

MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
March 14, 2024

- I. **CALL TO ORDER** –Chair Larry Forester called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **ATTENDANCE** – Planning Commission members present were Larry Forester, Judy Worth, Bill Wilson, Graham Pohl, Ivy Barksdale, Bruce Nicol, Robin Michler, Johnathon Davis, Janice Meyer, Zach Davis, and Mike Owens. Planning staff members present were Jim Duncan, Traci Wade, Tom Martin, Daniel Crum, Cheryl Gallt, Boyd Sewe, and Paula Schumacher. Other staff present were Tracy Jones and Brittany Smith, Department of Law; David Filiatreau, Division of Traffic Engineering; Vaughan Adkins, Division of Engineering; and Greg Lengal and Embry Beaty, Division of Fire and Emergency Services.
- III. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Mr. Zach Davis made a motion, seconded by Mr. Johnathon Davis, and carried 11-0, to approve the performance bonds and letters of credit as presented.
- IV. **APPROVAL OF MINUTES** – Ms. Worth made a motion, seconded by Ms. Barksdale, and carried 9-0, (Meyer and Owens abstained) to approve the February 8, 2024 minutes.
- V. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal were considered at this time.

- A. PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) (3/14/2023)* - located at 2450 GEORGETOWN ROAD, LEXINGTON, KY
Council District: 2
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict 66,070 square feet of commercial space and parking circulation.

Note: The Planning Commission postponed this item at the October 12, 2023, November 9, 2023, December 14, 2023, January 11, 2024, and February 8, 2024 meetings.

The Subdivision Committee Recommended: **Postponement**. The proposed development does not comply with Article 12 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. Addition of purpose of amendment note.
14. Addition of conditional zoning restrictions.
15. Correct plan title to match staff report.
16. Improve plan legibility for bearings and distances.
17. Addition of record plat information.
18. Addition of topography elevations on amendment.
19. Addition of dimensions on access points.
20. Denote construction access point.
21. Addition of street cross-section and location on plan face.

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

22. Addition of building line setback per plat M-165.
23. Consolidation of property to create one lot.
24. Addition of proposed and existing easements.
25. Denote review and recommendations for the Royal Springs Aquifer recharge area.
26. Denote plan shall comply with Georgetown Road Landscape Ordinance.
27. Addition of pedestrian access between structures for multi-modal accommodations per Article 12-8(h) of the Zoning Ordinance.
28. Addition of arterial screening easement along Citation Boulevard.
29. Denote the maintenance responsibility of walking trail.
30. Discuss the proposed access to Citation Boulevard.
31. Discuss compliance with B-6P zone minimum floor area ratio of 0.40.

Applicant Representation – Matt Carter, Vision Engineering, was present to represent the applicant. He requested a two-month postponement so the plan could be reworked.

Action – Mr. Owens made a motion, seconded by Mr. Wilson, and carried 11-0, to postpone PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) to the May 9, 2024 meeting.

- B. PLN-MJDP-24-00010: DISTILLERY DISTRICT- WEST UNIT 1 (AMD) (5/5/24)* - located at 1158-1170 & 1186-1228 (even only) MANCHESTER STREET, LEXINGTON, KY
Council District: 11
Project Contact: Vision Engineering

Note: The purpose of this plan is to add 4,500 square foot building on 1158 Manchester Street and revise use of building on 1170 Manchester Street.

Note: This plan requires then posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding compliance with Article 19 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. Denote: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.
14. Denote internal pedestrian system.
15. Add all notes from previous plan and changes to 1224 Manchester Street (MNDP-22-00006).
16. Denote pedestrian access to right-of-way.
17. Clarify site statistics.
18. Clarify area around building entrance and drop off on eastern side of warehouse structure on 1170 Manchester Street.
19. Dimension proposed building.
20. Withdraw MJDP-22-00045 prior to Planning Commission approval.

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21. Discuss compliance with storage restrictions of Article 19 of the Zoning Ordinance.
22. Discuss proposed 33-40' access drive widths.
23. Discuss proposed retail use in new building.
24. Discuss angled vehicle parking along east side of property.
25. Discuss proposed compliance with new construction requirements of Article 19 of the Zoning Ordinance.

Applicant Representation – Matt Carter, Vision Engineering, was present to represent the applicant. He requested a one-month postponement.

Action – Mr. Pohl made a motion, seconded by Ms. Barksdale, and carried 11-0 to postpone PLN-MJDP-24-00010: DISTILLERY DISTRICT- WEST UNIT 1 (AMD) to the April 11, 2024 meeting.

- C. PLN-MJDP-24-00011: IDLE HOUR SUBDIVISION, UNIT 1, SECTION 2, TRACT A (AMD) (5/5/24)* - located at 2041 RICHMOND ROAD, LEXINGTON, KY
Council District: 5
Project Contact: Vision Engineering

Note: The purpose of this plan is to depict redevelopment of the lot with a restaurant and bank.

The Subdivision Committee Recommended: Postponement. There are questions regarding Article 8-16 for B-1 zone setbacks and Articles 16, 18, & 20 for parking landscaping, and open space.

