

**MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION AND ZONING ITEMS PUBLIC HEARING**

March 27, 2025

- I. **CALL TO ORDER** - The meeting was called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.

Planning Commission members present: Larry Forester, Robin Michler, Mike Owens, Bill Wilson, Frank Penn, Bruce Nicol, Ivy Barksdale (Arrived at approximately 1:35 PM), Johnathon Davis, Molly Davis, Zach Davis, and Judy Worth.

Planning staff members present: Jim Duncan, Traci Wade, Daniel Crum, Cheryl Gallt, Chris Chaney, and Bill Sheehy. Other staff members present were Tracy Jones and Brittany Smith, Department of Law. Captain Greg Lengal, Division of Fire and Emergency Services; and David Filiatreau, Division of Traffic Engineering.

- II. **APPROVAL OF MINUTES** – A motion was made by Judy Worth, seconded by Mr. Wilson for the approval of the minutes of the January 30, 2025 public hearing, and carried 9-1-1 (M. Davis abstained, Barksdale absent).

- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.

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.

Applicant Comment – Mr. Branden Gross, attorney for the applicant, stated that they are continuing to have discussion with Staff, and requested a two month postponement to the May 22, 2025 meeting.

Action – A motion was made by Mr. Zach Davis and seconded by Ms. Worth and carried 10-0 (Barksdale absent) to postpone **PLN-ZOTA-24-00006: REVISIONS TO ARTICLE 23A-10 FOR THE ECONOMIC DEVELOPMENT (ED) ZONE** until the May 22, 2025 public hearing.

2. **PLN-MAR-24-00017: ROSE HOLDINGS-LEXINGTON, LLC (1/5/25) *** – a petition for a zone map amendment from a Single Family Residential (R-1A) zone to a Planned Neighborhood Residential (R-3) zone, for 11.587 net (11.92 gross) acres for property located at 1899 Parkers Mill Road.

Applicant Comment – Mr. Matt Carter, engineer for the applicant, stated that they had spoken with Engineering the previous week to discuss drainage and that Staff had not seen their latest changes so he asked for a one month postponement to the April 24, 2025 meeting.

Action – A motion was made by Mr. Michler and seconded by Mr. J. Davis and carried 10-0 (Barksdale absent) to postpone **PLN-MAR-24-00017: ROSE HOLDINGS-LEXINGTON, LLC** until the April 24, 2024 public hearing.

- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, March 6, 2025 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Frank Penn, Mike Owens, and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and Steve Parker, Division of Traffic Engineering. Staff members in attendance were Traci Wade, Chris Chaney, Cheryl Gallt, Paula Schumacher; Shannon Ison and Embry Beatty, Division of Fire and Emergency Services; 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.

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- 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-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) (3/27/25)* - 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, September 26, 2024, November 14, 2024, December 12, 2024, January 16, 2025, February 13, 2025, February 27, 2025, and March 13, 2025 meetings.

The Subdivision Committee Recommended: Postponement. There remain questions and concerns regarding the removal of significant trees from tree protection plan on previous plan and adherence to conditional zoning restrictions along Red Mile Road.

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.

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13. Dimension driveways, walkways, parking spaces, drive aisles, and ingress/egress.
14. Addition of street cross-section for Winbak Way.
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 39.
18. Clarify site statistics totals and purpose of amendment.
19. Remove drive aisle from required landscape buffer per conditional zoning restrictions.
20. Clarify number of floors on Buildings 36, 37, 38, and 39.
21. Discuss the removal of tree protection areas from previous plan.

Development Plan Presentation – Ms. Cheryl Gallt oriented the Planning Commission to the location and characteristics of the subject property. Ms. Gallt stated that the Red Mile Casino was proposing to construct a hotel and restaurant and that there has been a robust discussion on the amount of trees that were to be removed. In response to this, Ms. Gallt indicated that the Planning Commission had requested a tree mitigation report, and that the applicant had proposed placing trees along the center of the property and near a pump station close to Red Mile Road. Ms. Gallt indicated that the applicant had worked with Eric Sutherland, the Urban Forester, and he would talk about his survey later on.

