

MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
February 13, 2025

- I. **CALL TO ORDER** – Chair 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, Mike Owens, Ivy Barksdale, William Wilson, Judy Worth, Bruce Nicol and Frank Penn. Planning staff members present were Jim Duncan, Traci Wade, Daniel Crum, Chris Chaney, Cheryl Gallt, and Paula Schumacher. Other staff present were Tracy Jones, Department of Law; Steve Parker, Division of Traffic Engineering; Vaughan Adkins and Josh Dezarn, Division of Engineering; and Shannon Ison and Embry Beatty, Division of Fire and Emergency Services.
- III. **APPROVAL OF MINUTES** – Ms. Worth made a motion, seconded by Mr. Wilson and carried 7-0 (J Davis, Z. Davis, and Michler absent, Barksdale abstained) to approve the December 12, 2024 minutes.
- IV. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Mr. Wilson made a motion, seconded by Mr. Penn, and carried 7-0 (J Davis, Z. Davis, and Michler absent).
- V. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponements and withdrawals will be considered at this time.
- A. **PLN-MJDP-25-00001: GDK FARM, LLC (TURNER PROPERTY) (4/6/25)*** – located at 5447 TATES CREEK ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Eagle Engineering

Note: The purpose of this plan is to develop 9 single-family residential lots and 20 townhomes.

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. **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 purpose of plan.
15. Amend site statistics to utilize standard site statistics box.
16. Provide Lighting Plan for townhome area per Article 30 of the Zoning Ordinance.
17. Provided the Planning Commission finds that use of access easements for sole access and frontage is appropriate for Lots 10-29.
18. Denote timing of sanitary sewer improvements relative to pump station capacity per Note #22 on Preliminary Development Plan.
19. Update driveways for townhomes to meet Article 16-5(b).
20. Discuss stormwater detention per Note # 21 on Preliminary Development Plan.
21. Discuss resolution of access to Tates Creek Road per Note #23 on Preliminary Development Plan.

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Applicant Representation – Attorney Zach Cato was present to represent the applicant. He requested a one-month postponement so they could present a clean plan.

Action – Mr. Penn made a motion, seconded by Mr. Owens, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to postpone PLN-MJDP-25-00001: GDK FARM, LLC (TURNER PROPERTY) to the March 13, 2025 meeting.

- B. PLN-MJDP-25-00003: SIKURA JUSTICE PROPERTY, UNIT 6 (POLO CLUB CENTER, LOT 1) (AMD) (4/6/25)* – located at 2945 POLO CLUB LANE, LEXINGTON, KY
Council District: 12
Project Contact: NJL, LLC

Note: The purpose of this amendment is to revise Lot 1 and change proposed use from townhomes/commercial to commercial only.

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

The Subdivision Committee Recommended: Postponement. There are questions regarding compliance with Article 23A-9(k)(4) of the Zoning Ordinance and submittal of required infrastructure and EAMP compliance statements.

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 scale (1:50) and correct graphic scale to match.
15. Provide Expansion Area Master Plan compliance letter.
16. Amend site statistics to utilize standard site statistics table.
17. Depict Vehicular Use Area (VUA) perimeter buffer per Article 18-3(a)(2) of the Zoning Ordinance.
18. Denote bearings and distance for all lots in this development.
19. Denote height of proposed structures in feet.
20. Depict compliance with Article 18(3)(b) of the Zoning Ordinance.
21. Denote exactions to the approval of the Division of Planning.
22. Denote building lines on Lot 1.
23. Provide Lighting Plan per Article 30 of the Zoning Ordinance.
24. Discuss compliance with Article 23A-9(k)(4) of the Zoning Ordinance.
25. Discuss proximity of northern access point and circulation onto Lot 1.
26. Discuss submission of Infrastructure and Expansion Area Master Plan compliance statements.

Applicant Representation – Attorney Dick Murphy was present to represent the applicant. He requested a two-week postponement so he could have more time to work on the EAMP compliance statement.

Action – Mr. Owens made a motion, seconded by Ms. Worth, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to postpone PLN-MJDP-25-00003: SIKURA JUSTICE PROPERTY, UNIT 6 (POLO CLUB CENTER, LOT 1) (AMD) to the February 27, 2025 meeting.

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

- C. PLN-MJSUB-24-00011: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION, LOTS 4 & 5 (AMD) (4/6/25)* – located at 3840 FOUNTAINBLUE LANE, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

Note: The purpose of the plan is to subdivide Lot 4 into 2 lots, creating lot 5, and adding an access easement to Lots 3 & 4, giving access to Lot 5.

The Subdivision Committee Recommended: **Continuance** to the March 6, 2025 Subdivision Committee.

