

**AGENDA
URBAN COUNTY PLANNING COMMISSION
ZONING ITEMS PUBLIC HEARING**

September 26, 2024

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUGG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The minutes of the August 8, 2024 and August 22, 2024 meeting will be considered by the Planning Commission at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, September 5, 2024 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Mike Owens, and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Hal Baillie, Daniel Crum, Cheryl Gallt, Paula Schumacher, Eve Miller, Boyd Sewe; Greg Lengal and Embry Beatty; Division of Fire and Emergency Services; and Tracy Jones and Will Razor, Department of Law. The Committee made recommendations on plans as noted.

General Notes

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

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

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

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

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

The procedure for these hearings is as follows:

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

1. Development Plans

- a. PLN-MJDP-24-00049: COLLINS, ORRELL, & WIGGENS (DON FRANKLIN AUTO MALL) (AMD) (9/28/24)*
- located at 3390 RICHMOND ROAD, LEXINGTON, KY

Council District: 7

Project Contact: EA Partners

Note: The purpose of this amendment is to reflect a new dealership building in Phase 3, add a car wash, and revise parking and dumpster location in Phase 1.

Note: The Planning Commission postponed this item at the August 8, 2024 and September 12, 2024 meetings.

The Technical 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. Discuss helipad.

- b. PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) (9/28/24)* - located at 1101 WINBAK WAY, LEXINGTON, KY

Council District: 11

Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict a new hotel and entertainment building and revise parking circulation.

Note: The Planning Commission postponed this item at the August 8, 2024 and September 12, 2024 meetings.

The Subdivision Committee Recommended: **Postponement**. There are questions and concerns regarding the removal of significant trees from tree protection plan on previous plan, compliance with Article 28-6 and adherence to conditional zoning restrictions.

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,

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

prior to plan certification.

12. United States Postal Service Office's approval of kiosk locations or easement.
13. Dimension driveways, walkways, parking spaces, drive aisles, and ingress/egress.
14. Addition of height of Building 36 in feet.
15. Label trees in tree protection areas per Article 26 of the Zoning Ordinance.
16. Addition of any proposed or existing easements.
17. Clarify proposed "entertainment" land use for Building 36.
18. Clarify site statistics totals and purpose of amendment.
19. Remove drive aisle from required landscape buffer per conditional zoning restrictions.
20. Discuss the removal of tree protection areas from previous plan.
21. Discuss compliance with Article 28-6 of the Zoning Ordinance for building features.
22. Discuss compliance with Article 28-6 for location of provided off-street parking.

c. PLN-MJDP-24-00064: HAMBURG PLACE FARM, PLAUDIT PLACE DEVELOPMENT, LOT 3 (CHICK-FIL-A) (AMD) (11/3/24)* - located at 1863 PLAUDIT PLACE, LEXINGTON, KY

Council District: 6

Project Contact: Interplan, LLC

Note: The purpose of this amendment is to depict re-development of building and parking on Lot 3.

Note: The Planning Commission continued this item at the September 12, 2024 meeting to address property access and circulation.

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. 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.
12. Improve plan legibility (Plan should be 36" on one side).
13. Addition of property metes and bounds.
14. Addition of topography information at 2' contours.
15. Addition of dimensions for driveways, walkways, access points, and buildings.
16. Denote location of construction vehicle access.
17. Addition of proposed and existing easements.
18. Addition of tree inventory map per Article 21-6(a)(11) of the Zoning Ordinance.
19. Correct Commissioner's Certification per Article 21-6(a)(16) of the Zoning Ordinance.
20. Complete information in site statistics for Lot 3.
21. Provided the Board of Adjustment grants approval of variances for landscape buffer and maximum parking.
22. Verify totals in site statistics box.
23. Discuss width of drive lanes and access to Plaudit Place.

V. **ZONING ITEMS** – The Zoning Committee met on September 5, 2024, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Larry Forester, Robin Michler, and William Wilson. Staff members present were Traci Wade, Daniel Crum, and James Mills. Law Dept: Tracy Jones and Will Razor.

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

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

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

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
- The petitioner concurs with the staff recommendations
- Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS - Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) Proponents (10 minute maximum OR 3 minutes each)
 - (b) Objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) Petitioner's comments (5 minute maximum)
 - (b) Citizen objectors (5 minute maximum)
 - (c) Staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s).

