remove zone line from plan face.
14. Revise Note #13 to state "Prior to a building permit, a plat shall be filed to consolidate the properties and revise the front setback along Liberty Road".
15. Denote height of proposed townhouses.
16. Denote that this plan supersedes PLN-MJDP-23-00025.
17. Remove incorrect date from Planning Commission certification.

- h. PLN-MJDP-23-00076: SHRINERS HOSPITAL/MASONIC TEMPLE ASSOCIATION OF LEXINGTON (AMD) (2/4/24)* - located at 4085 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict retail buildings and development of 14 townhomes and 7 single family detached residential lots.

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. 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 the number of HOA lots in site statistics.
14. Addition of vegetated and usable open space in site statistics.
15. Provided the Planning Commission makes a finding for the use of access easement.
16. Revise type of plan to a preliminary subdivision plan and amended final development plan for Syrnga Drive.
17. Resolve pairing of driveways per Article 16-5(b)(3) of the Zoning Ordinance for attached dwelling units.
18. Discuss compliance with Articles 16, 18 & 20 of the Zoning Ordinance.

- i. PLN-MJDP-23-00077: A-1 SERVICE CENTER & EDSTER PROPERTY (AMD) (2/4/24)* - located at 763 NEWTOWN PIKE, LEXINGTON, KY
Council District: 9
Project Contact: MHL Civil

Note: The purpose of this amendment is to depict flex space development on site.

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.

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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: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.
14. Revise purpose of development plan note to delete "preliminary".
15. Denote Royal Springs Aquifer Committee recommendations.
16. Correct conditional zoning restrictions per the preliminary development plan.

- j. PLN-MJDP-23-00078: SANTA BARBARA SUBDIVISION, LOT 3 (AMD) (2/4/24)* - located at 708 MILES POINT WAY, LEXINGTON, KY
Council District: 11
Project Contact: Vision Engineering

Note: The purpose of this amendment is to add buildable area revising parking and circulation.

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 and landscaping buffers.
4. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
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. Clarify use and status of dashed area adjacent to new building.

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 December 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, Zach Davis, William Wilson, Graham Pohl, and Bruce Nicol. Staff members present were: Traci Wade, Autumn Goderwis, Tom Martin, Daniel Crum, James Mills, and Bill Sheehy; as well as Tracy Jones, Department of Law.

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

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

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. CLEAR OPTIKS, LLC ZONING MAP AMENDMENT AND FIRST SECURITY NATIONAL BANK (AMD) DEVELOPMENT PLAN

- a. **PLN-MAR-23-00011: CLEAR OPTIKS, LLC** (12/14/23)*— a petition for a zone map amendment from a Professional Office (P-1) zone to Neighborhood Business (B-1), for 0.6130 net (1.04 gross) acres, for property located at 1617 Clays Mill Road.

Note: The Planning Commission voted to continue the public hearing on August 24, 2023 and October 26, 2023.

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 utilize the existing 2,322 square-foot vacant bank structure on the property as a restaurant/ coffee shop. The applicant proposes to continue to utilize the existing accessory drive-through facilities present on the site in order to serve the proposed use. The change in use will be accompanied by a minor change in the parking lot configuration to support a 16-seat outdoor dining area and a total of 18 parking spaces.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reasons:

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning addresses the goal of growing successful neighborhoods by supporting infill and redevelopment throughout the Urban Service Area (Theme A, Goal #2.b), while also re-activating a site on one of Lexington's most significant corridors (Theme E, Goal #1.d).
 - b. The proposed project includes a neighborhood-oriented restaurant use that features extensive connections to several pedestrian networks and neighborhoods (Theme A, Goal #3.b)