Should this plan be approved, the following requirement 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. 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.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Addition of existing and proposed easements.
13. Provide exhibit documenting compliance with open space requirements of Article 20 of the Zoning Ordinance.
14. Discuss location of buildings to meet B-1 zone setback requirements.
15. Discuss meeting requirements of Articles 16 and 18.

Applicant Representation – Matt Carter, Vision Engineering, was present to represent the applicant. He requested a one-month postponement so that a variance request could be submitted.

Action – Ms. Meyer made a motion, seconded by Mr. Pohl, and carried 11-0, to postpone PLN-MJDP-24-00011: IDLE HOUR SUBDIVISION, UNIT 1, SECTION 2, TRACT A (AMD) to the April 11, 2024 meeting.

- D. PLN-MJSUB-24-00001: QUINTANA ESTATES (4/1/24)* – located at 2400 & 2450 PARIS PIKE, LEXINGTON, KY
Council District: 12
Project Contact: EA Partners

Note: The purpose of this plan is to subdivide the property into 55 single-family lots.

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

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the street adjacent to the public park. Additionally, the recommendation of the Paris Pike Corridor Commission should be discussed.

Should this plan be considered, the following conditions 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 stormwater management.
11. Discuss sanitary sewer service.
12. Discuss buffering adjacent to Paris Pike right-of-way.
13. Discuss recommendation of the Paris Pike Corridor Commission.
14. Discuss access to public park per Article 6-8 of the Land Subdivision Regulations.

Applicant Representation – Attorney Chris Clendenen, was present to represent the applicant. He requested a one-month postponement so that a waiver request could be filed.

Action – Mr. Owens made a motion, seconded by Mr. Wilson, and carried 11-0, to postpone PLN-MJSUB-24-00001: QUINTANA ESTATES to the April 11, 2024 meeting.

- E. PLN-MJSUB-19-00003: TUSCANY, UNIT 14 (5/20/24)* - located at 1970 WINCHESTER ROAD LEXINGTON, KY
Council District 12
Project Contact: EA Partners

Note: The applicant submitted a request for an extension on February 20, 2024. The Planning Commission approved this plan on March 14, 2019, 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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
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. United States Postal Service Office's approval of kiosk locations.
9. Addition of property owner's name on the adjacent floodplain property.
10. Denote pedestrian access easement within Lot 103 (HOA lot).

The Subdivision Committee Recommended: **Disapproval** of the requested 1-year extension because the applicant has not submitted necessary documentation in order for the Planning Commission to find that progress has been made in the physical construction of improvements for the subdivision as required by Article 4-4(d)(1) of the Land Subdivision Regulations.

- F. PLN-MJSUB-19-00005: TUSCANY, UNIT 11, PHASE 2 (5/20/24)* - located at 1970 WINCHESTER ROAD LEXINGTON, KY
Council District 12
Project Contact: EA Partners

Note: The applicant submitted a request for an extension on February 20, 2024. The Planning Commission approved this plan on March 14, 2019, subject to the following conditions:

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

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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
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. United States Postal Service Office's approval of kiosk locations.
9. Addition of property owner's name on the adjacent floodplain property.
10. Denote pedestrian access easement within Lot 103 (HOA lot).

The Subdivision Committee Recommended: **Disapproval** of the requested 1-year extension because the applicant has not submitted necessary documentation in order for the Planning Commission to find that progress has been made in the physical construction of improvements for the subdivision as required by Article 4-4(d)(1) of the Land Subdivision Regulations.

Applicant Representation – Rory Kahly, EA Partners, was present to represent the applicant. He requested that both PLN-MJSUB-19-00003: TUSCANY, UNIT 14 and PLN-MJSUB-19-00005: TUSCANY, UNIT 11, PHASE 2 be withdrawn.

Action – Mr. Wilson made a motion, seconded by Mr. Johnathon Davis, and carried 11-0 to withdraw PLN-MJSUB-19-00003: TUSCANY, UNIT 14 and PLN-MJSUB-19-00005: TUSCANY, UNIT 11, PHASE 2.

- G. PLN-MJDP-23-00050: WOLF RUN INDUSTRIAL PARK, BLOCK A, LOT 1 (FRANKFORT COURT STORAGE FACILITY) (AMD) (3/14/24)* - located at 2262 FRANKFORT COURT, LEXINGTON, KY
Council District: 11
Project Contact: RMJE

Note: The purpose of this amendment is to depict layout and circulation for 53 storage units.

Note: The Planning Commission postponed this item at the September 14, 2023 and October 12, 2023, November 9, 2023, and January 11, 2024 meetings.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding meeting Article 21 of the Zoning Ordinance and Old Frankfort Pike Landscape 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 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. Addition of written scale.
14. Correct plan title to match staff report.
15. Correct plan type "Amended Final Development".

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16. Boundaries of property should be solid bold line and adjacent property boundaries should be dashed.
17. Addition of adjacent property information.
18. Dimension access points and parking.
19. Denote height of building in feet.
20. Denote the DBH (diameter at breast height) of all trees per Article 26 of the Zoning Ordinance.
21. Denote farm entrance from Old Frankfort Pike to be removed.
22. Discuss the type and size of oak tree(s) on plan.
23. Discuss Old Frankfort Pike Landscape Ordinance relationship to open usable space.
24. Discuss how to resolve conflict between building and retention easement.
25. Discuss gates to be located 40' from property boundary.

