

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.

V. **ZONING ITEMS** - The Zoning Committee met on Thursday, September 1, 2022, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members: Zach Davis, Larry Forrester, Bruce Nicol, and Robin Michler. Staff members in attendance were: Traci Wade, Autumn Goderwis, Hal Baillie, Daniel Crum, Samantha Castro, Bill Sheehy, and Tracy Jones, Department of Law. The Committee members reviewed applications and made recommendations as noted.

A. **ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS**

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

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

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

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

The procedure for these hearings is as follows:

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

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

C. **PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS**

1. **PLN-ZOTA-22-00002: AMENDMENT TO ARTICLE 23A-9 TO PERMIT HOTELS/MOTELS IN THE COMMUNITY CENTER (CC) ZONE**– petition for a Zoning Ordinance text amendment to permit hotels and motels in the Community Center (CC) Zone.

INITIATED BY: Jason L. Justice

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval.**

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

1. The proposed text amendment to allow hotels and motels within the Community Center (CC) zone will complement the commercial aspects of the zone and will conform with the size requirements for the CC zone.
2. The proposed use will provide tourists, temporary business workers and other visitors a place to stay in areas with abundant community facilities, retail, and commerce opportunities (Theme C, Goal #1.d), which will support the established commercial uses.
3. Hotels and motels shall not constitute any portion of the required residential requirement of forty percent (40%) of the aggregated floor area of buildings within a development in a CC zone.

Staff Presentation – Mr. Baillie presented and summarized the staff report and recommendations for the text amendment. This text amendment would change hotels and motels in the CC zone from a prohibited use, to a principal primary use.

Mr. Baillie displayed maps that showed the location of where the CC zones in Lexington are, as well as the history of the zone, and the types of businesses that are currently in the CC zone. Additionally, Mr. Baillie showed off a list of the allowable uses and special provisions of the CC zone.

Mr. Baillie discussed the applicant's reasons for wanting the change, and indicated that they were not seeking to modify the special provisions of the CC zone. Instead, the applicant is seeking to integrate a use that will complement the commercial aspects of the zone, as well as be complimentary to the other large zone categories and land uses in the Expansion areas.

Mr. Baillie concluded his presentation stating that Staff is recommending approval of the text amendment, and he was willing to answer any questions that Planning Commission had.

Commission Questions – Mr. Pohl asked why hotels and motels were initially prohibited and what changed to be included now. Mr. Baillie responded saying that the CC zone was intended to be similar to the B-1 zone and that many of the uses from the B-1 zone were also in the CC zone. Mr. Baillie indicated that what has changed here is that the CC zone has developed in a way that is more focused on areas that do not have true connections into neighborhoods. Mr. Baillie stated that staff was comfortable with hotels and motels in the CC zone because of this development.

Mr. Penn asked what could be done to make sure the CC zone does not become just another business zone and make the CC zone more residentially friendly. Mr. Baillie stated that while the residential aspect of the CC zone has been slower than the other aspects, the planning staff has observed more residential construction in the zone.

Mr. Penn also asked about if Mr. Baillie thought that flipping the CC zone on Polo Club Boulevard helped or hurt the residential growth there. Mr. Baillie indicated that he thought that with the establishment of the big box stores like Costco, it took from the neighborhood growth at first, but now there is a transition to more residential.

Applicant Presentation – Darby Turner, attorney for the applicant, stated that he is in total agreement with the Staff and thought that working with Staff on this led to a very nice result.

Action – motion was made by Mr. de Movellan and seconded by Mr. Nicol and carried 11-0 to approve PLN-ZOTA-22-00002: AMENDMENT TO ARTICLE 23A-9 TO PERMIT HOTELS/MOTELS IN THE COMMUNITY CENTER (CC) ZONE for reasons provided by Staff.

**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** – The staff will report at the meeting.

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

**IX. MEETING DATES FOR OCTOBER 2022**