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

1. SHADELAND INVESTMENTS, LLC ZONING MAP AMENDMENT AND SHADELAND INVESTMENTS PROPERTY DEVELOPMENT PLAN

- a. **PLN-MAR-24-00013: SHADELAND INVESTMENTS, LLC** – a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone for 0.16 net (0.28 gross) acres for property located at 185 Eastern Avenue.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 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 expand an existing office use on the site. The applicant intends to construct a 2,000 square-foot addition to the existing structure that will contain additional office space. Parking for the use will be provided in the existing parking lot, which is accessed from Eastern Avenue.

The Zoning Committee Recommended: **No Recommendation**, due to lack of quorum.

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 proposed project is in a location that promotes infill, redevelopment, adaptive reuse, and mixed-use developments (Theme A, Goal #2.a).
 - b. The proposed rezoning will allow for a more substantial commercial development with neighborhood-serving business potential (Theme A, Goal 3.d).
 - c. The proposed project will remain in scale with the surrounding context through the reuse and expansion of an existing, non-conforming structure (Theme A, Goal #2.b) while re-designing vehicular use and sidewalk areas to promote safer connectivity (Theme A, Goal 3.b).

2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed rezoning will allow the applicant to construct their posited addition to the existing structure and create development in scale with the surrounding context (Theme A, Design Policy #4).
 - b. The proposal will maintain parking to the rear of the structure and close off the site's E. Second Street vehicular access enhancing it's walkability and bikeability (Theme A, Design Policy #7).
 - c. The proposal intends to create a mixed-use development that will serve as a community anchor for the neighborhood (Theme A, Design Policy #10).
 - d. The proposal seeks to add neighborhood-level commercial opportunities through the addition to the existing structure (Theme A, Design Policy #12).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the recommendations for Land Use, as the proposed development will create a mixed-use structure within a neighborhood context (C-LI7-1), which will aim to provide a community-oriented service (E-ST8-2).
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as the proposal will create a more walkable streetscape (A-DS5-2), with limited shared parking (C-PS10-1), and promote foot and bike traffic to the site (D-CO2-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as it does not impact any environmentally sensitive areas (B-PR2-1), reduces impervious surface through the addition (B-SU4-1), and will not overlight the site (B-PR10-1).
 - d. The request meets the requirements for Site Design, as the proposed development will activate the streetscape creating a pedestrian-oriented site (A-DS5-4) through the addition of a patio enhancing the public realm (C-LI8-1), with parking oriented to the rear of the property (A-DS7-1) and minimal spaces provided (C-PS10-2).
 - e. The request meets the criteria for Building Form, as the proposal maintains appropriate scale to the surrounding neighborhood (A-DS4-2) through the reuse of a viable existing structure (E-GR4-1) while maintaining the massing and design with the new addition (A-DN2-2), which will adapt a structure built in 1890 (E-GR5-1) while creating a pedestrian-oriented atmosphere (A-DS5-3) through the activation of the first floor (D-PL2-1).
4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00061: SHADELAND INVESTMENTS PROPERTY 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-24-00061: SHADELAND INVESTMENTS PROPERTY (11/3/24)* - located at 185 EASTERN AVENUE, LEXINGTON, KY.

Council District: 1

Project Contact: EA Partners

Note: The purpose of this plan is to depict an addition of square footage for change of use, in support of the requested zone change from a Planned Neighborhood Residential (R-3) 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, 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. Addition of dimensions for driveways, walkways, and parking ingress & egress.
7. Addition of tree inventory map.
8. Addition of use in the site statistics.
9. Remove driveway apron on Second Street.
10. Discuss compliance with open space requirements of Article 20 of the Zoning Ordinance.
11. Discuss plan type (final or preliminary).
12. Discuss use of the area to the right of building.

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

13. Discuss Placebuilder criteria.

2. SUBTEXT ACQUISITIONS, LLC ZONING MAP AMENDMENT AND HAZEN PROPERTY, MOUNTMULLIN STREET SUBDIVISION, AND J.A.PRALL PROPERTY DEVELOPMENT PLAN

- a. **PLN-MAR-24-00014: SUBTEXT ACQUISITIONS, LLC** – a petition for a zone map amendment from a Single Family Residential (R-1E) zone, a Planned Neighborhood Residential (R-3) zone and a Neighborhood Business (B-1) zone to a Corridor Node (CN) Zone, for 2.13 net (2.80 gross) acres for properties located at 545-549, 553, 563 S. Limestone; 121-123, 127, 129, 131, 133 Prall Street; 118, 120, 124, 128, 134, 138, 140, 142, 146, 150, and 154 Montmullin Street.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 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 Corridor Node zone to establish a high-density mixed-use building. The proposed development consists of a 101-foot tall mixed-use structure, with an integrated 484 space parking structure. The applicant is proposing six stories of multi-family residential units, for a total of 251 units, with 799 bedrooms, and a density of 117.8 dwelling unit per net acre. The request includes 1,700 square-feet of first floor retail space, located along the S. Limestone frontage. A rooftop amenity and pool area is proposed on the top floor of the structure, and courtyard space is proposed within the interior of the structure.