Staff Comment – Mr. Martin told the Planning Commission that the applicant had requested a one-month postponement.

Action – Mr. Zach Davis made a motion, seconded by Mr. Pohl, and carried 11-0, to postpone PLN-MJDP-23-00050: WOLF RUN INDUSTRIAL PARK, BLOCK A, LOT 1 (FRANKFORT COURT STORAGE FACILITY) (AMD) to the April 11, 2024 meeting.

- VI. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, March 7, 2024 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Bruce Nicol, Janice Meyer, Mike Owens, and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Daniel Crum, Cheryl Gallt, James Mills, Boyd Sewe, Paula Schumacher, Greg Lengal and Embry Beaty; 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 read the Consent Agenda.

1. PLN-MJDP-24-00001: RAMSEY SULLIVAN PROPERTY, UNIT 3, LOT 1 (AMD) (4/1/24)* - located at 2530 KEARNEY RIDGE BOULEVARD, LEXINGTON, KY
Council District: 2
Project Contact: Vision Engineering

Note: The purpose of this plan is to depict building layout, accessory drive-through, gas pumps, EV charging stations, and parking circulation.

Note: The Planning Commission postponed this item at the February 8, 2024 Planning Commission meeting.

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

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

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 plan title to match staff report.
 14. Addition of name and address of developer.
 15. Correct Commission Certification approval date.
 16. Addition of tree protection plan per Article 26 of the Zoning Ordinance listing type and size of trees.
 17. Addition of flood protection elevation note per plat N-20.
 18. Denote review and recommendation of the Royal Springs Aquifer Committee.
 19. Denote pedestrian access for all points of egress/ingress.
2. PLN-MJDP-24-00006: GIVENS PROPERTY, LOT 10 (VALVOLINE INSTANT OIL CHANGE) (AMD) (5/5/24)* - located at 2210 GEORGETOWN ROAD, LEXINGTON, KY
Council District: 2
Project Contact: HFA-AE, Ltd.

Note: The purpose of this plan is to depict development of Lot 10.

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. Addition of information from final development plan MJDP-23-00071(Lot 9), if certified prior to this plan.
14. Improve legibility of development plan and ensure plan is to scale.
15. Revise parking area to meet interior landscape island requirements of Article 16 of the Zoning Ordinance.
16. Provide exhibit demonstrating compliance with open space requirements of Article 20 of the Zoning Ordinance.
17. Denote review and recommendation of Royal Springs Aquifer Committee for Lot 10.
18. Add notes #24 and #25 from previously approved final development plan.
19. Resolve proposed access to Stockton Way.

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

3. PLN-MJDP-24-00009: RIDDELL PLAZA LOT 3 (PARKER PROPERTY) (AMD) (5/5/24)* - located at 1100, 1108, 1112 SOUTH BROADWAY, 351 BURLEY AVENUE, and 250 SIMPSON AVENUE LEXINGTON, KY
Council District: 2
Project Contact: Vision Engineering

Note: The purpose of this plan is to add square footage to the proposed building.

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 exhibit demonstrating compliance with open space requirements of Article 20 of the Zoning Ordinance.
14. Denote: Requirements established by the signed Memorandum of Understanding (MOU) related to Floodplain Appeals Committee action shall be documented and/or completed prior to occupancy of the property at 1108 South Broadway.

Action – Ms. Barksdale made a motion, seconded by Ms. Meyer, and carried, 11-0, to approve the consent agenda as presented by staff.

- 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** – None at this time.

2. **Final Development Plans**

- a. PLN-MJDP-23-00076: SHRINERS HOSPITAL/MASONIC TEMPLE ASSOCIATION OF LEXINGTON (AMD) (3/14/24)* - located at 4085 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

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

Note: The purpose of this amendment is to depict retail buildings and development of 14 townhomes and 7 single family detached residential lots.

Note: The Planning Commission continued this item at the December 14, 2023 and January 11, 2024 meetings.

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. Addition of the number of HOA lots in site statistics.
14. Addition of vegetated and usable open space in site statistics.
15. Provided the Planning Commission makes a finding for the use of access easement.
16. Revise type of plan to a preliminary subdivision plan and amended final development plan for Syrnga Drive.
17. Resolve pairing of driveways per Article 16-5(b)(3) of the Zoning Ordinance for attached dwelling units.
18. Discuss compliance with Articles 16, 18 & 20 of the Zoning Ordinance.

Staff Presentation – Ms. Gallt oriented the Commission to the continued plan. She reminded them that the previous discussion had centered around the common open space, and stated that, after several meetings with staff, the minimum requirements had been met. She added that there had also been discussion regarding the expansion of the parking area. Ms. Gallt shared the finding report regarding use of an access easement for the property, and also shared the following revised conditions with the Planning Commission.

