

**MINUTES  
URBAN COUNTY PLANNING COMMISSION  
SUBDIVISION ITEMS**

**August 11, 2022**

- I. **CALL TO ORDER** – Chair Larry Forester called the meeting to order at 1:30 p.m. in the Council Chambers, Urban County Government Building at 200 East Main Street, Lexington, Kentucky.
- II. **ATTENDANCE** – Planning Commission members present were: Larry Forester, Frank Penn, Zach Davis, Judy Worth, Anthony de Movellan, Robin Michler, Janice Meyer, Graham Pohl, and Ivy Barksdale. Planning Staff members present: Jim Duncan, Director; Traci Wade, Tom Martin, Cheryl Gallt, Autumn Goderwis, and Paula Schumacher. Other Staff members present: Tracy Jones, Department of Law; Vaughan Adkins, Division of Engineering; Embry Beatty, Division of Fire and Emergency Services; and Steven Parker, Division of Traffic Engineering.
- III. **APPROVAL OF MINUTES** – A motion was made by Judy worth, seconded by Frank Penn, and carried 6-0 to approve the minutes from the July 14, 2022 meeting. Mr. Davis and Mr. Pohl abstained.

Ms. Barksdale joined the meeting at 1:33 p.m.

- IV. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Mr. Penn made a motion, seconded by Mr. de Movellan, and carried 9-0, to approve the performance bonds and letters of credit as presented by staff.
- V. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.

- A. PLN-MJDP-21-00055: SHRINERS HOSPITAL / MASONIC TEMPLE ASSOCIATION OF LEXINGTON KENTUCKY (12/06/21)\* - located at 4085 HARRODSBURG ROAD, LEXINGTON, KY  
Project Contact: Vision Engineering

Note: The purpose of this plan is to depict a commercial development and parking layout on 7.4 acres and a single family development for attached and detached dwelling units on 3.4 acres.

The original plan submittal was in conjunction with a zoning map amendment for the subject property. The plan and the zone change were both recommended for disapproval by staff. The Planning Commission followed that recommendation on the zone change and the plan was indefinitely postponed. Subsequently, the Urban County Council recommended approval of the zone change but did not act on the plan per their statutory role in the development process.

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

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 and landscape 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 the treatment of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and green space.
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 the Capacity Assurance Program requirements prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Dimension all proposed commercial buildings.
14. Correct the total square footage in the site statistics.
15. Correct the total required parking in the site statistics.

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16. Clarify the identified significant trees status per the requirements of Article 26 of Zoning Ordinance.
17. Provide a typical townhouse unit insert on plan.
18. Denote that a finding on the proposed access easement for the townhouses shall be required at time of a final development plan/preliminary subdivision plan.
19. Provided the Planning Commission approves the requested waiver to 6-8(q)(2)(b) of the Land Subdivision Regulations.

Applicant Representation – Bruce Simpson was present to represent the applicant, and he asked for a one month postponement, so that they could continue having discussions with the neighbors.

Action – A motion was made by Mr. de Movellan and seconded by Mr. Pohl, and carried 9-0 to postpone PLN-MJDP-21-00055: SHRINERS HOSPITAL / MASONIC TEMPLE ASSOCIATION OF LEXINGTON to the September 8, 2022 meeting.

- B. PLN-MJDP-22-00043: ETHINGTON AND ETHINGTON TRACT 1 (AMD) (10/3/22)\* - located at 4235 HARRODS-BURG ROAD, LEXINGTON, KY  
Council District: 9  
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise building sizes and layouts, vehicular circulation for Lots 2A and 2B, and to reduce the number of gas pumps on Lot 3.

The Subdivision Committee Recommended Postponement. There are questions regarding the traffic impact of another drive-thru in the development. A traffic study was requested by the committee.

Should this plan be approved, the following conditions 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Dimension all buildings (new and old).
12. Denote location of drive-thru order points and/or menu board.
13. Discuss additional drive-thru lanes for the undeveloped lots.

Applicant Representation – Matt Carter, Vision Engineering, was present to represent the applicant, and asked for a two week postponement, so that the traffic study, which had been requested at the Subdivision Committee, could be completed.

