

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

October 24, 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 September 12, 2024 and September 26, 2024 meetings 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, October 3, 2024 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Mike Owens, Judy Worth, and Frank Penn. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were Traci Wade, Daniel Crum, Cheryl Gallt, Paula Schumacher; Greg Lengal and Embry Beaty; Division of Fire and Emergency Services; and Tracy Jones and Brittany Smith, 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-24-00068: ZEE FAULKNER PROPERTY (AMD) (12/2/24)*** - located at 509 EAST MAIN STREET, LEXINGTON, KY
Council District: 3
Project Contact: EA Partners

Note: The purpose of this amendment is to reflect revised conditional zoning restrictions adopted by the Urban County Council.

Note: The Planning Commission postponed this item at the October 10, 2024, meeting.

The Subdivision Committee Recommended: **Postponement**, in order for the BOAR to renew the plan prior to commission action.

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. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Division of Waste Management's approval of refuse collection locations.
7. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. 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.
10. Correct conditional zoning restrictions.
11. Dimension garage, covered porches, garden area, parking spaces, sidewalks, vehicular access point, and landscape buffers.
12. Denote floor area ratio, provided vehicular and bicycle parking, open space, and proposed use.
13. Remove Note #1 which duplicates conditional zoning restrictions.
14. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
15. Denote existing and proposed easements.
16. Discuss possible 15' tall landscape screening along rear and side yards.

- V. **ZONING ITEMS** – The Zoning Committee met on October 3, 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, Johnathon Davis, Zach Davis, Graham Pohl, and William Wilson. Staff members present were Traci Wade, Daniel Crum, and James Mills and Tracy Jones, Brittany Smith and Will Razor, 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.

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

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

- (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. REALTY UNLIMITED BLUEGRASS, LLC ZONING MAP AMENDMENT AND HIGBEE MILL COURT, LOT 11 DEVELOPMENT PLAN

- a. **PLN-MAR-22-00016: REALTY UNLIMITED BLUEGRASS, LLC** (12/5/24)* – a petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.520 net (0.756 gross) acres for property located at 940 Higbee Mill 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 Townhouse Residential (R-1T) zone to allow the infill of the subject property with single family residential. The applicant is seeking to construct seven (7) single family attached dwelling units at a density of 13.5 dwelling unit per net acre.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement, for the following reasons:

1. The applicant should review potential locations for street trees along the frontage of the subject property (Theme B, Restoration Policy #1).
 2. 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-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - b. B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3)
 - c. D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - d. A-DS5-2: Roadways should provide a vertical edge, such as trees and buildings.
 - e. B-RE1-1: Developments should incorporate street trees to create a walkable streetscape.
 3. The proposal does not meet the required side yard setbacks for the R-1T zone, and appears to exceed the maximum amount of paving within the front yard areas, which may indicate that the proposed zone or the proposed density is not appropriate for the project.
- b. **PLN-MJDP-22-00059: HIGBEE MILL COURT, LOT 11** (12/05/2024) * - located at 940 Higbee Mill Road, LEXINGTON, KY.

Council District: 9

Project Contact: Matt Miniard/Palmer Engineering

Note: The purpose of this plan is to depict 7 townhomes, in support of the requested zone change from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone.

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Note: The applicant indefinitely postponed the application in February 2023 to further investigate the ability to utilize abandoned right-of-way adjacent to the subject property. Adjoining property owners have initiated the process to claim the remaining abandoned right-of-way of Higbee Mill Road. Due to changes in the availability of the right-of-way, the applicant has modified the plan and now wishes to move forward with the requested zone change and preliminary development plan.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with side yard requirements, the geometry of the proposed cul-de-sac, and with general vehicular parking and VUA in the front yards.

Should this plan be approved, the following requirements 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.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Correct site statistics.
9. Correct side yards to comply with Articles 8-10 and 15-3 of the Zoning Ordinance.
10. Modify vehicular use area in front yards to comply with article 16-5(a) and (b).
11. Discuss improvements to Higbee Mill Road, including a sidewalk all the way around the cul-de-sac and an appropriate termination in compliance with Article 6-7 of the Land Subdivision Regulations.
12. 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 (11/3/24)*** – 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

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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.