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. ~~Addition of the number of HOA lots in site statistics.~~ Label the HOA lots.
14. Addition of vegetated and usable open space in site statistics.
15. Provided the Planning Commission makes a finding for the use of access easement.
16. ~~Revise type of plan to a preliminary subdivision plan and amended final development plan for Syrnga Drive.~~
17. ~~Resolve pairing of driveways per Article 16-5(b)(3) of the Zoning Ordinance for attached dwelling units.~~

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

16. 48. Discuss compliance with Articles 16, 18 & 20 of the Zoning Ordinance.
17. Discuss changes to parking and open space from previous plan.

Applicant Presentation – Fred Eastridge and Matt Carter, Vision Engineering were present to represent the applicant. Mr. Eastridge stated that there was work done to meet the common open space requirements, and that the changes made to the parking area were made because there was a contract with a restaurant that required a specific number of parking spaces. He asked for approval of the plan.

Commission Questions – Ms. Meyer asked if there was a possibility of meeting the client's parking requirements utilizing a parking agreement with the adjoining bank property. Mr. Eastridge stated that the contract that had been signed was specific about the location of their required parking.

Mr. Michler inquired how the usable open space requirement was met. He further inquired how the open space would be made useable for patrons. Mr. Eastridge pointed out a gazebo area and other small useable areas. He also pointed out an area that could be used for outdoor seating. Mr. Carter added that the paved area between the commercial buildings would be made available for people waiting for a table. He also stated that the other building was also anticipated to be a restaurant, so the extra parking spaces would be sufficient to accommodate both restaurants.

Mr. Nicol asked if the applicant could again confirm that the greenspace requirements were being met. Mr. Carter replied that an exhibit of the greenspace had been submitted to staff.

Mr. Owens asked if the parking spaces would be available to the tenants of both commercial buildings. Mr. Carter replied that both buildings would have access to all of the parking spaces.

Mr. Owens further asked if the usable space between the buildings would be used for outdoor dining space or just waiting/common space. Mr. Carter replied that it could be used for both, depending on the needs of the tenants.

Ms. Wade displayed the common open space and greenspace exhibit, supplied by the applicant, for the Planning Commission.

Action – Mr. Nicol made a motion, seconded by Ms. Barksdale, and carried 11-0 to approve PLN-MJDP-23-00076: SHRINERS HOSPITAL/MASONIC TEMPLE ASSOCIATION OF LEXINGTON (AMD) changing conditions #16 and #17 to resolve.

Mr. Nicol made a motion, seconded by Mr. Wilson, and carried 11-0 to approve the access easement with the following finding of appropriateness:

1. Allowing for the use of an access easement as a sole vehicular access to this development is consistent with the intent of the Land Subdivision Regulations and will not negatively impact public safety.
- b. PLN-MJDP-24-00002: JONES/COTRELL PROPERTY & JOYLAND CROSSING, LLC (JOYLAND CROSSING APARTMENTS) (AMD) (4/1/24)* - located at 2200 OLD PARIS ROAD & 2324 PARIS PIKE, LEXINGTON, KY
Council District: 12
Project Contact: Vision Engineering

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

Note: The Planning Commission postponed this item at the February 8, 2024 Planning Commission meeting.

The Subdivision Committee Recommended: **Postponement**, by request of the applicant.

The Technical Committee Recommended: **Approval**, subject to following conditions:

1. Provided the Urban County Council approves a zone change to the R-4 zone, otherwise the plan shall be null and void.

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2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Department of Environmental Quality's approval of environmentally sensitive areas.
8. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
9. Greenspace planner's approval of the treatment of greenways and greenspace.
10. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
11. Division of Waste Management's approval of refuse collection locations.
12. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
13. United States Postal Service Office's approval of kiosk locations or easement.
14. Addition of landscape buffer detail for adjacent property.
15. Provide exhibit illustrating compliance with multi-family design guidelines.
16. Resolve access to Paris Pike.

Staff Presentation - Mr. Martin presented the final development plan to the Planning Commission. He said the development would have 165 dwelling units and 194 parking spaces. He pointed out the main access point and the gated emergency entrance. He told the Planning Commission that much of the conversation had been about buffering. He also mentioned that the first 30 feet of frontage consisted of a Kentucky American Water easement that would not allow for typical plantings. He pointed out the extra buffering to the north and stub drive aisles/access points for future connection as well as the internal pedestrian system. He addressed the traffic concerns of the nearby residents, but reminded the Commission that the Kentucky Transportation Cabinet was responsible for the traffic improvements on Paris Pike.

Commission Questions – Mr. Zach Davis inquired about a previous recommendation from the Paris Pike Corridor Commission that referred to both a zone change and development plan. He asked if that Commission had made a recommendation on this development plan as well. Mr. Martin confirmed that making a recommendation on a development was not part of the Paris Pike Corridor Commission's authority. He also added that the actual Paris Pike Overlay Zone did not begin until further north.

Mr. Michler asked about plan language regarding the emergency gated access and the connection points. Mr. Martin said that there was no language on the plan regarding the stub outs, rather they would just exist until they were needed for future connection.

Mr. Michler further asked if the connection points would become easements, and Mr. Martin stated that any easements would be proposed when the applicant submitted a plat.

Mr. Owens inquired (microphone was off) if the sidewalk at the north corner of the property should continue around the property to the right-of way. Mr. Martin stated that they would be required to do so.

