

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION & ZONING ITEMS
November 14, 2024

- 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 19, 2024 Special Meeting and October 10, 2024 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, November 7, 2024 at 8:30 a.m. The meeting was attended by Commission members Bruce Nicol, 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, Chris Chaney, 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.

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

1. Final Subdivision Plans

- a. PLN-MJSUB-19-00006: TUSCANY, UNIT 15 (1/19/25)* - located at 1970 WINCHESTER ROAD (A PORTION OF) LEXINGTON, KY
Council District 6
Project Contact: EA Partners

Note: The applicant requested an extension on October 7, 2024. The Planning Commission approved this plan on November 14, 2019, subject to the conditions listed below.

The Subdivision Committee Recommended: **No Recommendation.**

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Resolve traffic calming details.

- b. PLN-MJSUB-24-00008: PATCHEN WILKES, UNIT 1, PHASE 2 (1/5/25)* – located at 1811 WINCHESTER ROAD, LEXINGTON, KY
Council District: 6
Project Contact: EA Partners

Note: The purpose of the plan is to revise street layout and lot configuration.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding the floodplain on buildable lots, re-configuration of lotting/layout from previous plan, and length of blocks within the proposed subdivision.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Discuss access easement on the rear of new lots.
11. Discuss the length of proposed street blocks in excess of 1,000-foot length per Article 6-4(a) of the Land Subdivision Regulations.
12. Discuss revised lotting layout, removing the proposed alleys from previous layout and depicting access easement on the rear of Lots 35-37, and 70-73, as shown on plat M-639.
13. Discuss rear of Lots 20-24 in the 100-year Zone AE Floodplain.

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

- c. PLN-MJSUB-24-00009: PATCHEN WILKES, UNIT 2 (1/5/25)* – located at 1811 WINCHESTER ROAD, LEXINGTON, KY
Council District: 6
Project Contact: EA Partners

Note: The purpose of the plan is to revise street layout and lot configuration.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with conditional zoning restrictions.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Document conditional zoning restrictions per Ordinance #307-2004.
11. Discuss compliance with conditional zoning restrictions.
12. Discuss layout changes to previous plan and need for a final development plan.
13. Discuss proposed split zoned lot.

2. Development Plans

- a. PLN-MJDP-23-0040: SOUTH BROADWAY PLACE, PHASE IIC (AMD) (1/19/2025)* - located at 1080 EXPORT STREET, LEXINGTON, KY
Council District: 10
Project Contact: Carman

Note: The purpose of this amendment is to revise development of Phase IIC to a proposed hotel and associated parking.

Note: The applicant requested re-approval on October 21, 2024. The Planning Commission approved this plan on August 10, 2023.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.

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11. United States Postal Service Office's approval of kiosk locations or easement.
12. Consolidate site statistics into one table.
13. Document compliance with Article 12-8(h) and (i) for multi-modal accommodations and transit facilities.

- b. PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) (11/14/24)* - 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, August 22, 2024, September 12, 2024, and September 26, 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, 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-24-00073: MILESTONE HEIGHTS PROPERTY (12/2/24)* - located at 309, 315, 317, & 321 EAST HIGH STREET, LEXINGTON, KY
Council District: 3
Project Contact: Milestone Design Group

Note: The purpose of this plan is to create 10 buildable lots for townhouse dwelling units.

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

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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. Denote engineer, registered landscape architect, or community planner responsible site design.
14. Remove "proposed" from alley cross section.
15. Denote location of access for construction vehicles on the face of the plan.
16. Provided the Planning Commission makes a finding for the use of access easement for access and frontage.
17. Resolve compliance with Article 15-7.
18. Resolve compliance with Article 20 of the Zoning Ordinance.

- d. PLN-MJDP-24-00074: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY, LOT 4 (THE FOUNTAINS OF PALOMAR) (AMD) (12/2/24)* - located at 3855 FOUNTAINBLUE LANE, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

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

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

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with Section 16-6 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. Discuss compliance with Section 16-6 of the Zoning Ordinance for corner lots.