The Zoning Committee Recommended: **No Recommendation**, due to lack of quorum.

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

1. The requested Corridor Node (CN) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposal will address a need for housing, and emphasizes the proposed increase in residential density along a major corridor (Theme A Goal #1.d & 1.d; Theme E, Goal #1.d). S. Limestone and Nicholasville Road are high-volume roadways that connect downtown to major employment and community activity areas.
 - b. The proposed development will be well connected, especially because it is located adjacent to future transit improvements and will improve the pedestrian facilities along Prall Street, Montmullin Street, and S. Limestone (Theme A, Goal #3.b).
 - c. The density and intensity of the proposed development will strengthen demand for transit along the corridor (Theme D, Goal #1.b).
2. The requested Corridor Node (CN) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The activation of the first floor with retail, landscaping, and amenity spaces creates a people first/pedestrian friendly design that will create inviting streetscapes. (Design Policy #1, #5, and #6).
 - b. The request responds to the context of the corridor, providing additional density and intensity (Design Policy #4; Density Policy #1 and #2).
 - c. By locating the parking internally, within parking structures, the proposed development enhances walkability and bikeability (Design Policy #7).
 - d. The request will provide additional housing options for this area, which is predominately characterized by student housing in single family structures (Design Policy #8).
 - e. The proposed amenities and open space areas will provide neighborhood-focused open spaces with the interior courtyard and neighborhood-focused retail on the first floor, facing S. Limestone (Design Policy #9 and #12).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request significantly increases the residential density on-site (A-DN-2-1; E-ST8-1), provides for pedestrian-oriented first floor commercial uses along the S. Limestone frontage (A-DN3-1), and helps encourage the success of transit by increasing the residential base near a proposed transit node (E-GR10-1; D-CO3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as the request provides connectivity to the adjacent transit stop (A-DS1-2) improves the sidewalk connections along

Montmullin and Prall Streets, provides for street trees and commercial uses to create a pedestrian friendly streetscape A-DS5-2), and is transit-oriented (A-EQ5-2).

- c. These proposed rezoning meets the criteria for Environmental Sustainability and Resiliency development criteria, as the site does not impact any environmentally sensitive areas (B-PR2-1), does not remove any significant trees (B-PR7-1), and provides for the addition of street trees along all three street frontages (D-SP10-1).
- d. The proposal addresses the criteria for Site Design, provides activated first-floor uses and to create an activated streetscape (A-DS5-4), locates the parking within internal parking structures (A-DS7-1), and provides sidewalk connections to the surrounding neighborhood (C-LI8-1).
- e. The proposed rezoning meets the criteria for Building Form, as it creates a high-density mixed-use development that is in line with the intensification of our corridors called for within the 2045 Imagine Lexington Comprehensive Plan and Imagine Nicholasville Road Corridor Study (A-DS4-2), and creates active first-floor uses along S. Limestone (D-PL2-1; A-DS5-3).

- 4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00062: Hazen Property, Mountmullin Street Subdivision, and J. A. Prall Property (Verve Lexington) 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-24-00062: HAZEN PROPERTY, MONTMULLIN STREET SUBDIVISION, & J.A. PRALL PROPERTY (VERVE LEXINGTON)** (11/3/24)* - located at 118-154 (even only) MONTMULLIN STREET, 121-133 (odd only) PRALL STREET, and 553, 563, & 545 S. LIMESTONE, LEXINGTON, KY.

Council District: 3

Project Contact: EA Partners

Note: The purpose of this plan is to depict a mixed-use development with 251 dwelling units and 1,700 square feet of retail space, in support of the requested zone change from a Neighborhood Business (B-1) zone, Single Family Residential (R-1E), and Planned Neighborhood Residential (R-3) zone to a Corridor Node (CN) zone.