Note: The Planning Commission continued this application at the September 26, 2024 meeting.

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

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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.

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

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.

3. **L.O.P.1, LTD ZONING MAP AMENDMENT AND LANCASTER & KEISER PROPERTY DEVELOPMENT PLAN**

- a. **PLN-MAR-24-00016: L.O.P.1, LTD (12/24/24)** * – a petition for a zone map amendment from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone for 0.075 net (0.095 gross) acres for property located at 223 E Seventh Street. The applicant is also seeking a variance to reduce the required property perimeter landscaping buffer from 15 feet to 0 feet where the property adjoins business zones.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner is proposing the Planned Neighborhood Residential (R-3) zone in order to utilize an existing 1,250 square-foot commercial structure for a single-family residential use. The applicant is not proposing any physical changes to the site at this time.

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. **VARIANCE** – The applicant is also requesting a dimensional variance to reduce the property perimeter screening requirement from 15 to 0 feet.

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 property adjoins a nonconforming residential use east, and there is sufficient distance to the commercial structure to the west to ensure that the commercial and proposed residential uses are adequately separated.
- 2. Providing landscaping within the narrow side yards would likely not thrive or grow to maturity to create the buffer prescribed by the ordinance.
- 3. The narrow lot shape and the location of the site's existing structure represent special circumstances unique to the subject property that justify the need for a variance.
- 4. Removing the existing structure present on the site to accommodate the required landscaping buffer would unreasonably restrict the applicant's use of the property.
- 5. 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 R-3 zone, otherwise the requested variance shall be null and void.
- b. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
- c. Action of the Planning Commission shall be noted on the Subdivision Plan for the subject property.

b. **PLN-MJSUB-24-00007: LANCASTER & KEISER PROPERTY, BLOCK 25, LOTS 22 & 24 (PORTIONS OF) (12/24/24)** * - located at 223 EAST SEVENTH, LEXINGTON, KY.

Council District: 1

Project Contact: Barrett Partners Inc.

Note: The purpose of the plan is to depict a lot for a single-family dwelling unit, in support of the requested zone change from a Neighborhood Business (B-1) zone to a Planned Neighborhood Residential (R-3) zone.

The Subdivision Committee 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. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Denote review and recommendation of the Royal Springs Aquifer Committee.
7. Discuss building line setback.
8. Discuss Placebuilder criteria.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **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-24-00002: KEVIN EAGEN & ADAM WHEELER** – a petition for an appeal to the decision of the Board of Architectural Review to deny a certificate of appropriateness for property located at 439 Fayette Park.

Staff will report at the meeting.

LONG RANGE PLANNING ACTIVITY REPORT

September 2024

Planning Commission Work Session

The Planning Commission held a Work Session on September 19, 2024, where they were presented an annual update on the Municipal Storm Sewer System (MS4), discussed the Urban Growth Master Plan Regulatory Framework, received an update on the Urban Growth Management Zoning Ordinance Text Amendment, and discussed the Urban Growth Management Master Plan and the Comprehensive Plan.

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

Additionally, the Planning Commission held a special meeting on September 19, 2024, where they appointed Frank Penn to fill the Planning Commission Vacancy.

Imagine Lexington

Staff continued to implement items of the 2045 Comprehensive Plan and updated the Imagine Lexington Website to reflect these implementations. On September 25, 2024, Long Range Planning Staff attended an expo hosted by Civic Lex at Bryan Station Highschool.

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.

Transportation Planning / MPO Activity Report – September 2024

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
- Reviewed FHWA Highway Functional Classification Concepts, Criteria and Procedures 2023 Edition
- Reviewed the MPO area highway/roadway functional classification analysis per standards of FHWA, KYTC and LFUCG
- Coordinated with LFUCG GIS on migrating from ArcGIS to ArcGIS Pro.

2.0 Identify & Prioritize Projects

- Attended two Lexington Area MSA Comprehensive Climate Action Plan meetings
- Reviewed the Congestion Management Bottleneck Study (CMBS) project list to identify and note the completed projects, and to plan for future projects.

3.0 Program & Project Implementation

- Attended 4 paving meetings to review repaving projects for bicycle and pedestrian improvements as a part of repaving.