Action – A motion was made by Ms. Meyer, seconded by Ms. Worth, and carried 9-0 to postpone PLN-MJDP-22-00043: ETHINGTON AND ETHINGTON TRACT 1 (AMD) to the August 25, 2022 meeting.

- C. PLN-MJDP-22-00040: HYMSON PROPERTIES, LOTS 7-15 (AMD) (10/3/22)\* - located at 2895 RICHMOND ROAD, LEXINGTON, KY  
Council District: 7  
Project Contact: EA Partners

Note: The purpose of this amendment is to revise the development for two lots.

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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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Revise title on plan to match staff report.
12. Resolve access easement configuration.

Applicant Representation – Rory Kahly, EA Partners, was present to represent the applicant. He asked for a one month postponement so that they work on condition #12.

Action – A motion was made by Mr. Pohl, seconded by Mr. de Movellan, and carried 9-0, to postpone PLN-MJDP-22-00040: HYMSON PROPERTIES, LOTS 7-15 (AMD) to the September 8, 2022 meeting.

- D. PLN-MJDP-22-00041: FEATHERIDGE PARK, UNIT 5-A and 5-B. (SUMMERHILL) (AMD) (10/3/22)\* - located at 3550 KENESAW DRIVE, LEXINGTON, KY  
Council District: 8  
Project Contact: EA Partners

Note: The purpose of this amendment is add two apartment building to the existing development.

The Subdivision Committee Recommended **Postponement**. There are questions regarding conflicts with existing easements, 25' floodplain setback, development in the floodplain, and improvements to Armstrong Mill Road.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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 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 25' floodplain setback.
14. Addition of site statistics for Lot 1.
15. Discuss resolution of easement conflicts.
16. Discuss proposed development in the 100 year floodplain.
17. Discuss access to Armstrong Mill Road.
18. Discuss pedestrian access to the public right-of-way.

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19. Discuss improvements to Armstrong Mill Road per approved development plan.

Applicant Representation- Rory Kahly, EA Partners, was present to represent the applicant, and requested a one month postponement. The applicant asked more time to meet with staff.

Action – Ms. Worth made a motion, seconded by Mr. de Movellan, and carried 9-0 to postpone PLN-MJDP-22-00041: FEATHERIDGE PARK, UNIT 5-A and 5-B, (SUMMERHILL) (AMD) to the September 8, 2022 meeting.

**VI. LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, August 4, 2022, at 8:30 a.m. The meeting was attended by Commission members Anthony de Movellan, Frank Penn, Janice Meyer, Judy Worth, and Ivy Barksdale. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Gallt, Autumn Goderwis, Daniel Crum, Sam Castro, Chris Taylor, and Chris Woodall. Other staff members present were: Stephen Parker, Division of Traffic Engineering; Doug Burton and Vaughan Adkins, Division of Engineering; Embry Beatty, Division of Fire and Emergency Services; and Tracy Jones, 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.

Ms. Wade announced the items on the consent agenda.

- a. PLN-MJDP-22-00037: CRESTVIEW SUBDIVISION UNIT 1-B, BLOCK A, LOT 16 (08/31/22)\* - located at 300 LINDENHURST DRIVE, LEXINGTON, KY  
Council District: 8  
Project Contact: Banks Engineering

Note: The purpose of this amendment is to depict building and parking layout.

The Subdivision Committee Recommended **Approval**, subject to the following conditions;

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 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 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.

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10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.

- b. PLN-MJDP-22-00038: GENERAL TELEPHONE COMPANY, LOT 6 (AMD) (10/3/22)\* - located at 3715 NICHOLASVILLE ROAD, LEXINGTON, KY  
Council District: 9  
Project Contact: Roberts Group, PSC

Note: The purpose of this amendment is to add 144 square feet for freezer on lot 6.

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.
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. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Addition of record plat information for development for Lot 6.
10. Addition of floor area on site statistics.
11. Total site statistics for entire development plan.