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- e. PLN-MJDP-24-00077: GIVENS PROPERTY, OUTLOT 1 (AMD) (1/5/25)* – located at 2305 REMINGTON WAY, LEXINGTON, KY
Council District: 2
Project Contact: CMW

Note: The purpose of this amendment is to depict building with parking, circulation, and access for a convenience store and gas station.

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. United States Postal Service Office's approval of kiosk locations or easement.
12. Use updated site statistics box per the Division of Planning.
13. Remove signage from plan face.
14. Denote lots on vicinity map to locate area of amendment.
15. Denote location of access for construction vehicles.
16. Addition of information for Outlot 5 per MJDP-24-00046.
17. Addition of Note #26 from previous plan.
18. Addition of zoning boundaries and zone category labels.
19. Addition of all street cross-sections and location on plan face.
20. Denote boundary changes on Outlots 6 & 7 per plat S-550.
21. Document lighting plan per Article 30 of the Zoning Ordinance.
22. Document compliance with Articles 16, 18, 20, & 26 of the Zoning Ordinance.
23. Resolve conflict between dumpster and sanitary sewer easement.
24. Denote recommendations of the Royal Springs Wellhead Protection Committee.

- f. PLN-MJDP-24-00078: FRITZ FARM, TRACT C (AMD) (1/5/25)* – located at 250 HARRISON, LEXINGTON, KY
Council District: 4
Project Contact: HDR Engineering

Note: The purpose of this amendment is to depict new development of buildings and parking on Tract C.

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.

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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. Addition of record plat information for development (R-977).
13. Documentation of lighting plan per Article 30 of the Zoning Ordinance.
14. Documentation of elevations of structures to depict building features per Article 28-6(c) of the Zoning Ordinance.

- g. PLN-MJDP-24-00079: THE MAXWELL (LYNHURST SUBDIVISION) (1/5/25)* – located at 201-235 E. MAXWELL STREET & 245-251 STONE AVENUE, LEXINGTON, KY
Council District: 3
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict the development of a six-story residential complex with associated parking.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding timing of roadway dedication and closure, and site functionality.

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. Correct zoning in site statistics.
14. Correct open space total in site statistics.
15. Documentation of lighting plan per Article 30 of the Zoning Ordinance.
16. Correct Conditional Zoning format.
17. Discuss location of dumpster/mechanics areas.
18. Discuss changes to site access and traffic impact study.
19. Discuss street trees and landscaping along Maxwell Street.
20. Discuss changes to townhouse units along Stone Avenue.
21. Discuss buffer around 40" black walnut tree adjoining 260 Lexington Street.
22. Discuss timing of closure of existing and dedication of new Hagerman Court right-of-way and consolidation of separate lots.
23. Discuss multi-family design standard rendering/elevation changes.

- h. PLN-MJDP-24-00080: ARTHUR E. ABSHIRE PROPERTY (LEXINGTON CUT STONE AND MARBLE CO.) (MIDLAND STATION) (1/5/25)* – located at 262-276 MIDLAND AVENUE & 604-610 WINCHESTER ROAD, LEXINGTON, KY
Council District: 3
Project Contact: Prime AE

Note: The purpose of this amendment is to depict the construction of two apartment buildings with a total of 258 dwelling units with associated parking.

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

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. Provide cross-sections for Winchester Road and Owens Avenue.
14. Use updated site statistics box per the Division of Planning.
15. Documentation of lighting plan per Article 30 of the Zoning Ordinance.
16. Resolve Note #15 regarding 15" sanitary sewer main below Building A to be relocated based on approval of the Division of Engineering.

- i. PLN-MJDP-24-00082: LEXMARK INTERNATIONAL, SECTION 2, LOT 2 (AMD) (1/5/25)* – located at 751 FREIGHT BOULEVARD, LEXINGTON, KY
Council District: 1
Project Contact: Banks Engineering

Note: The purpose of this amendment is to depict improvements on Section 2, Lot 2, including building square footage, associated parking, and outdoor storage for construction equipment and location of fuel tank.