The Subdivision Committee Recommends: Postponement. There are questions regarding compliance with meeting the Floor Area Ratio (FAR) requirement for the proposed zone.

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

1. Provided the Urban County Council approves the zone change to CN; 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. Correct plan title to match staff report.
5. Addition of record plat information.
6. Addition of tree inventory map.
7. Discuss proposed maximum Floor Area Ratio of 3.6.
8. Clarify 8-foot offset of building along South Limestone.
9. Submit building elevations.
10. Addition of FAR statistics box.
11. Dimension parking garage aisles and parking spaces.
12. Denote parking garage entrances and dimensions.
13. Denote no vehicular access to South Limestone.
14. Denote location of public transit stop or facilities.
15. Discuss Placebuilder criteria.

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

3. **BROOKE PROPERTIES, LLC ZONING MAP AMENDMENT AND SPRINGHURST SUBDIVISION, UNIT 2 (BROOKE PROPERTIES, LLC) (AMD) DEVELOPMENT PLAN**

- a. **PLN-MAR-24-00015: BROOKE PROPERTIES, LLC** – a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to Neighborhood Business (B-1) zone, for 0.602 net 0.913 gross) acres for properties located at 2094 & 2098 Harrodsburg Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 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 proposes the rezoning of the subject properties to the Neighborhood Business (B-1) zone to allow for neighborhood business uses at this location. The applicant is currently proposing to utilize the property at 2098 Harrodsburg Road as an insurance office, while the property at 2094 Harrodsburg Road will remain a daycare use. The properties will utilize the existing access points on Springhurst Drive to access the site, and will utilize the existing parking areas under a shared parking agreement.

The Zoning Committee Recommended: No Recommendation, due to lack of quorum.

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 proposal identifies the properties as an opportunity for reuse and future redevelopment (Theme A, Goal #2.a).
 - b. The proposal will give the subject properties the ability to intensify in the future in a manner that is still compatible with the neighborhood context along Springhurst Drive (Theme A, Goal #2.b).
 - c. The request will result in a well-designed neighborhood, that provides for safe connections to the adjoining residential areas.(Theme A, Goal #3.b).
 - d. The request would enhance the area with neighborhood-serving businesses (Theme A, Goal #3.b).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal provides an opportunity for redevelopment in the future that could increase utilization of the site without making the site incompatible with the adjoining single-family residential uses (Theme A, Design Policy #4).
 - b. The request will expand opportunities for neighborhood-serving businesses (Theme A, Design Policy #12)
 - c. Then request will be walkable from the adjoining neighborhood, and is pedestrian-friendly (Theme A, Design Policy #5).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request would allow for neighborhood scale commercial uses and services (A-DS12-1; E-ST8-2), provides connections to nearby transit stops (A-DS1-2), and would allow for increased intensity and density with any future redevelopment of the site (D-CO3-1).
 - b. The proposed rezoning meets the majority of criteria for Transportation, Connectivity, and Walkability, as it provides pedestrian connections to nearby transit stops (A-DS1-2), utilizes shared parking arrangements (C-PS10-1), and is connected to the adjoining residential neighborhood (A-DS4-1).
 - c. The proposed rezoning addresses the Environmental Sustainability and Resiliency development criteria, as the proposal does not impact any environmentally sensitive areas (B-PR2-1), and maintains existing trees and tree canopy (B-PR7-1).
 - d. The proposal addresses the criteria for Site Design as it locates parking to the rear of the site (A-DS7- 1), avoids overparking (C-PS10-2), and provides for connected neighborhood scale commercial development (C-LI8-1).
 - e. The proposed rezoning meets the criteria for Building Form, as the development's scale remains compatible with the adjoining single-family residential development to the rear (A-DN-2-2), reuses existing buildings (E-GR4-1), and would allow for future redevelopment that could intensify the site while allowing for a compatible transition to the neighborhood (A-EQ5-1).

4. Under the provisions of Article 6-7, the following restriction is recommended via conditional zoning:
 - a. Outdoor loudspeakers shall be prohibited.
 These conditions are appropriate and necessary in order to protect the single-family residential uses within the Springhurst neighborhood.
5. This recommendation is made subject to approval and certification of PLN-MJDP-24 00065: Springhurst Subdivision, Unit 2 (Brooke Properties, LLC) (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-24-00065: SPRINGHURST SUBDIVISION, UNIT 2 (BROOKE PROPERTIES) (AMD) (11/3/24)

* - located at 2094 & 2098 HARRODSBURG ROAD, LEXINGTON, KY.