Applicant Presentation – Attorney Dick Murphy and Fred Eastridge, Vision Engineering, were present to represent Joyland Crossing, LLC. He stated that the stub connection points were included on the final development plan and the dumpsters had been moved back to accommodate them. He pointed out the Kentucky American Water easement that they planned to use as a setback, and displayed a detail of the grass plantings they planned to use as a buffer that were allowable in the easement. He also displayed a detail of the landscape buffer that would be planted on the north boundary of the property. He stated that this buffer was wider and denser than was required by the Zoning Ordinance. He addressed the multi-family design guidelines, stating that staff had informed him that the plan met the requirements. He said that the applicant was happy to comply with anything that the Kentucky Transportation Cabinet required and that they had committed to help pay for a traffic signal at the intersection, if one was deemed necessary. He said that if the development plan was approved, the applicant planned on applying for an encroachment permit. Once that had been submitted, the state would decide what the intersection would look like. Mr. Murphy also noted that if curbing was required by the Division of Traffic Engineering at the corner of Old Paris Road and Paris Pike to slow

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down the traffic, his clients were agreeable to the condition. He reminded the Planning Commission that the traffic generated by this proposed development would be one-fifth of the traffic that would have been generated by the previously approved zone change and development. He stated that any traffic signal at the intersection would happen once the necessary warrants were in place for the Kentucky Transportation Cabinet to act. He said that the applicant had done everything that had been asked of them by staff and the state, agreed with the conditions, and asked for approval.

Commission Question - Mr. Owens inquired how the property would be sewerred. Mr. Eastridge replied that it would run towards Old Paris Road to a nearby existing pump station.

Mr. Owens asked if it would be possible to use the gated entrance as a one-way entrance to the property to keep more cars off of Paris Pike. Mr. Filiatreau said it could be achievable, but may have to be approved by the state.

Citizen Comments – Patty Draus, Joyland Neighborhood Association, gave the Planning Commission a handout and displayed drone footage of the area around the proposed entrance. She asked the Planning Commission to put restrictions on the property because of the heavy traffic during peak hours. She shared her concerns that school buses as well as city transportation not being able to serve this development. She asked for a transit safety study.

Catherine Perkins, Joyland Neighborhood Association, continued the presentation. She mentioned that a neighbor, Garnetta Graham, who had submitted a letter to the Planning Commission, was concerned about sink holes in the area. Ms. Perkins highlighted the items in a handout that she had passed to the Planning Commission that stated her concerns regarding non-compliance with the Comprehensive Plan, multi-modal regulations, and multi-family guidelines. She opined that the area deserved special protections, and that the proposal did not meet the standards of the Paris Pike Corridor Commission interlocal agreement. She felt that it was reprehensible that this plan had gotten this far in the process without a traffic study being done. Ms. Perkins opined that there should be increased buffering and front-yard setback and a height restriction placed on the property.

Amy Clark, 628 Kastle Road, stated that she felt the Planning Commission should take time to read all of the materials that had been distributed by the opposition. She reminded the Planning Commission that, at the time of the preliminary development plan, they would have more opportunity to make changes or conditional zoning, rather than during this final development stage. She suggested that a traffic signal should be a condition of plan certification. She finished by saying that it was unfortunate that the Commission did not have time to read the materials given to them.

Melody Ramey, 522 Paris Pike, said that she did not want any additional trips being made on Paris Pike because the area had historic significance.

Catherine Perkins made some remarks for Stacy Underhill, Old Paris Place Neighborhood Association. She said that the Old Paris Place neighborhood was concerned about the 3-story height that is being proposed, and that the Paris Pike Corridor Commission should have been able to make a recommendation to the Planning Commission regarding this application. The Old Paris Place neighborhood also felt that there should be added buffering on the railroad side of the property because of the proposed height of the buildings.

Ms. Perkins added that she felt it was erroneous that this property be excluded from protections, and that the overlay area had further protections than the rest of Paris Pike.

Council Member James Brown stated that he wanted to reiterate the traffic concerns of the neighborhood. While he voted to approve the zone change and increased housing of the project, he wanted to add his voice of concern for the additional traffic issues that could be caused. He asked the Planning Commission to consider adding a requirement that pedestrian access to transit across the street be provided, if possible. He also felt that an additional entrance would help alleviate the traffic issues.

Applicant Rebuttal – Mr. Murphy stated that the applicant would be agreeable to make the emergency entrance a one-way entrance, as long as the Division of Traffic Engineering deemed that the idea was advisable. He also added that the applicant agreed with re-designing the slip lane from Old Paris Road along their

frontage and adding a pedestrian access to increase safety. He stated that each dwelling unit would be allowed one parking space, with the option to pay extra for a second one if one was available. He mentioned that there would be no parking visible to anyone on Paris Pike. He felt that there was dense screening being proposed. He reiterated that the state would not allow a traffic signal at the entrance until the property was developed.

Opposition Rebuttal – Ms. Perkins said that she felt the Subdivision Committee did not have sufficient discussion regarding additional buffering requirements because the applicant asked for postponement before they could do so. She also felt that the applicant did not wish to have additional buffering because it might cut into their profit. She asked that the height of the buildings be limited because tall buildings were not in character with the area.

Ms. Draus opined that adding a pedestrian crossing at Old Paris Road and Paris Pike would be very dangerous.