- c. PLN-MJDP-22-00039: SHADOW WOOD PHASE II (RICHWOOD BEND) (10/3/22)\* - located at 96 & 100 CODELL DRIVE and 601 OLD TODDS ROAD, LEXINGTON, KY  
Council District: 7  
Project Contact: Prime Engineering

Note: The purpose of this amendment is to depict multi-family development.

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

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 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 the Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Denote building #2 as clubhouse.
13. Denote number of units and bedrooms in site statistics.
14. Label retaining wall and denote height.
15. Consolidate parcels to remove setback conflict for building #1.

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Action – A motion was made by Mr. Davis, seconded by Ms. Worth, and carried 9-0 to approve the consent agenda, clarifying that PLN-MJDP-22-00040 HYMSON PROPOERTIES, LOTS 7-15 (AMD) was removed from the consent agenda.

**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. Final Subdivision Plans**

- a. PLN-FRP-22-00028: PARK HILLS SUBDIVISION UNIT 1-C, LOT 3 (10/3/22)\* - located at 3120 PIMLICO PARKWAY, LEXINGTON, KY  
Council District: 8  
Project Contact: CMW, Inc.

Note: The purpose of this amendment is to revise an access note and request a waiver of the Land Subdivision Regulations.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Urban Forester's approval of tree protection areas.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Provided the Planning Commission grants the requested waiver to Articles 6-8 (q)(3)(b) of the Land Subdivision Regulations.

Staff Presentation – Mr. Martin presented the plan that requested a right-in/ right-out onto Man O' War Boulevard. He explained that the waiver requested this right-in/ right-out be closer to the intersection than is allowed by the Land Subdivision Regulations. Mr. Martin said that the heavy traffic has created problems with access to the shopping center, and the applicant believes that the right-in/ right-out will relieve some of the traffic pressure on the Pimlico Parkway access.

Commission Questions - Mr. Pohl asked where the new access would be relative to the McDonalds restaurant on the corner. Mr. Martin showed the Commission the development plan that showed the relationship of the McDonalds and the proposed new access.

Mr. Michler asked if there was a pedestrian reconfiguration in the new access. He was concerned about the speed of cars and pedestrian safety. Mr. Martin said that Traffic Engineering and the applicant could

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speak more to that question. He added that the traffic signal at the corner would help slow down the traffic on Man O' War Boulevard.

Applicant Representation – Adam Bender, CMW, was present to represent the applicant. He pointed out that the new owner knew immediately that there would be traffic issues. He said that this right-in/ right-out would hopefully increase safety by decreasing left hand turns. As far as pedestrian safety, Mr. Bender compared this new access to a right-in that has been put in at the Regency Center on Nicholasville Road. He said that the most important part of it was signage, both at the crosswalk itself and 200 feet before the crosswalk. He also pointed out that the signs would be made out of thermoplastic so that they would not fade.

Citizen Comments – Dottie Bean, 1364 Deer Lake, raised her concerns about the plan and the traffic in the area. She asked if the surrounding neighborhoods had been notified.

Mr. Bender responded by saying this was not going to create or alleviate traffic on Man O' War Boulevard, but to create an alternative route for drivers to get into and out of the shopping center. He said there would be very little conflict with traffic on Man O' War Boulevard.

Staff Questions - Mr. Penn asked if the applicant had worked with Traffic Engineering, and Mr. Parker, of Traffic Engineering, nodded in the affirmative.

Ms. Worth asked if there had been communication with the neighbors. Mr. Bender replied that they had not reached out to neighbors because they were not required to do so, but he felt that this will only be a benefit to the neighbors.

Mr. Michler asked if there were any built in configurations that would help traffic slow down besides the signage. Mr. Parker, Traffic Engineering, told the Commission members that he had met with the applicant with several requirements, and that they had met all of them. He said that the deceleration lane had to be long enough for a car to come to a stop. He also pointed out that the radius of the right-in would have to be tight enough to slow cars down. Mr. Parker said that these factors, as well as the traffic signal at the corner, would all work together to protect pedestrians.