Ms. Gallt stated that Staff had placed a condition that at the time of initial development, the applicant would have to have 40% mixed use buildings before they could move forward with the hotel and other developments. Ms. Gallt presented development plans that showcased a parking lot and those mixed-use developments and noted that from the initial development plan this latest version had a difference of 115 less parking spaces.

Ms. Gallt went over the conditions and stated that Staff was recommending approval and that she could answer any questions from the Planning Commission. Additionally, she noted that the applicant and the Urban Forester could elaborate more on the tree mitigation report.

Commission Questions and Comments – Mr. Penn expressed confusion and stated he thought this was going to be a parking structure. Ms. Gallt stated that there was on the initial development plan, but the applicant had changed it to this and that there would still be a parking structure located at the entrance of Red Mile.

Ms. Worth stated she would like to hear from Mr. Sutherland, on this plan.

Urban Forester Presentation – Mr. Eric Sutherland, Urban Forester, stated that after going out to the site with the applicant, he asked them why they could not find a way to redesign the site and maintain the trees that were already there. Mr. Sutherland stated that this was the only well-shaded place on the property and that getting rid of the only greenspace and replacing it with a parking lot was not ideal and advocated for a redesign of the layout of the property. Mr. Sutherland stated that in lieu of a site redesign, a tree mitigation would be acceptable but he preferred the previously mentioned redesign to preserve greenspace.

He concluded by stating he could answer any questions from the Planning Commission.

Commission Questions and Comments – Mr. Bruce Nicol asked Mr. Sutherland to confirm that a tree mitigation plan was acceptable, and Mr. Sutherland indicated that was the case.

Ms. Molly Davis asked for clarification on the number, size, and species of the trees, and if this was like anything else in Lexington. Mr. Sutherland stated that these trees have been here for a long time and that while it was not a forest, it was a very unique site that he thought justified finding a creative design to attempt to keep some of these significant trees.

Ms. Davis stated that she did not think that replacing these trees with 20 much smaller trees was a good idea and would much rather preserve the trees and get rid of a portion of the surface parking.

Ms. Judy Worth asked if the applicant ever asked for his input on any redesign and Mr. Sutherland stated that they did not.

Applicant Presentation – Mr. Matt Carter and Mr. Jihad Hallany, Vision Engineering, were present to represent the applicant. Mr. Carter stated that he was in agreement with the new 15 conditions proposed by Staff. Mr. Carter presented a PowerPoint presentation noting the history of Red Mile, their gambling operation, nearby

neighborhoods, as well as pictures of trees that were going to be taken down and mitigated. Mr. Carter argued that much of the trees that were being taken down had been damaged throughout the years and that they would not make it another ten years.

Mr. Carter stated that he thought they were acting in good faith and that their proposed mitigation plan was a compromise when they were not required to do any mitigation at all. He concluded by asking the Planning Commission to approve their plan and could answer any questions from the Planning Commission.

Commission Questions and Comments – Mr. Michler stated that he thought Mr. Carter's presentation and justification that the trees would not last 10 years was insulting and that most trees that have been around for 100 to 200 years are going to have some type of storm damage. Mr. Michler asked if the proposed hotel would be built in phase one and the subsequent other buildings would follow after that. Mr. Carter indicated that was the case and the hotel was the main focus right now. Following that answer, Mr. Michler questioned if the parking lot proposed would be for the hotel and all the other buildings that would be built in the future and took issue with having a large parking lot meant only for one building for the foreseeable future. Mr. Carter stated that they needed that parking for the hotel and argued that there is currently not enough parking for all they do. Mr. Michler indicated he would be more comfortable with the applicant phasing parking in.