Council District: 10

Project Contact: Earthcycle Design

Note: The purpose of this plan is to depict a change of use and an 80-square foot addition to Lot 1 in support of the requested zone change from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone.

The Staff Recommends: **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. 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.
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. Denote structures are non-conforming to the required B-1 zone setbacks.
14. Depict property boundaries with a solid dark line.
15. Existing access to 2094 Harrodsburg Road shall be removed at the time of development of 2090 Harrodsburg Road.
16. Discuss proposed addition on Lot 1.
17. Discuss turn lane along Harrodsburg Road frontage.
18. Discuss Placebuilder criteria.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-24-00003: REGULATION OF SOLAR ENERGY SYSTEMS** – a text amendment to create a new article in the Zoning Ordinance to facilitate the siting, development, construction, installation, and decommissioning of solar energy systems.

INITIATED BY: Silicon Ranch

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Postponement**.

The Staff Recommends: **APPROVAL OF THE STAFF ALTERNATIVE TEXT**, for the following reasons:

1. The proposed language will allow for increased utilization of solar energy systems within urban contexts, contributing to the community's efforts to reach net-zero emissions by 2050 (Theme E, Goal #1.c).

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

2. The decision on how to address ground mounted solar energy systems in our rural areas should be based on a larger, more robust process, with opportunities for stakeholder and community conversations that seek consensus (Theme E, Goal #2.a).

2. **PLN-ZOTA-24-00006: REVISIONS TO ARTICLE 23A-10 FOR THE ECONOMIC DEVELOPMENT (ED) ZONE** – a text amendment to modify the Economic Development (ED) zone.

INITIATED BY: Hamburg East, LLC.
PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **No Recommendation**, due to lack of quorum.

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

1. The staff would like more time to evaluate the proposed changes to ensure consistency with the adopted 1996 Expansion Area Master Plan.
2. The applicant should provide further information on how each of the proposed changes relates to the intent of the Economic Development Zone.

VI. **COMMISSION ITEMS** - The Chair will announce that any item a Commission member would like to present will be heard at this time.

VII. **STAFF ITEMS**

- a. **PLN-BOAR-24-00001: Charles Morton** – a petition for an appeal to the decision of the Board of Architectural Review to deny a certificate of appropriateness for property located at 1605 Elizabeth Street.

Staff will report at the meeting.

LONG RANGE PLANNING ACTIVITY REPORT

August 2024

Planning Commission Work Session

The Planning Commission held a Work Session on August 15, 2024, where they received an update on the Greenway Master Plan and a presentation regarding House Bill 443.

Additionally, the Planning Commission held a Work Session on August 29, 2024 where they received an update on the Urban Growth Master Plan, discussed the updates to the Zone Change Process, (article 6), and were presented information on the Fayette County Solar Energy Regulations.

Imagine Lexington

Staff continued to implement items of the 2045 Comprehensive Plan and updated the Imagine Lexington Website to reflect these implementations. On August 6, 2024, Long Range Staff attended a Housing Providers Advisory Group meeting.

Long Range staff and the consultants for the Urban Growth Master Plan continued to work with members of the community, private organizations, and other Divisions of the Urban County Government to gather information and input that will provide the foundation for the existing conditions.

Social Media

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

ZONING COMPLIANCE PLANNING ACTIVITY REPORT**Board of Adjustment**

There were twenty applications on the agenda for consideration by the Board of Adjustment at their meeting on August 12, 2024. Four of those applications were requests for variances. One of those applications was postponed to the September 9, 2024, meeting on the request of the applicant. Two of the applications were approved by the Board, and the Board voted for disapproval of the fourth request for a variance, which was to increase the allowable height of a fence within the front yard from 4' to 6' in a Professional Office (P-1) zone.

The remaining sixteen applications were requests for conditional use permits. One of the applications on the agenda was withdrawn by the applicant prior to the meeting, three of the applications were postponed to the September 9, 2024 meeting, and another was postponed to the November 4, 2024 meeting; all three postponements were requested by the applicants. Two of the applications for conditional use permits were submitted by churches, one of which was approved, and the other application was continued to the September 9, 2024, meeting. The remaining nine applications heard by the Board were requests for un-hosted short term rentals. Eight of those applications were approved by the Board and the ninth application was disapproved.