Action – Ms. Meyer made a motion, seconded by Ms. Barksdale, and carried 9-0 to approve PLN-FRP-22-00028: PARK HILLS SUBDIVISION UNIT 1-C, LOT 3 with the 9 conditions recommended by staff.

Ms. Meyer made a motion, seconded by Ms. Barksdale, and carried 9-0 to approve the associated waiver to PLN-FRP-22-00028.

## **2. Development Plans**

- a. PLN-MJDP-22-00031: LAKEVIEW PLAZA LOT 3-A (AMD) (08/31/22)\* - located at 2905 RICHMOND ROAD, LEXINGTON, KY  
Council District: 7  
Project Contact: Sands Decker

Note: The purpose of this amendment is to add building square footage for pick-up windows and a drive- thru lane.

The Subdivision Committee Recommended Postponement. There are questions regarding meeting the requirements of Articles 21 and 26 of the Zoning Ordinance.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.

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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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Correct note #4 per Article 21-6 (a)(14) of the Zoning Ordinance.
12. Addition of adjoining property zoning and record plat information.
13. Clarify area of amendment on vicinity map, showing the service road as the access point per Article 21-6 (a)(3) of the Zoning Ordinance.
14. Denote access point for construction vehicles per Article 21-6 (a)(5) of the Zoning Ordinance.
15. Addition of street cross location on plan face, per Article 21-6 (a)(6) of the Zoning Ordinance.
16. Dimension size and height of building.
17. Addition of proposed and existing easements and building line per plot L-879.
18. Addition of tree inventory map per Article 26 of the Zoning Ordinance.
19. Addition of Planning Commission certification for a major development plan, per Article 21-6(a)(16) of the Zoning Ordinance.
20. Denote 5 stacking spaces, not including the window space, per Article 16-9 of the Zoning Ordinance.

Staff Presentation – Ms. Gallt presented the plan, and noted the clean-up conditions that still remained. She explained that the applicant had submitted a revised plan, and based on that submittal, the staff was now recommending approval, subject to following revised conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Improve plan legibility by increasing text size on amendment area.
12. Addition of street cross location on plan face, per Article 21-6 (a)(6) of the Zoning Ordinance.
13. Dimension size and height of building on plan face.
14. Label building line per plot L-879.

Applicant Representation – Jordan Zickafoose, Sands Decker, was present to represent the applicant.

Commission Questions – Mr. de Movellan asked if the window was a typical drive-thru window or if it was a walk out. Mr. Zickafoose replied that it is just a window where a customer would pick up items that they had ordered ahead online. There is no order point on site.

Citizen Comments – Dottie Bean, 1364 Deer Lake Circle, expressed concern about traffic in the area and adding a drive-thru to an already busy lot.

Action – Mr. Davis made a motion, seconded by Mr. de Movellan, and carried 9-0 to approve PLN-MJDP-22-00031: LAKEVIEW PLAZA LOT 3-A (AMD), with the 14 revised conditions.

- b. PLN-MJDP-22-00035: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY (THE FOUNTAINS OF PALOMAR) (AMD) (08/31/22)\* - located at 3801 HARRODSBURG ROAD, LEXINGTON, KY  
Council District: 9  
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise the development on Lot 3.

The Staff recommends **Approval**, subject to the following conditions:

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 and landscape 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 the Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Submit architectural details per Note #12.
14. Resolve status of landscaping installation along Man O' War Boulevard and Harrodsburg Road.
15. Correct conditional zoning restrictions.

Staff Presentation - Mr. Martin made the presentation of this revision. He said that a bank would be built on Lot 3. He said that the new revision added square feet, changed the direction of the building, moved the drive-thru, and adjusted the parking. He also noted that staff had asked for a submittal of architectural details, and that has been done. Mr. Martin pointed out that one of the conditions was for the applicant to give a timeline of when the landscaping would be finished, which the staff has not received yet.

Commission Questions – Mr. Penn asked about the parking requirements for banks. Mr. Martin said he believed there had been a reduction of parking spaces on this plan, but that there would be reciprocal parking throughout the development.

Mr. Michler asked if the removal of the parking was at staff's request, and Mr. Martin answered that it was not done by request.