- Prepared proposed amendments to the MPO Transportation Improvement Program for FY 2025-2028
- Attended the Vulnerable Road User Field Safety Audits and associated follow-up meetings
- Consulted with LFUCG Water Quality regarding the closure and reconstruction of a bike lane on Tates Creek Road
- Held a Project Coordination Team meeting to track the status of projects in the TIP
- Attended 2 project team meetings for the Nicholasville Rd Transportation Feasibility Study, Traffic & Transit Analysis
- Continued work on Lexington Complete Streets Design Manual. Held project Working Group Meeting #1. Held four interest group stakeholder meetings: Utilities; Building & Development; Sustainability & Quality of Life; Large Vehicle Users
- 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
- Held several meetings to work on Complete Street Action Plan implementation items
- Completed draft Vision Zero resolution for internal review

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
- Discussed with the Jessamine County City of Wilmore Planning Department transportation concepts for initial drafts of the Jessamine County Comprehensive Plan
- Assisted the Long-Range Planning section is reviewing and updating transportation and roadway provisions within the draft Urban Growth Master Plan
- Participated in a discussion regarding Reimagining the Civic Commons project to identify potential project locations and selection criteria

5.0 Participation & Outreach

- Collaborated with LFUCG's Long Range Planning section at three high school-based civics expositions:
 - Bryan Station
 - Frederick Douglass

- Bates Creek
- Prepared for participating in LFUCG Council Transportation Expo in Oct
- Presented on the Campus to Commons Trail Study and transportation planning at UK's School of Engineering
- Coordinated with PIE team for Cycle September outreach and activities
- Started developing MPO website 'resources' page
- Continued coordination with DES PIE team for social media outreach:
 - Promoted monthly BPAC meeting
 - Promoted Cycle September events
 - Promoted resident-led Week Without Driving campaign
 - Shared KYTC D7 updates
 - Shared Team Kentucky safety tips on driving in severe weather/flooding
 - Shared New Circle Safe Streets for All project updates
 - Promoted 15-day public comment period for TIP amendment
 - Promoted Greenways and Trails Public Forum input opportunity
 - Shared KYTC's RCUT informational content
- MPO website had 457 users and 924 views in September
- MPO Facebook had 3,681 followers (-5 than in August), 7 posts, 545 impressions, 14 engagements
- LexBikeWalk Facebook page had 4,773 followers (-2 from August), 8 posts, 1646 impressions, 22 engagements
- LexBikeWalk Instagram page had 917 followers (+13 than August), 7 posts, 4129 impressions, 29 engagements

6.0 Program Administration

- Prepared meeting packet and minutes for the Bicycle Pedestrian Advisory Committee (BPAC)
- Continued efforts to select official BPAC citizen members
- Continued efforts to update MPO bylaws
- Developed and submitted a Job Profile Questionnaire to the Division of Human Resources to create a Vision Zero Coordinator position within the MPO staff
- Attended Lextran board meeting
- Attended Access Lexington meeting
- Attended Corridors Commission meeting
- Attended Greenway Master Plan public meeting
- Attended BGADD Regional Transportation Committee meeting
- Attended FTSB Board meeting
- Coordinated with FTSB Director to oversee financial matters
- Conducted weekly MPO Staff meetings
- Attended Association of MPOs National Conference in Salt Lake City, UT
- Attended the following Webinars / Workshops / Conferences:
 - Building Climate Resilient Communities: Tools and Frameworks for Planners
 - Municipal Separate Storm Sewer System (MS4) Annual Update Training
 - Regenerative City Symposium: Innovation Towards Sustainability Success
 - Killed by a Traffic Engineer: What's parking got to do with it?

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

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as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. **MEETING DATES FOR October and November 2024**

Urban Growth Management Plan Public Hearing , Thursday, 1:30 p.m., Council Chamber.....	October 31, 2024
Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	November 7, 2024
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	November 7, 2024
Subdivision Items Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov't Center.....	November 14, 2024
Zoning Items Public Hearing , Thursday, 1:30 p.m., in Council Chambers, 2nd Floor, Gov't Center.....	November 21, 2024
Technical Committee, Wednesday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building.....	November 27, 2024

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