The Staff Recommended: **Disapproval**, for the following reasons:

1. This proposal appears to be creating a lot for a use that is not permitted in the B-3 zone and a lot that will not be occupied by a responsible party to ensure ongoing maintenance.
2. This proposal appears to be facilitating an attempted circumvention of the Zoning Ordinance requirements for corner lots.

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

Action – Mr. Owens made a motion, seconded by Mr. Wilson, and carried 7-0 (J Davis, Z. Davis, and Michler absent) PLN-MJSUB-24-00011: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION, LOTS 4 & 5 (AMD) to the March 13, 2025 meeting.

- D. PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) (12/12/24)* - located at 1101 WINBAK WAY, LEXINGTON, KY
Council District: 11
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict a new hotel and entertainment building and revise parking circulation.

The Subdivision Committee Recommended: **Postponement**. There are questions and concerns regarding the removal of significant trees from tree protection plan on previous plan, compliance with Article 28-6 and adherence to conditional zoning restrictions.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Dimension driveways, walkways, parking spaces, drive aisles, and ingress/egress.
14. Addition of height of Building 36 in feet.
15. Label trees in tree protection areas per Article 26 of the Zoning Ordinance.

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16. Addition of any proposed or existing easements.
17. Clarify proposed "entertainment" land use for Building 36.
18. Clarify site statistics totals and purpose of amendment.
19. Remove drive aisle from required landscape buffer per conditional zoning restrictions.
20. Discuss the removal of tree protection areas from previous plan.
21. Discuss compliance with Article 28-6 of the Zoning Ordinance for building features.
22. Discuss compliance with Article 28-6 for location of provided off-street parking.

Applicant Representation – Jihad Hallany, Vision Engineering, was present to represent the applicant. He requested a two-week postponement so that they could work on the tree mitigation plan.

Action – Mr. Wilson made a motion, seconded by Mr. Penn, and carried 7-0 (J Davis, Z. Davis, and Michler absent), to postpone PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) to the February 27, 2025 Planning Commission meeting.

- E. PLN-MJDP-24-00096: RAMSEY SULLIVAN PROPERTY, UNIT 3, LOT 1 (AMD) (2/23/25)* – located at 2530 KEARNEY RIDGE LANE, LEXINGTON, KY
Council District: 2
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict a revised building layout to face Kearney Ridge Boulevard, to revise gas pump location, and to revise the parking circulation.

The Subdivision Committee Recommended: Postponement. The applicant must demonstrate compliance with Article 8-16(b)(14).

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Clarify the size of existing trees per Article 26 of the Zoning Ordinance.
13. Document lighting plan per Article 30 of the Zoning Ordinance.
14. Discuss compliance with Article 8-16(b)(14) for an automobile service station.

Applicant Representation – Jihad Hallany, Vision Engineering, was present to represent the applicant. He requested that the plan be withdrawn.

Action - Mr. Penn made a motion, seconded by Ms. Barksdale, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to withdraw PLN-MJDP-24-00096: RAMSEY SULLIVAN PROPERTY, UNIT 3, LOT 1 (AMD).

- F. PLN-MJDP-24-00099: GIVENS PROPERTY, OUTLOT 7 (7BREW) (AMD) (4/6/25)* – located at 2349 REMINGTON DRIVE, LEXINGTON, KY
Council District: 2
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict building square footage, parking circulation and spaces, and drive-through and pickup window on Outlot 7.

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The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with Articles 8,16, 18, 20, 21, & 30 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. Update site statistics box to include cabinet/slide and total column, remove 85% line for parking reduction, and clarify title on building square footage.
14. Denote review and recommendation of the Royal Springs Wellhead Protection Committee.
15. Clarify area of amendment on vicinity map.
16. Correct property boundaries for Lots 6 & 7 per Plat S-500.
17. Addition of dimensions for canopy, buildings, driveways, and access on all lots.
18. Depict construction vehicle access point.
19. Depict location of street cross-section A-A on plan face.
20. Addition of street cross-section on plan to meet Plat S-500.
21. Clarify easements with dashed lines.
22. Addition of Note #26 from previous plan.
23. Clarify information for approval of Outparcel 1, 5, 6, and 11.
24. Provide lighting plan per Article 30 of the Zoning Ordinance.
25. Discuss compliance with Articles 16, 18, 20, and 30 of the Zoning Ordinance.
26. Discuss the approved square footage/lot coverage in the B-3 zone, prior to June 27, 2024.

Applicant Representation - Jihad Hallany, Vision Engineering, was present to represent the applicant. He requested a one-month postponement.

Action – Ms. Barksdale made a motion, seconded by Ms. Worth, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to postpone PLN-MJDP-24-00099: GIVENS PROPERTY, OUTLOT 7 (7BREW) (AMD) to the March 13, 2025 meeting.