Ms. Clark read from the interlocal agreement between Bourbon County and Fayette County for the Paris Pike Corridor, and felt that it implied that the Paris Pike Corridor Commission (PPCC) could make recommendations on development plans. After some off microphone discussion with staff, she further read the interlocal agreement, and acknowledged that it did not grant review of development plans to the PPCC. She expressed concern that the required buffer in the back of the property near the railroad would not survive. She was opposed to the dog walk and connections being allowed in the buffer area.

Staff Rebuttal – Mr. Martin reminded the Planning Commission that staff would not recommend approval on any plan unless they believed that the plan complied with all of the requirements of the ordinances.

Chair Forester called for a 5-minute recess at 3:26 p.m. He left the meeting at this time, and vice chair Zach Davis assumed the role of chairing the meeting.

Commission Questions- Mr. Nicol asked if this was a final development plan. Mr. Martin confirmed that it was.

Ms. Worth asked if it was possible to add a note regarding a signalized intersection at the time of certification, and if anything could be gained from that. Mr. Martin stated that if a signalized intersection requirement was added, it could be years before the development plan could move forward. He added that additional traffic could help meet the warrants for a signal, which the state follows.

Ms. Meyer asked if promised funding from the applicant and others would help expedite the intersection construction. Mr. Filiatreau replied that the state is driven only by numbers and will wait until the warrants have been met.

Ms. Meyer asked how children would be able to get to a school bus stop from this location. Mr. Filiatreau was not sure and stated that the Fayette County Public Schools would have to make that decision.

Mr. Zach Davis suggested that the school system would have to accommodate the location. Mr. Filiatreau replied that if a home is located under a mile from a school, parents are required to take care of transportation, and in this case, there is an elementary school within a mile from the proposed development.

Mr. Nicol asked if the Division of Traffic Engineering had recommended the access be located across from Rodgers Road. Mr. Filiatreau affirmed that it was the best location for vehicular safety.

Mr. Michler asked how safe pedestrian crossing was being addressed. Mr. Filiatreau stated that he expected the applicant to provide pedestrian improvements at the entrance to the property. He added that pedestrian safety to the transit stop across the street was part of the applicant's parking mitigation plan. He said that their recommendations had to be more generalized because the state had the final authority over the roadway improvements. Mr. Filiatreau indicated that he was agreeable to a condition of approval that stated the applicant must resolve the access and pedestrian crossing with the Kentucky Transportation Cabinet before plan

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certification. Mr. Michler asked if such a condition could be placed on the plan, as well as a note addressing the emergency entrance off of Old Paris Road becoming an entrance only for the residents. Mr. Filiatreau replied that, because of the proximity of the railroad overcrossing, he felt that it would be safer to keep it as an emergency access only.

Mr. Owens stated that he wanted to keep the discussion about the emergency entrance open ended if possible.

Ms. Worth felt that the plan was much better than it was. She asked if the 6-foot solid fence along with other buffering was adequate to buffer the equine use to the north. Mr. Owens replied that he believed it to be adequate.

Mr. Michler asked about the neighbor's concern regarding too much lighting. He asked if the lighting plan met the new guidelines. Mr. Martin nodded in the affirmative.

Mr. Pohl inquired about the buffering between the subject property and the railroad. He asked if the proposed buffering was adequate. Mr. Martin replied that both staff and the Urban Forester felt it was adequate.

Mr. Wilson said that while considering safety, a cooperative applicant, and the need for housing, he felt that this plan should be approved, while strongly addressing the safety concerns of the neighbors.

Mr. Owens agreed with Mr. Wilson and had some concerns, but wanted to focus on safety.

The Planning Commission further discussed the condition of resolving the entrances to the property. Mr. Nicol hoped that the state would put in the traffic signal and safe pedestrian and bicycle crossing soon.

Staff recommended the following additional condition for the plan:

16. Resolve access to Paris Pike and Old Paris Road, and pedestrian crossing at the intersection.

There was some further discussion among the Planning Commission regarding the recommended revised conditions and if they covered the concerns that had been recognized.

Mr. Zach Davis asked if there was a way to make sure that there was pedestrian crossing included in the intersection at Rogers Road at the time when it was built. Mr. Filiatreau felt that the state would include pedestrian crossing if they put in a traffic signal at the intersection.

Mr. Pohl suggested to the applicant that there be more variation in the appearance of the buildings as stated in the multi-family design guidelines.

Staff suggested the following additional condition to address the concern of pedestrian safety:

17. Denote: If a traffic signal is installed at Rogers Road/Paris Pike, that a pedestrian crossing should be strongly encouraged across Paris Pike.

Action – Mr. Nicol made a motion, seconded by Johnathon Davis, and carried 9-0 (Forester absent), to approve PLN-MJDP-24-00002: JONES/COTRELL PROPERTY & JOYLAND CROSSING, LLC (JOYLAND CROSSING APARTMENTS) (AMD) with the revised condition #16 and additional condition #17.

- c. PLN-MJDP-24-00004: RAMSEY SULLIVAN PROPERTY, PHASE 3, LOT 3 (4/1/24)* - located at 2601 SPURR ROAD, LEXINGTON, KY
Council District: 2
Project Contact: Commonwealth Design

Note: The purpose of this plan is to depict development for the property as a construction equipment dealer.