Mr. Penn also stated his concern with the amount of parking and alleged that the large parking lot would be used for the Railbird Music Festival that only happens once a year. Mr. Jihad Hilany, engineer for the project, stated that the parking lot was also intended to be used for the Red Mile's gaming floor and a customer would have the option of going to the hotel or game room.

Mr. Mike Owens stated that in a previous development plan there were two buildings together and now they were separated, he asked if that was always meant to be a hotel or not. Mr. Carter stated that it was not meant to be a hotel and described it as a mixed-use building with commercial on the first floor and residential on the other two stories.

Mr. Owens asked for Mr. Carter to walk him through what the red buildings were on the colored development plan. Mr. Carter obliged and noted that they were the existing gaming facilities, the proposed hotel, a restaurant, and the mixed use development buildings.

Ms. Judy Worth asked if the applicant had ever tried to design a way to preserve more greenspace after their discussions with Mr. Sutherland. Mr. Carter indicated that they did not because a lot of that area is existing parking. Mr. Carter stated the parking had been reconfigured, there were more islands than before that have reduced the pavement, and it is more walkable than it was before.

Mr. Zach Davis asked how many parking spaces are being lost and added. Mr. Hilany stated that they were aiming for 150 parking spaces for the hotel and 700 for the gaming center, so a total of 850 spaces.

Urban Forester Rebuttal – Mr. Sutherland stated that he agreed with Mr. Michler's assessment that any tree that is as old as some of these trees is going to have some kind of damage and that Mr. Carter's argument was not sound. Mr. Sutherland noted that most of those trees had not been maintained by Red Mile and that lots of healthy trees had been damaged over the past three years. Mr. Sutherland continued and stated that the species of trees that were mentioned by Mr. Carter have very long life cycles and that the Planning Commission should review this plan with the intention of saving the most trees. Mr. Sutherland concluded by stating Article 26 in the ordinance gives the Planning Commission authority to review tree mitigation plans and to not approve of plans based on them.

Applicant Rebuttal – Mr. Hilany stated that he understood Mr. Sutherland's points, but it was his understanding that the tree mitigation plan had already been approved by the Urban Forester in lieu of redesigning the site. Mr. Hilany stated that the hotel, regardless of the design and layout, was going to affect one tree and he reiterated that it was his understanding that their mitigation plan had been approved by Mr. Sutherland.

Commission Questions and Comments – Mr. Nicol asked for confirmation from the applicant if they truly did have the approval of their mitigation plan from the Urban Forester, and Mr. Hilany confirmed that was the case.

Ms. Davis stated that Mr. Sutherland is here and he has already stated that he had concerns. Mr. Hilany stated that he had email confirmation that the mitigation plan was approved by Mr. Sutherland. Ms. Davis stated that it was her understanding that the Urban Forester would accept that mitigation plan in the worst case scenario and

would prefer a restructure of the site to save the trees.

Mr. Forester stated that there was too much back and forth and he would like to hear from Staff about their thoughts. Ms. Wade stated that the Zoning Ordinance does give the Urban Forester the authority to approve and deny mitigation plans, but ultimately it comes down to if the Planning Commission wants to accept the development plan and the tree mitigation plan. Additionally, Ms. Wade indicated that the revised Staff conditions are contingent on the Planning Commission accepting the tree removal and the mitigation plan.

Ms. Davis stated that Mr. Sutherland is an arborist and that we should take and trust the opinion of an arborist when it comes to trees.

Mr. Michler stated the applicant is seeking to remove trees, while also developing a lot of surface parking. He stated that he would prefer less parking now and phase in more as more buildings are built here.

Mr. Owens stated that he had concerns about this development plan and could not support it at this time.

Action – A motion was made by Mr. Nicol and seconded by Ms. Barksdale and failed 4-7 to approve PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) (M. Davis, Owens, J. Davis, Michler, Z. Davis, Worth, and Penn opposed, Barksdale absent) with the 15 conditions provided by Staff and the tree mitigation plan.