Applicant Representation – Matt Carter, Vision Engineering, and Bruce Simpson were present to represent the applicant. Mr. Carter said that they are in agreement with the conditions.

Commission Question - Mr. Michler asked about an empty space on the plan that looked like it had been parking, and why it isn't greenspace. Mr. Carter said that it is parking. A printing error had deleted the lines.

Citizen Comments – Dottie Bean, 1364 Deer Lake Circle, asked about the bike trails, tree preservation, and environmentally sensitive areas.

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Mr. Martin and Ms. Wade provided clarification.

Action - A motion was made by Mr. Penn, seconded by Mr. de Movellan, and carried 9-0 to approve PLN-MJDP-22-00035: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY, with the 15 listed conditions.

- c. PLN-MJDP-22-00036: PIERSON & TRAPP COMPANY TRACT 1 (DAWAHARES ASSOCIATION) (AMD) (08/31/22)\* - located at 1801 ALEXANDRIA DRIVE, LEXINGTON, KY  
Council District: 11  
Project Contact: Palmer Engineering

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

The Subdivision Committee Recommended Postponement. There are questions regarding meeting the requirements of Article 21 and 26 of the Zoning Ordinance.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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).
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Dimension existing walkways.
12. Dimension all existing buildings.
13. Addition of floor area in site statistics.
14. Addition of uses in buildings in site statistics.
15. Addition of existing and proposed utility easements.
16. Addition of tree inventory map per article 26 of Zoning Ordinance.
17. Correct Note #4 to refer "Chapter 16 of the Code Ordinance", per Article 21-6(a)(14) of the Zoning Ordinance.
18. Remove notes in reference "to be shown on construction drawings", and place them on the final development plan. (Notes 20, 21, 22,24,25,26, and 27).
19. Correct note #23 referencing the Engineering Manuals.
20. Adjust drive thru to meet vehicular use area (VUA) requirements.
21. Discuss drive thru space relative to parking lot access.
22. Discuss required parking of the Zoning Ordinance.

Staff Presentation – Ms. Gallt presented a rendering of the plan. She pointed out the two new buildings that they want to add to the development. She explained that the applicant had submitted a revised plan, and based on that submittal, the staff was now recommending approval, subject to the following revised conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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.

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5. Urban Forester's approval of tree protection area(s).
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. United States Postal Service Office's approval of kiosk locations or easement.
11. Dimension walkways on existing structure.
12. Addition of existing and proposed utility easements, and remove note #20.

Applicant Representation – Worth Ellis, Palmer Engineering, was present to represent the applicant.

Commission Comment – Mr. Penn thanked the applicant for working with the staff to revise the conditions.

Action – Mr. Penn made a motion, seconded by Ms. Barksdale, and carried 9-0, to approve PLN-MJDP-22-00036: PIERSON & TRAPP COMPANY TRACT 1 (DAWAHARES ASSOCIATION) (AMD), with the 12 revised conditions.

- d. PLN-MJDP-22-00042: PARK HILLS SHOPPING CENTER, LOT3 (AMD) (10/3/22)\* - located at 3120 PIMLICO PARKWAY, LEXINGTON, KY  
Council District: 8  
Project Contact: CMW, Inc.

Note: The purpose of this plan is to depict a right-in/ right-out access to Man O' War Boulevard and re-configure the parking lot.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
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. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. United States Postal Service Office's approval of kiosk locations or easement.
10. Provided the Planning Commission grants the requested waiver on PLN-FRP-22-00028.

Staff presentation – Mr. Martin presented the development plan that had already been previously discussed, partly, when the Final Record Plat was presented. The purpose of the development is to depict the new entrance/exit on Man O' War Boulevard.

Applicant Representation – Adam Bender, CMW, was present to represent the applicant. He reiterated the need for access to this shopping center.

Citizen Comments – Dottie Bean, 1364 Deer Lake Circle, stated that she is still against this plan because of her concerns about added traffic.

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Action – Ms. Worth made a motion, seconded by Ms. Barksdale, and carried 9-0, to approve PLN-MJDP-22-00042: PARK HILLS SHOPPING CENTER, LOT3 (AMD) with the first 9 conditions, recognizing that condition #10 has been met.