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

- c. By utilizing an already developed site, the proposed development minimizes the disruption of natural features of the site (Theme E, Goal #3.c)
 - d. At the proposed scale, the development provides an accessible, neighborhood level commercial area (Theme A, Design Policy #12).
 - e. The request introduces a neighborhood restaurant use into an area that lacks walkable dining options (Theme A, Density Policy #3).
 - f. The request will maintain the existing sidewalk networks and provide bicycle facilities on-site in order to promote connectivity (Theme B, Sustainability Policy #2).
2. The justification and corollary development plan are in agreement with the development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the use remains at an appropriate scale for the low density residential and commercial development in this area, provides for a neighborhood scale restaurant use that is not present in the vicinity, and utilizes outdoor dining areas to activate the frontage for pedestrians.
 - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity as it maintains an extensive pedestrian network that served the previous bank use, and provides for direct and accessible linkages to transit along a major corridor.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment.
 3. This recommendation is made subject to approval and certification of PLN-MJDP-23-00049: FIRST SECURITY NATIONAL BANK (AMD), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. **PLN-MJDP-23-00043: FIRST SECURITY NATIONAL BANK (AMD)** (12/14/2023)* - located at 1617 CLAYS MILL ROAD, LEXINGTON, KY
Council District: 10
Project Contact: Barrett Partners, Inc.

Note: The purpose of this development plan is to convert a bank to a restaurant, in support of the requested zone change from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone.

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Denote area for bicycle parking.
14. Discuss Placebuilder criteria.

2. **STAVROFF LAND & DEVELOPMENT, INC ZONING MAP AMENDMENT AND LYNDBURST SUBDIVISION DEVELOPMENT PLAN**

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

- a. **PLN-MAR-23-00016: STAVROFF LAND & DEVELOPMENT, INC** (12/14/2023)* – a petition for a zone map amendment from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone, for 2.143 net (2.633 gross) acres for property located at 201, 207, 209, 211, 215, 221, 225, 227, 231, and 235 E. Maxwell Street, and 245, 247, and 251 Stone Avenue.

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 petitioner is proposing a six-story, 75-foot tall structure that would contain a lower parking structure, common area courtyards, and associated residential amenities (gym, meeting space, etc.). The proposal would include a total of 250 residential units, with a total bedroom count of 700, and a residential density of 116.65 units per acre. The petitioner proposes a total of 175 on-site parking spaces for the development, with an additional 75 spaces available to rent off-site. The request also calls for maintaining the existing two-story residential structure at 245 Stone Avenue. The petitioner has indicated that this development will be geared toward student housing for those attending the University of Kentucky, but will not be limited to that population.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement, for the following reasons:

1. The applicant should provide information on how their proposal addresses the following Objective of the Imagine Lexington 2045 Comprehensive Plan.
 - a. Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with the existing urban form (Theme A, Objective #2.b)
2. The zone change application does not provide any information on compliance with the Policies of the 2018 Comprehensive Plan.
3. The zone change application for the subject properties, as proposed, does not completely address the development criteria for zone change within the Downtown Place Type, and the High Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - i. SP.2: Provide as many private, ground level entries to individual units as possible.
 - ii. SP.17: Create streets that are balanced on both sides in massing and building character.
 - iii. OS.8: Provide stormwater detention areas and link to other open spaces and recreational amenities.
 - iv. AD.3: Break up building mass with facade articulation on all sides by using varying roof shapes, exterior wall setback, material, color, building height, and landscaping.
 - b. A-DS4-2: New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
 - c. A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - d. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.
 - e. E-ST3-1: Development along major corridors should provide for ride sharing pick up and drop off locations along with considerations for any needed or proposed park and ride functions of the area.
 - f. B-PR7-3 Developments should improve the tree canopy.

- b. **PLN-MJDP-23-00062: THE MAXWELL (LYNDHURST SUBDIVISION)** (12/14/2023)* - located at 201-235 E. MAXWELL STREET & 245-251 STONE AVENUE, LEXINGTON, KY
Council District: 3
Project Contact: Vision 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 plan is to depict multi-family residential development with 245 dwelling units, in support of the requested zone change from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone.

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

1. Provided the Urban County Council approves the zone change to B-2A; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. United States Postal Service Office's approval of kiosk locations or easement.
7. Revise plan title to match staff report.
8. Denote: The development shall be in substantial compliance with the renderings on file with the Division of Planning.
9. Revise development plan to match submitted exhibit for 245 Stone Avenue.
10. Clarify difference in open space between development plan and submitted exhibit.
11. Revise development plan to graphically match exhibit submitted December 5, 2023, as appropriate.
12. Discuss Placebuilder criteria.