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. United States Postal Service Office's approval of kiosk locations or easement.
12. Depict other streets in the vicinity to clarify location of lot.
13. Use updated site statistics box for all of development per the Division of Planning.
14. Addition of Lot 7 information, if plan is certified.
15. Denote review and recommendations of Royal Springs Wellhead Protection Committee.
16. Documentation of lighting plan per Article 30 of the Zoning Ordinance.
17. Denote all parking areas and driveways shall be paved with concrete, asphalt, or other suitable hard surface per Article 16-3(f) of the Zoning Ordinance.

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

- j. PLN-MJDP-24-00083: GEORGE WEST ESTATE PROPERTY (HOWARD PROPERTY) (AMD) (1/5/25)* – located at 4538, 4568, & 4578 GEORGETOWN ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict new building, sidewalks, and parking.

The Subdivision Committee Recommended: **Postponement.** There were questions regarding compliance with Articles 19, 21, & 26 of the Zoning Ordinance.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Addition of proposed and existing easements.
13. Addition of tree inventory map per Article 26 of the Zoning Ordinance, including tree location, species and size on plan face.
14. Use updated site statistics box per the Division of Planning (Depict 3 lots, showing breakdown for acreage in each zone).
15. Resolve dumpsters in the floodplain/floodplain setback.
16. Discuss the timing of LOMR process.
17. Discuss the lot coverage per Articles 2-4 and 8-20 of the Zoning Ordinance.

3. **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 November 7, 2024, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Johnathon Davis, Zach Davis, Graham Pohl, and William Wilson. Staff members present were Traci Wade, Daniel Crum, and James Mills; 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.

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:

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

- 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.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-24-00007: AMENDMENT TO UPDATE SHORT-TERM RENTAL REGULATIONS** – a text amendment to update Articles 3, 8, and 23, to update regulations relating to Short Term Rentals.

INITIATED BY: Urban County Council

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval**, of staff alternative text.

The Staff Recommends: **Approval of the proposed text amendment with staff alternative text** to the Zoning Ordinance, for the following reasons:

1. The proposed text amendment with staff alternative text provides for greater protections against overconcentration of short-term rentals within neighborhood areas.
2. The proposed text amendment with staff alternative text provides enforceable limitations on hosted and un-hosted short-term rentals in order to prevent adverse impacts on the health, safety, and welfare of the local community and visitors to the Urban County.

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

- 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.

The Staff Recommends: **Disapproval of the inclusion of the limestone edging, and that the decision of the BOAR be upheld**, for the following reasons:

1. The denial of a Certificate of Appropriateness by the Board of Architectural Review is consistent with Design Guideline III.6.A,B,E and F established by the local Historic Preservation Commission.

VII. STAFF ITEMS

- A. **PLN-MNDP-24-00025: ETHINGTON & ETHINGTON, TRACT 1 (CHICK-FIL-A) (AMD) (12/15/24)*** - located at 4275 HARRODSBURG ROAD, LEXINGTON, KY
Council District:
Project Contact: GBC Design

- Staff will report at the meeting.

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- B. PLN-MNDP-24-00032: WIGGINS & COMPANY (CHICK-FIL-A) (AMD) (12/15/24)* - located at 2514 NICHOLASVILLE ROAD, LEXINGTON, KY
Council District: 3
Project Contact: Interplan, LLC

- Staff will report at the meeting.

- C. **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.

1. PLN-FRP-24-00032: HILLENMEYER & SFH PROPERTY, UNIT 2-M
2. PLN-FRP-24-00033: HILLENMEYER & SFH PROPERTY, UNIT 2-N

- 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 November and December**

Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center...**November 21, 2024**
Technical Committee, Wednesday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....November 27, 2024
Subdivision Committee, Thursday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....December 5, 2024
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....December 5, 2024
Subdivision & Zoning Items Hearing, Thurs., 1:30 p.m., 2nd Floor Council Chambers, Gov’t Center.....**December 12, 2024**

X. **ADJOURNMENT**

TW/DC/CC/CG/PS

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