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

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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. A consolidation plat must be recorded prior to development plan certification.
14. Denote review by Royal Springs Aquifer Committee date and recommendations.
15. Resolve proposed one-way access point.
16. Discuss the status of required traffic system improvements.
17. Discuss conflict with conditional zoning restrictions.
18. Discuss location of internal access easements/connection to Lot 4.
19. Discuss compliance with Vehicular Use Area (VUA)/paving requirements per Article 16 of the Zoning Ordinance.

Staff Presentation – Mr. Martin oriented the Planning Commission to the property and briefly reminded them of the zone change of the property. He pointed out the features of the property including the gravel drive areas. He said there was initial concern over a prohibition of outdoor storage in the conditional zoning restrictions for this property, but it was later determined that it would be similar to a display area at a car lot. He described the type of gravel that they would use in the display area for large equipment. Mr. Martin said that the applicant had several meetings with staff and had changed the plan. He mentioned that there would need to be an access easement to a remnant lot, and the location would need to be resolved. He listed the concerns and recommendation of the Royal Springs Aquifer Committee, and said that they would be placed on the plan.

Commission Question - Mr. Michler asked about removing a note that restricted underground storage tanks. Mr. Martin replied that it could not be removed because it was a conditional zoning restriction.

Applicant Representation – Attorney Branden Gross was present to represent the applicant. He explained this proposed use would be similar to a car dealership but with farm equipment. He stated that the applicant understood the concerns of the VUA and felt that it would be easily resolved. He was in agreement with the revised conditions and asked for approval.

Commission Question - Mr. Zach Davis asked if the adjoining residential lots were appropriately protected from the proposed use. Mr. Martin replied that the 30' buffer requirement was placed at the time of the zone change, during negotiations with the neighborhood. Mr. Martin felt that it was a sufficient buffer.

Action – Mr. Wilson made a motion, seconded by Ms. Worth, and carried 10-0 (Forester absent), to approve PLN-MJDP-24-00004: RAMSEY SULLIVAN PROPERTY, PHASE 3, LOT 3 with 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.

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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. A consolidation plat must be recorded prior to development plan certification.
14. Denote review by Royal Springs Aquifer Committee date and recommendations.
15. Resolve proposed one-way access point.
16. Resolve location of internal access easements/connection to Lot 4.
17. Resolve compliance with Vehicular Use Area (VUA)/paving requirements per Article 16 of the Zoning Ordinance.

- d. PLN-MJDP-24-00013: COLDSTREAM RESEARCH CAMPUS, UNIT 3, LOT 27 (PIRAMAL LEAP PROJECT) (5/5/24)* - located at 1651 MCGRANTHIANA PARKWAY, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The purpose of this plan is to depict new development on the property with a structure and parking.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding meeting the requirements of Articles 16, 18, & 20 as well as the proposed use of the building.

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. Remove copyright note.
14. Correct plan title to match staff report.
15. Replace PVA information with cabinet slide number M-32.
16. Addition of property owners to the west of the property.
17. Remove gray shading from plan.
18. Addition of final development plan information for adjacent lot (MJDP-20-00013).
19. Remove line stating, "proposed limit of disturbance".
20. Depict access points on the other side of McGranthiana Parkway.
21. Remove information for maximum height of building and Floor Area Ratio in site statistics.
22. Denote proposed use in site statistics.
23. Denote Flood Protection Elevation from plat M-32.
24. Denote review and recommendations of the Royal Springs Aquifer Committee.
25. Correct tree canopy calculated on total acreage of lot.
26. Addition of all general notes and special notes from previous plan (MJDP-20-00013).
27. Addition of supportive use table from plan MJDP-20-00034.
28. Discuss conflict with transformer and generator pad vs. utility easements.
29. Discuss compliance with Articles 16, 18, & 20 for parking, landscaping, and open space

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Staff Presentation – Ms. Gallt shared the development plan with the Planning Commission. She stated that the applicant wanted to connect this property to an adjoining lot and pointed out the proposed connection between them. Ms. Gallt advised the Commission that the staff had revised conditions based on a revision to the plan with 14 conditions.

Applicant Representation – Charlie Hall, Thoroughbred Engineering, stated that they agreed with the revised conditions. He informed the Commission that the Royal Springs Aquifer Committee asked that they put a sign on the property and a note of such on the plan.

Commission Questions - Mr. Michler asked if there was had been any discussion about the plans for open space and patio that was depicted. Mr. Hall replied that much of the usable open space requirements were waived due to its proximity to Coldstream Park. Ms. Gallt suggested that the patio was probably for employees to be outside for meals, and confirmed that the open space requirements had been met.

Mr. Owens stated that he appreciated the work of the applicant to work on the plan, but added that the plan could have been placed on the consent agenda if they had turned their revision in a day earlier.

Action – Mr. Owens made a motion, seconded by Mr. Wilson, and carried 10-0 (Forester absent), to approve PLN-MJDP-24-00013: COLDSTREAM RESEARCH CAMPUS, UNIT 3, LOT 27 (PIRAMAL LEAP PROJECT) with 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. Addition of all of the final development plan information for adjacent lot (MJDP-20-00013).
14. Denote review and recommendations of the Royal Springs Aquifer Committee.