3. BLACK SOIL: OUR BETTER NATURE, LLC ZONING MAP AMENDMENT AND GALBRAITH SUBDIVISION, LOTS 19 & 20 DEVELOPMENT PLAN

- a. **PLN- MAR-23-00019: BLACK SOIL: OUR BETTER NATURE, LLC** (12/31/2023)* – a petition for a zone map amendment from an Mixed Low Density Residential (R-2) zone to a Neighborhood Business (B-1) zone, for 0.15 net (0.17 gross) acres, for properties located at 760 and 762 Florence Avenue. This application has a variance request to reduce the required property perimeter landscaping from 15 feet to 0 feet.

Note: The Planning Commission voted to continue this hearing on November 16, 2023.

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 petitioner is proposing the Neighborhood Business (B-1) zone in order to utilize an existing 1,200 square-foot structure for a grocery store use. The applicant is also proposing removing the on-site parking and replacing it with an outdoor patio area. A sidewalk is proposed through the middle portion of the site that will provide a connection to the community garden located on the adjoining property to the rear at 415 Roosevelt Boulevard. An area for outdoor seasonal events is located to the rear of the property.

The Zoning Committee Recommended: **Approval**.

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

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will activate an underutilized parcel within the Infill and Redevelopment Area in order to provide a neighborhood-oriented use (Theme A, Goal #2). The proposed grocery store will supply daily necessities to the immediate area.
 - b. The request will prioritize multi-modal options and de-emphasize single occupancy vehicles with its

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- proximity to transit service, pedestrian connections, and the installation of bicycle facilities (Theme B, Goal#2.d)
- c. The proposal encourages safe interactions within the neighborhood by creating an accessible neighborhood commercial focal point and gathering space (Theme A, Goal #3). Retail sales of grocery and convenience items allows for residents to shop and interact on a routine basis.
 2. The requested Neighborhood Business (B-1) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal improves pedestrian safety and utilizes a people first design by removing the substandard parking areas in front of the structure, and providing for additional pedestrian connections. (Theme A, Policy #1)
 - b. At the proposed scale, the development provides an accessible, neighborhood level commercial area and gathering space (Theme A, Design Policy #12; Theme A, Policy #10).
 - c. The request introduces a neighborhood grocery use into an area that lacks walkable grocery options (Theme A, Density Policy #3).
 - d. The request will maintain the existing sidewalk networks and provide bicycle facilities on-site in order to promote connectivity (Theme B, Sustainability Policy #2).
 3. The justification and corollary development plan are in agreement with the development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and as the request reuses the existing commercial structure that has occupied the site since 1969, creates a safer pedestrian environment by removing sub-standard parking areas along Florence Avenue, and creates neighborhood level commercial opportunities in a neighborhood that lacks an accessible grocery store.
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity development criteria, as the proposed development expands on the existing pedestrian system, has several close connections to transit, and provides a safer experience for pedestrians along Florence Avenue.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the proposal works with the existing landscape, will increase the overall tree canopy, and will not impact any environmentally sensitive areas.
 4. This recommendation is made subject to approval and certification of PLN-MJDP-23-00071: GALBRAITH SUBDIVISION, LOTS 19 & 20 prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. **VARIANCE** – The applicant is seeking a variance to reduce the required property perimeter landscape screening from 15 feet to 0 feet along the southern property line, where the existing structure adjoins the R-2 zoned parcel at 758 Florence Avenue.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval of the requested variance for the following reasons:**

1. Approval of the landscape variances should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public. The subject property has operated over 50 years without landscaping buffers between the commercial and residential uses. Providing landscaping within the narrow side yard would likely not thrive or grow to maturity to create the buffer prescribed by the ordinance.
2. The narrow lot shape and existing nonconforming structure represent special circumstances unique to the subject property that justify the need for a variance.
3. Removing the existing structure present on the site to accommodate the required landscaping buffer would unreasonably restrict the applicant's use of the property.
4. The circumstances of this variance are not a result of actions taken by the applicant subsequent to the adoption of the Zoning Ordinance.