Mr. Wilson suggested the idea of picking and choosing which trees the Planning Commission would want to remove and which ones they would want to keep and then voting on that.

Mr. Owens stated that he did not think the Planning Commission had to figure out the trees to remove on the fly and suggested continuing the item.

Action – A motion was made by Mr. Owens and seconded by Mr. Johnathon Davis and carried 10-0 to continue PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) (Barksdale absent) to the April 10, 2025 public hearing.

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.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. **PLN-ZOTA-25-00001: MINISTERIAL REVIEW OF DEVELOPMENT PLANS** – an amendment to Articles 1, 6, 9, 11, 12, 15, 16, 18, 21, 23, and 28 to update the Development Plan review process, and create objective standards for plan review.

INITIATED BY: URBAN COUNTY PLANNING COMMISSION
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 text amendment makes the necessary change to existing Zoning Ordinance provisions to allow them to be administered ministerially, in line with the requirements of House Bill 443.
2. The proposed language provides for pathways for review and consideration by the Planning Commission in instances where a development plan cannot meet the objective criteria, or if the proposal would result in a threat to the public health, safety, or welfare.

Staff Presentation – Mr. Daniel Crum presented the staff report and revised recommendation for the proposed text amendment. Mr. Crum indicated that House Bill 443 in the Kentucky Legislature created a new section of KRS that required ordinances dealing with subdivision plats and development plans to set out objective standards and be applied ministerially. Mr. Crum noted under a ministerial process, that there is no longer an avenue for discretion, except with waivers. Mr. Crum stated that the updates to the Zoning Ordinance would be in compliance with HB 443 and would set out objective standards and rework how the Zoning Ordinance functions. Mr. Crum emphasized that no matter what happens with this process, HB 443 will go into effect on July 1 of this year and to ensure there are no gaps in Planning Staff's ability to plan out our community, these updates are essential.

Mr. Crum explained the meaning of the concepts of objective standards and ministerial processes, stating that objective standards must be measurable, specific, unbiased, and equitable, while applied ministerially is an administrative act carried out in a prescribed manner not allowing personal discretion. Mr. Crum indicated that the Planning Commission still had the ability to apply their discretion when evaluating waivers. Additionally, Mr. Crum indicated the three necessary changes that would need to be adopted. The need to update the process to reflect ministerial review, reviewing current criteria for subjectivity, replacing the them with objective criteria, and creating standards in the Zoning Ordinance for items that were traditionally part of the other Division's sign-off processes.

Mr. Crum stated that these changes would not change the process for preliminary development plans, but the final development plan portion would be ministerial, only needing the Planning Commission's input if there was a waiver or deviation of the standards, or if a requirement would pose a specific threat to public health safety, and welfare. Mr. Crum indicated that one of the biggest changes relative to the current process is the removal of the public comment in the final development plan process, but noted that there are other avenues for public comment to be heard. Those include the plan-making stage, text amendment stage, during the preliminary development plan stage, waiver review, or during the review of a project forwarded due to a health, safety, or welfare threat.

Mr. Crum gave an overview of changes through each appropriate article of the Zoning Ordinance. Those changes included updating definitions for clarity, clarifying the Council process for reviewing Conditional Zoning restrictions, eliminating required Planning Commission hearings, updating the review process, removing discretionary review of open space, and removing minimum lot coverage in the B-5P zone. Additionally, Mr. Crum stated that the new regulations will codify Big Box Design guidelines, remove discretionary location standards, and would incorporate drive through standards, commercial access management standards, and solid waste standards in Article 16. Mr. Crum distributed a packet of all the changes to the Ordinance to the Planning Commission.

Mr. Crum concluded by stating that he could answer any questions from the Planning Commission with the printed text in front of them.