- G. PLN-MJDP-24-00100: HAMBURG EAST, LOT 4-C (FIREBIRDS WOOD FIRED GRILL) (AMD) (4/6/25)* – located at 2400 POLO CLUB BOULEVARD, LEXINGTON, KY
Council District: 8
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise the building footprint, square footage, parking, and vehicular circulation on Lot 4-C.

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

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

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

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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. Update Tree Protection Plan and Tree Inventory for Lot 4C.
14. Denote exactions to the approval of the Division of Planning.
15. Provide Lighting Plan per Article 30 of the Zoning Ordinance.
16. Record consolidation plat for lot line change prior to certification.
17. Proposed consolidation must match limits of previously approved development plan(s).

Applicant Representation – Jihad Hallany, Vision Engineering, was present to represent the applicant. He requested a two-week postponement.

Action – Mr. Wilson made a motion, seconded by Ms. Barksdale, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to postpone PLN-MJDP-24-00100: HAMBURG EAST, LOT 4-C (FIREBIRDS WOOD FIRED GRILL) (AMD) to the February 27, 2025 meeting.

- H. PLN-MJDP-24-00097: PARK HILLS SHOPPING CENTER, LOT 4 (AMD) (2/3/25)* – located at 3120 PIMLICO PARKWAY, LEXINGTON, KY
Council District: 8
Project Contact: CMW

Note: The purpose of this amendment is to depict the location of an accessory drive-thru pick-up window to an existing building on Lot 4.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding on-site circulation.

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. 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.
12. Addition of new site statistics box for the development.
13. Denote contour interval values.
14. Discuss site circulation and proposed stacking lanes.
15. Discuss turn radius at corner of building.

Staff Comments – Ms. Wade informed the Commission that the applicant had not yet presented the plan

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to the Subdivision Committee, and had requested a one-month postponement.

Action – Mr. Penn made a motion, seconded by Mr. Owens, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to postpone PLN-MJDP-24-00097: PARK HILLS SHOPPING CENTER, LOT 4 (AMD) to the March 13, 2025 meeting.

- I. PLN-MJDP-25-00002: GIVENS PROPERTY, OUTLOT 6 (WENDY'S) (AMD) (4/6/25)* – located at 2341 REMINGTON DRIVE, LEXINGTON, KY
Council District: 2
Project Contact: Weaver Consultants Group

Note: The purpose of this amendment is to depict building square footage, parking circulation and spaces, and drive-through with pick-up window on Outlot #6.

The Subdivision Committee Recommended: Postponement. There are questions regarding compliance with the lot coverage requirements of Article 8 and Articles 20 & 30 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. Improve plan legibility.
14. Addition of scale and graphic scale.
15. Remove copyright note.
16. Correct plan title to match staff report.
17. Depict property boundaries of the entire development with solid line and adjacent property boundaries with dashed line.
18. Correct record plat information in site statistics box per S-550.
19. Depict location of construction vehicle access.
20. Addition of street cross-section on plan per Plat S-550.
21. Clarify building lot coverage and addition of missing information in site statistics box.
22. Addition of dimensions for buildings, driveway, and access on all lots.
23. Clarify information for approval of Outlots 1, 5, 7, and 11.
24. Dimension Vehicular Use Area (VUA) on the southeast side of property at access point.
25. Addition of north arrow.
26. Denote review by Royal Springs Wellhead Protection Committee.
27. Document open space per Article 20 of the Zoning Ordinance.
28. Provide Lighting Plan per Article 30 of the Zoning Ordinance.
29. Discuss the approved square footage /lot coverage in the B-3 zone prior to June 27, 2024.

Staff Comments – Ms. Gallt informed the Commission that the applicant had reached out to request a one-month postponement.

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Action – Mr. Wilson made a motion, seconded by Ms. Barksdale, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to postpone PLN-MJDP-25-00002: GIVENS PROPERTY, OUTLOT 6 (WENDY'S) (AMD) to the March 13, 2025 meeting.

Commission Comments – Mr. Penn stated that he felt that something needed to be done about the large number of postponements on one agenda. Other Commissioners nodded in agreement.

- VI. LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, February 6, 2025 at 8:30 a.m. The meeting was attended by Commission members Bruce Nicol, Ivy Barksdale, and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and Jeff Neal and Steve Parker, Division of Traffic Engineering. Staff members in attendance were Traci Wade, Daniel Crum, Chris Chaney, Cheryl Gallt, Paula Schumacher; Shannon Ison, 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-20-00073: LIBERTY ROAD SERVICE CENTER (4/6/25)* – located at 1833, 1837, & 1865 LIBERTY ROAD, LEXINGTON, KY
Council District: 5
Project Contact: Vision Engineering

Note: The purpose of this plan is to depict construction of 63,965 square feet of office/warehouse space with associated parking.