This recommendation of approval is made subject to the following conditions:

- a. Provided the Planning Commission and Urban County Council approve the requested zone change to the B-1 zone, otherwise the requested variance shall be null and void.
- b. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
- c. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
- d. Action of the Planning Commission shall be noted on the Development Plan for the subject property.

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

- c. **PLN-MJDP-23-00070: GALBRAITH SUBDIVISION, LOTS 19 & 20** (12/31/2023)* - located at 760 & 762 FLORENCE AVENUE, LEXINGTON, KY

Council District: 2

Project Contact: Barret Partners, Inc.

Note: The purpose of this plan is to depict the use of the site for a grocery store, in support of the requested zone change from a Mixed Low d (R-2) zone to a Neighborhood Business (B-1) zone.

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. 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. Provided the Planning Commission approves the requested variance.
13. Discuss proposed access to adjacent community garden.
14. Discuss proposed seasonal activities.
15. Discuss Placebuilder criteria.

4. **BOTTS/CRAVENS HOMEBUILDERS @ PARADISE, LLC ZONING MAP AMENDMENT AND PLEASANT RIDGE SUBDIVISION, LOT 127 (CAREFREE VILLAGE) DEVELOPMENT PLAN**

- a. **PLN-MAR-23-00020: BOTTS/CRAVENS HOMEBUILDERS @ PARADISE, LLC** (12/31/23)* – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Townhouse Residential (R-1T) zone, for 2.53 gross and net acres for property located at 766 Paradise Lane.

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 petitioner has requested a zone change from a Single Family Residential (R-1B) zone to a Townhouse Residential (R- 1T) zone order to establish a residential development.

The Zoning Committee Recommended: **Postponement**.

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

1. The proposal does not meet the intent of the Townhouse Residential (R-1T) zone, which calls for this zone to be located in an area where services and facilities are/will be adequate to serve the anticipated population. Paradise Lane is not sufficient to accommodate the proposed development because it is 12 feet wide, and does not have any urban improvements too support additional urban density.
2. The requested rezoning to a Townhouse Residential (R-1T) zone is not in agreement with the Goals and Objectives, of the 2045 Comprehensive Plan.

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

- a. The request fails to provide for positive and safe social interactions in neighborhoods, and does not provide connections for pedestrians and various modes of transportation (Theme A, Goal #3.b)
 - b. The proposed development does not incorporate safe and integrated pedestrian facilities into the proposed development; nor is the proposed development pedestrian-oriented (Theme D, Goal #1.a; Theme A, Goal #3.e).
 - c. The proposed rezoning and associated development does not improve traffic operation strategies (Theme D, Goal 1.d).
 3. The requested rezoning is not in agreement with the following Policies of the 2018 Comprehensive Plan:
 - a. Theme A, Design Policy #1: Utilize a people-first design, ensuring that roadways are moving people efficiently and providing pedestrian infrastructure that is context sensitive to the vehicle environment and land uses.
 - b. Theme A, Design Policy #2: Ensure proper road connections are in place to enhance service times and access to fire and police services for all residents.
 - c. Theme A, Design Policy #5: Provide pedestrian friendly street patterns and walkable blocks to create inviting streetscapes.
 - d. Theme A, Design Policy #10: Provide neighborhood focal points accessible to all residents.
 - e. Theme B, Sustainability Policy #2: Promote roadway, pedestrian and bicycle connectivity.
 - f. Theme B, Sustainability Policy #5: Reduce / discourage vehicle oriented development patterns, such as drive-through businesses within the Urban Service Boundary, especially in the urban core areas. Reduce parking footprints.
 4. The requested rezoning is not in agreement with the Development Criteria of the 2018 Comprehensive Plan. The following Development Criteria are not being met with the proposed rezoning:
 - a. C-LI7-1: Development should create mixed-use neighborhoods with safe access to community facilities, green-space, employment, businesses, shopping, and entertainment.
 - b. A-DS1-2: Direct Pedestrian Linkages to transit should be provided.
 - c. A-DS5-1: Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
 - d. D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
 - e. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
 - f. D-CO2-2: Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.
 - g. B-RE2-1: Green infrastructure should be used to connect the greenspace network.
 5. There have been no major unanticipated changes of an economic, social or physical nature in the area of the subject property since the adoption of the 2018 Comprehensive Plan.
 6. The applicant has not provided evidence as to why the current zoning is inappropriate and the proposed zonings the appropriate zone for this location.
- b. **PLN- MJDP-23-00066: PLEASANT RIDGE SUBDIVISION, LOT 127 (CAREFREE VILLAGE)** (12/31/2023)*
- located at 766 PARADISE LANE, LEXINGTON, KY
Council District: 7
Project Contact: EA Partners