- e. PLN-MJDP-24-00014: FIRST UNITED METHODIST CHURCH (5/5/24)* - located at 200 W. HIGH STREET, LEXINGTON, KY
Council District: 3
Project Contact: Thoroughbred Engineering

Note: The purpose of this plan is to depict additional building square footage and stormwater improvements to the parking.

The Subdivision Committee Recommended: Postponement. There are questions regarding meeting the requirements of Articles 16, 18, & 20.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Urban Forester's approval of tree preservation plan.

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5. Department of Environmental Quality's approval of environmentally sensitive areas.
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.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Remove copyright note.
13. Correct plan title to match staff report.
14. All property boundaries should be solid dark lines.
15. Indicate site area on vicinity plan face.
16. Dimension all buildings, playground area, sidewalks, and access points.
17. Denote building square footage, lot coverage, height, floor area, and use on the property in the site statistics.
18. Addition of proposed and existing easements.
19. Label species of trees and depict Tree Protection Area on map.
20. Denote location and height of wall.
21. Addition of zoning line information.
22. Denote property has an H-1 overlay in the site statistics.
23. Addition of Conditional Zoning Restrictions per ZDP 2008-147.
24. Addition of zone-to-zone screening note per ZDP 2008-147.
25. Remove area of amendment dash line and note in site statistics.
26. Correct calculation of open space required for the whole property acreage.
27. Discuss compliance with Articles 16, 18, & 20 for parking, landscaping, and open space.

Staff Presentation – Ms. Galt oriented the Planning Commission to the development plan. She pointed out the addition to the building and stormwater improvements for the parking lot. She mentioned that staff had been concerned with compliance with Article 16, which requires an 8-foot vehicle use screening on the edge of a property. She stated that the applicant was willing to resolve the issue during the certification process. She indicated to the Commission that staff recommended approval subject to the 17 revised conditions.

Applicant Presentation – Daniel Rehner, Thoroughbred Engineering, was present to represent the applicant. He said that one of the changes that had been made was a new entrance to the property. He reiterated that they were willing to work with staff to meet the vehicle use screening requirements. He said that they agreed with the conditions and asked for approval.

Commission Questions – Mr. Michler asked how the concrete wall would be included in the buffer. Mr. Rehner replied that they would be adding an 8-foot section of plantings behind the retaining wall that would drain to the street.

Action – Ms. Meyer made a motion, seconded by Ms. Barksdale, and carried, 10-0 (Forester absent), to approve PLN-MJDP-24-00014: FIRST UNITED METHODIST CHURCH with 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. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
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.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Dimension new building and access points.

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13. Denote building height in the site statistics.
14. Label species of trees
15. Addition of zoning line information.
16. Correct purpose of amendment to include addition of 1600 square footage.
17. Resolve compliance with Article 16 for parking requirements.

VIII. COMMISSION ITEMS

- A. **INITIATION OF A ZONING ORDINANCE TEXT AMENDMENT** – The staff requested Planning Commission initiation of a text amendment to the Zoning Ordinance with regard to medicinal cannabis business regulations in response to adoption of KRS 218B. The staff is preparing the required mailings in order to hold a public hearing as early as May 2024.

Staff Presentation – Ms. Wade requested that the Planning Commission initiate a ZOTA regarding medicinal cannabis businesses operating in Fayette County. She told the Commission that this was necessary because of a newly adopted state law. She briefly described some of the cannabis business types and what zones that staff felt were appropriate for each type. She stated that the effective date of the state law was likely to be amended to July 1, 2024, and it would need to be completed faster than it would typically. She presented a suggested timeline so that the ZOTA could be heard and approved by Council before the date of July 1st.

Commission Comments – Ms. Worth suggested to include the definition of a cardholder.

Ms. Worth asked why the word plant was excluded from the text while seeds and seedlings were included. Ms. Wade opined that the sale of a plant was not allowed whereas the sale of seeds or seedlings were allowed.

Mr. Michler asked why Tier I and Tier II Cultivators were not suggested for only a conditional use, when greenhouses in the Agricultural zones were conditional uses. He further asked how the growing facilities would be regulated. Ms. Wade suggested that a cannabis cultivator should not be defined like a greenhouse and explained that it has to be in secure facilities that are more industrial in nature. She further explained that other items that are in agricultural zones that are not agricultural uses already have to apply for a conditional use permit and are limited to 10,000 sq. feet.

Mr. Zach Davis commented that he would prefer Tier I and II as Conditional Use Permits.

Ms. Wade told the Planning Commission that a copy of the suggested ZOTA would be sent to the Rural Land Management Board for feedback before the public hearing.

Action - Mr. Michler made a motion, seconded by Mr. Johnathon Davis, and carried 9-0 (Forester and Owens absent) to initiate the Medical Cannabis Business ZOTA.

Mr. Duncan reminded the Planning Commission of the next work session the following week.

- IX. **ADJOURNMENT** – The meeting was adjourned at 4:56 p.m.

Larry Forester

Janice Meyer