1.0 Transportation System Data & Monitoring

- Updated transportation-related GIS layers
- Continued collecting trip data on shared use paths
- Continued work on the Travel Demand Forecasting Model update
- Coordinated with Corridors Commission and GIS to implement mapping solutions

2.0 Identify & Prioritize Projects

- Attended monthly Lexington Area MSA Comprehensive Climate Action Plan meeting
- Presented the Campus to Commons study recommendations to TPC
- Reviewed the Congestion Management Bottleneck Study (CMBS) project list to identify and note the completed projects
- Attended a meeting on the Reimagining the Civic Commons initiative

3.0 Program & Project Implementation

- Attended 4 paving meetings to review repaving projects for bicycle and pedestrian improvements as a part of repaving.
- Received TPC approval of the Lexington Area 2025–2028 Transportation Improvement Program (TIP)
- Processed TIP Modification #50 (to the FY 2021-2024 TIP) for North Broadway - Bridge Replacement between Northland Av and New Circle Rd
- Attended project team meeting for the Nicholasville Rd Transportation Feasibility Study, Traffic & Transit Analysis
- Continued work on Lexington Complete Streets Design Manual
- Attended two vulnerable road user safety audits for intersections identified in the Fayette County Road Safety Assessment
- Attended meeting for the High St road diet proposal
- Began design for High St road diet
- 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
- Continued work with EQPW greenway management team on the Greenways Management Plan

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

- Held several meetings to work on Complete Street Action Plan implementation items
- Attended Via Creative board meeting concerning bus shelters for Lextran

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 one LFUCG pre-application meeting to provide transportation planning input on future land-use applications
- 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

5.0 Participation & Outreach

- Continued TIP update public comment period (officially Jul 1 – Aug 2)
- Interviewed for the Council Comment television program regarding Imagine Nicholasville Road
- Participated in the Fayette County Regional Focus Group public meeting for the regional Climate Action Plan
- Met with DES Public Information and Engagement (PIE) team to discuss and plan advertising and outreach strategy for 2025
- Visited Health First Clinic to discuss client transportation needs and general intersection of public health and transportation
- Visited Goodwill Industries, Inc. to discuss transportation needs for job readiness clients
- Coordinated social media project around RCUT design awareness
- Collaborated with LFUCG's Long Range Planning section on participating in upcoming school-based civics expositions
- Coordinated with PIE team for Cycle September outreach and activities
- Continued coordination with DES PIE team for social media outreach:
 - Promoted monthly BPAC meeting
 - Promoted upcoming Cycle September
 - Shared KYTC D7 updates (temporary I-75 lane closures for pilot project)
 - Shared KYTC's RCUT informational content
- MPO website had 621 users and 1,190 views in August
- MPO Facebook had 3,686 followers (-2 than in July), 2 posts, 150 impressions, 1 engagements
- LexBikeWalk Facebook page had 4,775 followers (-1 from July), 2 posts, 846 impressions, 2 engagements

- LexBikeWalk Instagram page had 904 followers (+14 than July), 2 posts, 414 impressions, 38 engagements

6.0 Program Administration

- Prepared meeting packets and minutes for the Congestion Mitigation & Air Quality Committee (CMAQ) Bicycle Pedestrian Advisory Committee (BPAC), Transportation Technical Coordinating Committee (TTCC) and Transportation Policy Committee (TPC).
- Presented recommendation to TTCC to restructure the CMAQ committee to a working group
- Presented recommendation to TTCC to create a Safety Work Group
- Continued efforts to update MPO bylaws
- Attended Lextran board meeting
- Attended Access Lexington meeting
- Attended Jessamine County Transportation Task Force meeting
- Coordinated with FTSB Director to oversee financial matters
- Conducted weekly MPO Staff meetings
- Attended KPTA conference
- Attended the following Webinars / Workshops / Conferences:
 - Kentucky Bike/Walk Summit

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. MEETING DATES FOR October 2024

Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	October 3, 2024
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	October 3, 2024
Subdivision Items Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov't Center.....	October 10, 2024
Urban Growth Management Plan Public Hearing, Thursday, 1:30 p.m., Council Chambers	October 17, 2024
Zoning Items Public Hearing , Thursday, 1:30 p.m., in Council Chambers, 2nd Floor, Gov't Center.....	October 24, 2024
Technical Committee, Wednesday, 8:30 a.m., in Council Chambers	October 30, 2024
Urban Growth Management Plan Public Hearing, Thursday, 1:30 p.m., Council Chambers	October 31, 2024

TW/DC/RS-9/24/24