Note: The purpose of this plan is to depict the construction of 25 townhouses and extending Paradise Lane, in support of the requested zone change from a Single Family Residential (R-1B) zone to a Townhouse Residential (R-1T) zone.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding improvements to Paradise Lane and meeting the adequate public facilities standards established by the Land Subdivision Regulations.

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

1. Provided the Urban County Council approves the zone change to R-1T; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.

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

5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Addition of any existing and proposed utilities.
8. Discuss: Extra parking per Article 16-5 (a)(5)-and 16-5 (b)(4) of the Zoning Ordinance.
9. Discuss: Driveway layout for Lots 14 & 15.
10. Discuss Paradise Lane extension and improvements, and lack of adequate public facilities to the site (Article 6-2 of the Land Subdivision Regulations).
11. Discuss Placebuilder criteria.

5. TURNER MANAGEMENT, LLC ZONING MAP AMENDMENT AND GDK FARM, LLC (TURNER PROPERTY) DEVELOPMENT PLAN

- a. **PLN-MAR-23-00021: TURNER MANAGEMENT, LLC** (3/5/24)* – a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, 13.075 net (15.479 gross) acres for property located at 5447 Tates Creek Road.

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 develop a single family residential development that includes a total of 29 townhome units, and 9 detached single family residential lots at a density of 2.82 dwelling units per acre. The units are proposed to be oriented towards centralized open space, near the center of the property. The lots are currently proposed to front along private access easements, which are proposed to be gated where they connect to the public roads at Tykes Pass and Tates Creek Road. The southern portion of this development features a connection to future large lot single-family residential development anticipated in the Jessamine County portion of the property. The use will be connected internally with a sidewalk network that will connect to the existing network along Tykes Pass, and extend out to Tates Creek Road.

The Zoning Committee Recommended: **Postponement**.

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

1. The application as submitted does not adequately address the following Goals and Objectives of the 2045 Comprehensive Plan:
 - a. Improve Lexington's transportation network through ample street and sidewalk connections between new and existing development (Theme A, Goal #3.e).
 - b. Strive for positive and safe social interactions in neighborhoods, including, but not limited to neighborhoods that are connected for pedestrians and various modes of transportation (Theme A, Goal #3.b).
 2. The application does not provide any information relating to the policies of the 2018 Comprehensive Plan that are being met with this request.
 3. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Enhanced Neighborhood Place-Type, and the Low Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS13-1 Stub Streets should be connected.
- b. **PLN-MJDP-23-00074: GDK FARM, LLC PROPERTY (TURNER PROPERTY)** (3/5/24)* - located at 5447 TATES CREEK ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Eagle 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 plan is to depict the proposed development of the site, in support of the requested zone change from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone.

Note: The applicant submitted a revised plan on December 4, 2023. Based on that submittal, staff can offer the following revised conditions.

The Staff Recommends: **Approval**, subject to the following conditions:

1. Provided the Urban County Council approves the zone change to R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: Access to Tates Creek Road shall be resolved at time of Preliminary Subdivision Plan/Final Development Plan.
8. Submit TIM (tree inventory map) per Articles 21 and 26 requirements.
9. Denote stormwater detention area shall be determined at time of Preliminary Subdivision Plan/Final Development Plan.
10. Denote timing of sanitary sewer improvements relative to pump station capacity shall be determined at time of Preliminary Subdivision Plan/Final Development Plan.
11. Discuss use of access easements for detached single family dwellings per Article 6-8(m) of the Land Subdivision Regulations.
12. Discuss Placebuilder criteria.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-23-00004: AMENDMENT TO ARTICLE 8-1, OUTDOOR RECREATION IN THE AGRICULTURAL RURAL(A-R) ZONE** – a text amendment to the Zoning Ordinance to amend Article 8 to remove baseball diamond from an accessory use to a conditional use.