Commission Comments and Questions – Ms. Molly Davis asked what the tree preservation plan that the Planning Commission was adopting and would this get rid of Planning Commission's ability to ask for a tree protection plan. Ms. Wade stated that Article 26 is already in place and it may need some amendments, but the Division of Environmental Service is already working on a text amendment to deal with more concrete criteria for what Ms. Davis was asking.

Ms. Davis also asked for clarity of when there will or will not be public comment and how the public would know when it was their time to discuss potential new development plans. Mr. Crum stated that public comment is not going away, it just will be earlier in the process and not be able to be heard at the time of the final development plan. Mr. Crum also emphasized that he thought this was speaking to the crucial efforts from

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Long Range Planning and Strategic Planning, and other initiatives moving forward to make sure that the Division of Planning is engaging with the community and hearing their input at the appropriate time. Mr. Duncan stated that the plan making process still remains and that the public will still have a voice in these matters, even if it will be earlier on. Mr. Duncan stated that he thought this was what the legislature wanted and to speed up the process and that is what the Planning Commission and Staff are complying with.

Mr. Michler cited a recent development plan where the public questioned a shadow that would be on 11 homes 24 hours a day during the winter, a concern that was not on the Staff report. Mr. Michler stated that he had concerns about citizens and Staff citing a public health, safety, or welfare concern if it is not on the Staff report. Mr. Crum stated he thought it was a good point, but that Staff had the ability to bring up those issues during the process and that Staff gets calls everyday stating their concerns about a project. Additionally, the members of the Planning Commission can bring up an issue at any time.

Ms. Tracy Jones stated that the law says that it can be elevated to the Planning Commission to consider based on substantial evidence that approving a plan ministerially would pose a specific threat to health, safety, and welfare. She said the Planning Commission will have to take things as they come through and consider the law and what substantial evidence means.

Mr. Bruce Nicol stated that he understood that this text amendment was to update the ordinance to comply with HB 443 and that we are in a tight spot to hit the July 1st deadline. However, Mr. Nicol asked how the Planning Commission was going to deal with any unintended consequences that could arise and would that be through new text amendments. Mr. Crum stated that he thought that the waiver process would be the safety release valve to help address these concerns, but he did not rule out using a text amendment to alleviate any issues that might come up.

Mr. Nicol also stated that this had been a monumental task to address and he thanked Staff for their work.

Mr. Michler asked for clarity on the waiver process and the list of items that Planning had determined to be variable or waivable and what if one of the intended consequences was not on the list mentioned. Mr. Crum stated that the waiver process is meant for things that are not dimensional and do not have another appeal process outlined elsewhere.

Mr. Penn stated that he thought that a lot of the new bills coming out of Frankfort were the legislature telling a city what they can and cannot do and that he thought doing that was a slippery slope. Additionally, Mr. Penn stated that the current text amendment was a living breathing document and it will be changed as we go.

Public Comment – Walt Gaffield, 2001 Bamboo Drive, gave a letter to the Commission and stated that he thought that the Planning Commission should look at adding more factors than just health and safety into the waiver process.

Branden Gross, attorney, stated that he thought this was five text amendments wrapped into one and that this was done too quickly. He took issue with the proposed 100 foot minimum access separation from railroad crossings, and updating existing parking lots.

Dick Murphy, attorney, stated that he had concerns with the new drive-through standards and the new commercial entrance standards. He thought those issues specifically should go through a more strenuous process.

Brittany Rothmeyer, Fayette Alliance, stated that she appreciated Staff's work in compiling a response to HB 443 and listening to robust feedback from the community on this. She stated that they would encourage people with concerns with public comment and participation to talk with their legislature about the matter.

Amy Clark, 628 Kastle Road, stated her concern about how this text amendment would affect the public comment portion of the development plan process and suggested adding testimony to a specific public health or safety issue during the consent agenda process.