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

- a. PFR 2022-6: FAYETTE COUNTY PUBLIC SCHOOLS, CAREER & TECHNICAL EDUCATION (CTE) CENTER – a Public Facility Review of the proposed renovation and reuse an existing building for the Career & Technical Education Center at 100 Midland Avenue (Council District 3).

Staff Presentation – Ms. Goderwis made the presentation of the public facility review. She passed out two letters of concern regarding the proposal. She pointed out the changes that would be made to the building to accommodate the curriculum needs of the school, and she showed two new access points to the property. She noted the staff suggested that the school do more neighborhood outreach, and to work with Traffic Engineering to work on some access issues. Staff also suggested that some of the sidewalk panels on Midland Avenue be repaired.

Applicant Representation – Billie Motsch, Element Design, and Jason Dunn, EOP Architects, were present to represent the project. Ms. Motsch told the Commission about their meeting with staff where the access and garage doors were discussed, among other things. She said they would be glad to do more neighborhood outreach.

Commission Questions – Mr. Penn asked what was going to be done with the upper floors of the building. Mr. Dunn replied that they will all be fully renovated and become classrooms. He also listed the different programs that will be taught in the facility.

Mr. Michler was glad to see the addition of the pavers and increased visual appeal of the parking lot. Mr. Dunn agreed that Fayette County Public Schools wanted to fit in the surrounding neighborhood.

Mr. Pohl asked for further detail on the extent of the exterior renovation. Mr. Dunn said that there will be extra square feet added where the glass walls will be so that there can be more sight in and out of the building. They want the students and their projects to be more visible, and they want to preserve the integrity of the facade.

Mr. de Movellan asked about the bus parking spaces. Ms. Motsch replied that there will be spaces for up to 12 buses to pick up and drop off only. There would be no bus storage there.

Citizen Comments – Dottie Bean, 1364 Deer Lake Circle, had concerns about the zoning of the property and what government oversight there would be.

Mr. Penn made a motion, seconded by Ms. Worth, and carried 9-0, finding that PFR 2022-6: FAYETTE COUNTY PUBLIC SCHOOLS, CAREER & TECHNICAL EDUCATION (CTE) CENTER was substantially in agreement with of the Comprehensive Plan.

**VII. STAFF ITEMS**

- A. 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-22-00010: HILLENMEYER PROPERTY & SFH PROPERTIES, UNIT 2-J – located at 2405 SANDERSVILLE ROAD, LEXINGTON, KY  
Project Contact: EA Partners

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- 2. PLN-FRP-22-00025: THE PENINSULA, UNIT 1-C – located at 478 SQUIRES ROAD, LEXINGTON, KY  
Project Contact: EA Partners
  
- 3. PLN-FRP-22-00031: SEBASTIAN PROPERTY, UNIT 3-F - located at 2826 LEESTOWN ROAD, LEXINGTON KY  
Project Contact: EA Partners

Staff Comments – Mr. Duncan reminded the Commission members of the upcoming work session on August 18, 2022.

**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 AUGUST AND SEPTEMBER**

Work Session, Thursday, 1:30 p.m., 3<sup>rd</sup> Floor Conference Room, Phoenix Building ..... August 18, 2022  
Technical Committee, Wednesday, 8:30 a.m., 3<sup>rd</sup> Floor Conference Room, Phoenix Building..... August 24, 2022  
**Zoning Items Public Hearing**, Thursday, 1:30 p.m., 2<sup>nd</sup> Floor Council Chambers, Government Center ..... **August 25, 2022**  
Subdivision Committee, Thursday, 8:30 a.m., 3<sup>rd</sup> Floor Conference Room, Phoenix Building.....September 1, 2022  
**Subdivision Items Public Hearing**, Thursday, 1:30 p.m., 2<sup>nd</sup> Floor Council Chambers, Government Center.... **September 8, 2022**

**X. ADJOURNMENT**

PS/TW/TM/CG

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Larry Forester, Chair

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Janice Meyer, Secretary

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