INITIATED BY: Dr. Thomas Larkin

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **No Action**

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

1. Accessory baseball diamond uses in the A-R zone were examined during the Recreation and Tourism ZOTA in 2014, and at that time, were found to be appropriate to operate in the agricultural areas without any additional conditions. No information has been presented that there has been any substantial change that impacts the appropriateness of this accessory use in this zone, or that the applicant's issue is more widespread.
 2. The proposal creates inconsistency between baseball uses and other similar outdoor non-commercial recreational uses.
 3. The proposal creates inconsistency between the Agricultural Rural (A-R) zone and other agricultural zones.
 4. The proposal would unreasonably restrict individuals wishing to utilize their property for recreational use.
-
2. **PLN-ZOTA-23-00006: AMENDMENT TO ARTICLES 1, 3, 8, 9, 12, AND 17 TO IMPLEMENT THE COMPREHENSIVE PLAN (3/5/2024)*** – a text amendment to the Zoning Ordinance to modernize the R-2, R-4, and R-5 zones and provide clear delineation between the B-1 and B-3 zones. The text also proposes density bonuses for affordable housing, creates a new Corridor Node (CN) zone for compact and walkable development, and updates related definitions.

INITIATED BY: URBAN COUNTY PLANNING COMMISSION

PROPOSED TEXT: Copies are available from the staff.

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

The Zoning Committee Recommended: **Postponement**The Staff Recommends: **Approval**, for the following reasons:

1. The proposed text amendment provides greater opportunities for increased housing and will allow for the greater production of more affordable housing in the community (Theme E, Accountability Policy #2; Theme E, Stewardship Policy #8).
2. The proposed amendment to the Mixed Low Density Residential (R-2) zone will allow for greater variation of housing types, and promote the construction of missing middle housing types (Theme A, Goal #1.b; Theme A, Goal #3.a; Theme A, Goal #5.f; Theme E, Goal #1.e; Theme A, Design Policy #4; Theme A, Design Policy #8; Theme A, Density Policy #6; Theme E, Growth Policy #9).
3. The proposed amendments to the Mixed Low Density Residential (R-2), Medium Density Residential (R-4), and High Density Residential (R-5) zones will allow for the inclusion of a variety of housing types that will help meet the housing need within Lexington, and will help provide housing opportunities for residents throughout the age and income spectrum (Theme A, Goal #5.f; Theme E, Goal #3.c; Theme E, Growth Policy #9; Theme A, Density Policy #3; Theme A, Density Policy #6).
4. The inclusion of the principal uses of the Neighborhood Business (B-1) zone as conditional uses within the R-4 and R-5 zones will allow neighborhood business to organically develop within neighborhoods, producing more walkable and compact development (Theme A, Goal #3.a; Theme A, Goal #3.b; Theme A, Goal #3.c; Theme A, Design Policy #12).
5. The proposed Corridor Node (CN) zone will allow a mixture of residential and commercial land uses on a property (Theme A, Goal #1.b; Theme A, Goal #5.f; Theme E, Goal #3.c; Theme E, Growth Policy #9; Theme A, Density Policy #3) and will help meet Lexington's goal for environmental sustainability, (Theme B, Goal #2.c; Theme E, Goal #1.c; Theme D, Placemaking Policy #5) by referencing the growth of transit within the City (Theme B, Goal #2.c; Theme D, Goal #1.c; Theme A, Density Policy #4).
6. The proposed affordable housing and mixed income density bonuses will allow for families to access safe and accessible housing and provide the potential to build generational wealth. (Theme A, Goal #1.c; Theme A, Goal #1.d; Theme A, Goal #5.f; Theme C, Goal #3.a; Theme E, Goal #3.c; Theme A, Density Policy #2; Theme A, Equity Policy #1; Theme A, Equity Policy #2; Theme C, Sustainability Policy #6).
7. The proposed affordable housing and mixed income density bonuses will provide flexibility to affordable housing providers to access available land, and provide for a moderate increase in the density without substantially deviating from the land use that surrounds a development (Theme A, Goal #3.a).
8. The proposed amendment modernizes the uses within the commercial zones, and differentiates the appropriate land uses in each zone based on the context or the place where they are located (Theme A, Goal #3.a; Theme A, Goal #3.b; Theme A, Goal #3.c; Theme A, Design Policy #12).
9. The proposed text realigns the Corridor Business (B-3) zone to meet Lexington's sustainability goals, increase safety along on most heavily trafficked roadways, and reduce the concentration of inefficient land uses (Theme E, Goal #1.d; Theme E, Goal #1.e).
10. The proposed inclusion of residential within the Corridor Business (B-3) zone allows for the densification of Lexington's corridors, which can produce greater quantities of housing within the community, increase access to transit, and support businesses within the area (Theme D, Goal #1.c; Theme A, Density Policy #1).