Nick Nicholson, attorney, stated that this text amendment covered a lot of territory and stated that he thought there was a way to get in compliance with HB 443 while looking at the finer details at a different time. He had concerns with how this would affect planning but not zoning.

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Patty Draus, 608 Allen Court, stated that she had concerns about this text amendment and she did not think that ministerially meant to block public comment.

Rolanda Woolfork, stated her opposition and assertion that she spoke with the legislator that co-sponsored HB 443 and he stated that he did not understand why public comment was taken out of the final development stage. Ms. Woolfork stated that she thought neighborhood's voices were being silenced.

Staff Comment – Mr. Jim Duncan stated that if this was approved today it would go to the Urban County Council in about a month and then they would have to make a decision if they wanted more information from Staff and the Planning Commission. Mr. Duncan stated that it is Staff's recommendation that the Planning Commission give the Urban County Council the opportunity to decide if they want to receive more information on this and move from there with a public hearing or not. Mr. Duncan noted that Staff thought it was imperative that this go through so that there was continuity in what Planning Staff has been doing for years.

Public Rebuttal – Amy Clark, stated her opposition and pleaded with the Planning Commission to fix the issues with the text amendment before they sent it to the Urban County Council.

Commission Comments and Questions – Mr. Zach Davis stated that he appreciated all the public comment and that he agreed with many of the comments stating that he thought taking more time on this text amendment would be for the best.

Ms. Molly Davis stated that she agreed with Mr. Zach Davis's assessment and that she agreed with a lot of the public comments. She wondered if it was possible to do a specific public meeting to hammer out all the issues that the public has discussed.

Mr. Bill Wilson stated he also agreed with Mr. Davis and wondered if there was a timeline specific issue so that he could digest the text and comments and suggested a continuance might be for the best. Mr. Wilson stated that he agreed with Mr. Nicholson's assessment that the Planning Commission could make a text amendment to ensure they are in compliance with HB 443 and then go from there and fix the finer details.

Mr. Owens stated he thought that a continuance was the best course of action at this time and that public comment was a fundamental part of this process and should not be taken away.

Mr. Forester asked about the possibility of continuing this item and if there was a busy schedule over the next month or so. Mr. Duncan indicated that any delay cuts the Urban County Council's time to look at the item, but if the continuance was what the Planning Commission wanted, they could do so. Mr. Duncan stated that there was a project on the April 10th meeting that Staff did not know if it was going to go and that there was a big zone change on the April 24th meeting. Additionally, on the April 24th meeting, Council also meets and a long meeting would mean moving from Council Chambers to the Phoenix Building.

Mr. Penn asked if we would rather Council get into the weeds on this, or Planning Staff and the Commission that have vast knowledge on this subject. Mr. Penn indicated he would rather the Planning Commission and Staff work on it and then send it to Council.

Action – A motion was made by Mr. Wilson and seconded by Mr. J. Davis and carried 11-0 to continue PLN-ZOTA-25-00001: MINISTERIAL REVIEW OF DEVELOPMENT PLANS to the April 10th public hearing.

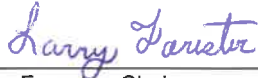
VI. COMMISSION ITEMS - The Chair will announce that any item a Commission member would like to present will be heard at this time.

VII. STAFF ITEMS

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 April 2025

Subdivision Committee, Thursday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building April 3, 2025
Zoning Committee, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building April 3, 2025
Subdivision Items Public Hearing, Thursday, 1:30 p.m. in Council Chambers, 2nd Floor, Gov't Center..... **April 10, 2025**
Work Session, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building April 17, 2025
Technical Committee, Wednesday, 8:30 a.m., in 3rd Floor Conf Room, Phoenix Building April 23, 2025
Zoning Items Public Hearing, Thursday, 1:30 p.m., in Council Chambers, 2nd Floor, Gov't Center..... **April 24, 2025**



Larry Forester, Chair



Robin Michler, Secretary

TW/DC/RS-7/8/25