VI. COMMISSION ITEMS**A. PETITION FOR WAIVER OF THE LAND SUBDIVISION REGULATIONS**

1. PLN-MNSUB-23-00054: JH GRAVES III FAMILY, LLC, TRACT 1 & MELANIE GRAVES PROPERTIES (2/4/2024)* - located at 6340 BRIAR HILL ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Gess, Mattingly & Atchison
- Staff will report at the meeting.

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

2. PLN-MJDP-23-00042: EASTLAND SHOPPING CENTER (AMD) (2/18/2024)* - located at 1301 Winchester Road & 1064 INDUSTRY WAY, LEXINGTON, KY
Council District: 1
Project Contact: Barrett Partners, Inc.

- Staff will report at the meeting.

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 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.

LONG RANGE PLANNING ACTIVITY REPORT

November 2023

Planning Commission Work Session

The Planning Commission held a public hearing on the *Imagine Lexington 2045* Comprehensive Plan on November 30, 2023 in place of the scheduled work session.

Imagine Lexington

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

The Planning Commission adopted the 2045 Imagine Lexington Comprehensive Plan.

Social Media

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

ZONING COMPLIANCE PLANNING ACTIVITY REPORT

Board of Adjustment

Seventeen (17) applications were on the agenda for consideration by the Board of Adjustment at their regular meeting on November 13, 2023. Five (5) of those applications were requests for variances. Two (2) of those requests were approved by the Board, one (1) was disapproved, one (1) was postponed, and one (1) was continued. Twelve (12) of the applications were requests for conditional use permits. Two (2) of those requests were withdrawn, nine (9) of those requests were approved, and one (1) was postponed.

The Board also adopted their 2024 Meeting and Filing Schedule.

TRANSPORTATION PLANNING / MPO ACTIVITY REPORT

1.0 Transportation System Data & Monitoring

- Continued to collect system data and conducting data analysis tasks for the 2050 Metropolitan Transportation Plan (MTP 2050).
- Updated transportation-related GIS layers.
- Continued work on constructing and formatting GIS Story Map with Experience Builder for the MPO website to show transportation projects.
- Continued collecting trip data on shared use paths.

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

2.0 Identify & Prioritize Projects

- Continued to develop the MTP 2050 Plan, developing project list, project ranking/scoring criteria, and estimating funding levels for projects in future years.
- Held meeting with Long Range Planning to discuss project selection criteria for the MTP.

3.0 Program & Project Implementation

- Held several internal meetings with LFUCG Mayor's Office to coordinate work on the Complete Streets Action Plan. Presented the draft plan to community-based stakeholders and revised based on their feedback. Provided final draft Action Plan to the Complete Streets Committee.
- Evaluated Shared Mobility Vehicle permits for compliance with the ordinance, managed current licensees and associated data, and completed daily enforcement activities regarding the rebalancing requirement.
- Reviewed the FHWA climate adaptation handbook titled Addressing Resilience to Climate Change & Extreme Weather in Transportation Asset Management.
- Reviewed the FHWA technical program guide titled Integrating Greenhouse Gas (GHG) Assessment and Reduction Targets in Transportation Planning.
- Reviewed the FHWA Greenhouse Gas Emissions Performance Measure Final Rule that is effective on January 8, 2024.
- Met with Commissioner Albright and CM Brown to finalize the design for the permanent installation of the Safe Streets Academy demonstration project.
- Continued work on the Campus to Commons corridor study
- Participated in the Picadome Neighborhood transportation audit with Traffic Engineering
- Attended the Greenway Management Plan kick-off meeting
- Held various meetings in the field to observe conditions of citizens with safety concerns or interest in improving vulnerable road user safety.
- Reviewed 2023 repaving list for possible bike lane striping improvements as a part of routine maintenance.
- Attended 4-paving coordination meetings as an advisor for ADA sidewalk ramps and bike facilities design modifications.
- Held meetings with KYTC District 7 regarding the Winchester Rd and Richmond Rd project.
- Held a Project Coordination Team meeting to track the status of projects in the TIP.
- Processed the following TIP Modifications:
 - #40 – Liberty Road Inside New Circle

4.0 Land Use & Transportation Impact

- Reviewed and submitted comments in Accela for bike/pedestrian circulation requirements associated with development plans.
- Corresponded on development plans approved by the Planning Commission for compliance with conditional signoff requirements.
- Responded to inquiries and conducted meetings with development groups to work through requirements for multi-modal compliance with the subdivision regulations.
- Attended the LFUCG Comprehensive Planning public hearing.
- Attended LFUCG pre-application meetings to provide transportation planning input on future land-use applications.
- Attended Open Space Coordination Meeting
- Attended regular LFUCG Subdivision and Zoning Committee meetings.
- Attended regular Zoning Staff Review meeting.
- Attended LFUCG Board of Adjustment new case review meeting.
- Attended ZOTA coordination meeting.
- Held one project team meetings for the Nicholasville Rd Transportation Feasibility Study, Traffic and Transit Analysis. Completed Travel Demand Model updates for various scenarios for further study analysis.
- Met with Gresham Smith team to review draft Topology Corridor Study with Corridors Commission.

5.0 Participation & Outreach

- Attended and worked at the annual Glow Ride promoting being safe and being seen at night while traveling as a bicyclists.
- Attended Glow Ride debrief meeting.

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

- Co-presented Imagine Nicholasville Rd and Transit Planning with Lextran to a UK Engineering class.
- Visited Meadowthorpe, Golf View Estates neighborhood associations about Campus to Commons trail study
- Canvassed trail study corridor to notify businesses (Virginia/Red Mile/Forbes)
- Created introductory video for trail study; used on website and in email outreach
- Continued coordination with EQPW PIE team for social media outreach:
 - Promoted monthly BPAC meeting
 - Promoted the Campus to Commons survey Campus to Commons public survey
 - Shared e-bike safety video
 - Shared KYTC D7 project updates
 - Shared LFUCG traffic engineering/engineering project updates
 - Posted Daylight Savings time change reminder
 - Shared Lextran's Election Day service announcement
 - Promoted Glow Ride event
- MPO website had 406 users and 3,149 views in November
- MPO Facebook had 3,703 followers in November
- LexBikeWalk Facebook page had 4,700 followers in November
- LexBikeWalk Instagram page had 767 (+33) followers in November

6.0 Program Administration

- Prepared meeting packets and minutes for the Bicycle Pedestrian Advisory Committee (BPAC).
- Attended Lextran board meeting
- Coordinated with FTSB Director to oversee financial matters
- Attended KPTA virtual board meeting.
- Attended Access Lexington meeting
- Attended the Kentucky Bicycle and Bikeways Commission annual meeting.
- Conducted weekly MPO Staff meetings
- Attended a Leadership Kick-Off Meeting for the AMPO GIS & Data Visualization Interest Group
- Attended the following Webinars / Workshops / Conferences:

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 December and January

Technical Committee, Wednesday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....	December 20, 2023
Subdivision Committee, Thursday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....	January 4, 2024
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....	January 4, 2024
Subdivision Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center.....	January 11, 2024
Work Session, Thursday, 1:30 p.m. 3 rd Floor Conference Room, Phoenix Building.....	January 18, 2024
Zoning Items Public Hearing , Thursday, 1:30 2 nd Floor Council Chambers, Government Center.....	January 25, 2023

X. ADJOURNMENT