Note: The applicant requested re-approval on January 17, 2025.

The Subdivision Committee Recommended: **Re-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.

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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. Resolve stormwater management plan.
 14. Provide outdoor lighting plan per Article 30 of the Zoning Ordinance.
 15. Addition of dimension of landscape buffer adjacent to Vehicular Use Area along 1869 Liberty Road.
2. PLN-MJDP-23-00079: LAIL PROPERTY (4/6/25)* - located at 1551 GREENDALE ROAD, LEXINGTON, KY
Council District: 2
Project Contact: EA Partners

Note: The purpose of this amendment is to depict structure and lot layout.

Note: The Planning Commission approved this plan on January 11, 2024. The applicant requested re-approval on January 16, 2025.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. 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 Kentucky Transportation Cabinet's approval of access to Greendale and Spurr Roads.
14. 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.
15. Addition of purpose of plan.
16. Addition of dimensions for driveway off Spurr Road.
17. Denote height of building in feet and proposed use of building.
18. Denote Royal Springs Wellhead Protection Committee review date and recommendations.
19. Addition of species and size of trees per Article 26 of the Zoning Ordinance.
20. Addition of Floor Area Ratio and lot coverage in site statistics.
21. Depict proposed and existing easements.
22. Denote pedestrian connection to rights-of-way.
23. Resolve improvements to Greendale and Spurr Road and connection to sanitary sewers from preliminary development plan.
24. Resolve compliance with Article 20 for useable open space.

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3. PLN-MJDP-24-00094: AYLESFORD SUBDIVISION (HOLY SPIRIT NEWMAN CENTER) (AMD) (4/6/25)* – located at 320 ROSE STREET, LEXINGTON, KY
Council District: 3
Project Contact: Carman

Note: The purpose of this amendment is to allow the removal of a portion of the existing building to be replaced with a larger addition and upgrades to patio and sidewalks.

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. 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.
 13. Provide Lighting Plan per Article 30 of the Zoning Ordinance.
 14. Resolve stormwater management and building addition conflict with the existing sanitary sewer.
4. PLN-MJDP-25-00004: GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES, LOT 2) (AMD) (4/6/25)* – located at 2709 RUBY RIVER DRIVE, LEXINGTON, KY
Council District: 2
Project Contact: Barrett Partners, Inc

Note: The purpose of this amendment is to increase clubhouse building and pool deck amenity area and revise bedroom count on the townhomes.

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. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
6. Division of Waste Management's approval of refuse collection locations.
7. 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.
8. Depict location of construction vehicle access point.
9. Addition of street cross-section for Madison River Road.
10. Addition of tree inventory per Article 26 of the Zoning Ordinance (list 105 trees).
11. Update site statistics box to utilize standard site statistics box.
12. Provide Lighting Plan per Article 30 of the Zoning Ordinance.

Action – Mr. Penn made a motion, seconded by Ms. Worth, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to approve the consent agenda as presented.

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- 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. **Preliminary Subdivision Plans** – None at this time.

3. **Development Plans**

- a. PLN-MJDP-24-00010: DISTILLERY DISTRICT- WEST UNIT 1 (AMD) (5/9/24)* - 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 the posting of a sign and an affidavit of such.

Note: The Planning Commission indefinitely postponed this item on May 9, 2024. The applicant submitted a revised plan and request for re-activation on December 30, 2024. The Planning Commission postponed it at the January 16, 2025 meeting.

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,

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or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.

14. Correct spelling in required parking calculations table.
15. Correct numbering in general notes.
16. Discuss compliance with storage restrictions of Article 19 of the Zoning Ordinance.
17. Discuss proposed retail use in new building.
18. Discuss angled vehicle parking along east side of property.
19. Discuss proposed compliance with new construction requirements of Article 19 of the Zoning Ordinance.
20. Provided a Special Uses Permit is granted by Engineering for activity within the Floodplain.

Staff Presentation – Mr. Chaney oriented the Commission to the development plan. He discussed the extensive floodplain/floodway on the property and the potential issues that could come from the vehicle storage and retail building in the flood way. He explained that the applicant proposed a new retail building and paved parking for rental vehicles and equipment. He also shared revised staff conditions for approval of the plan, noting that, in order to comply with Article 19 of the Zoning Ordinance, an appeal to the Floodplain Appeals Committee would be necessary.

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. Correct spelling in required parking calculations table.
15. Correct numbering in general notes.
16. Clarify proposed retail use in new building.
17. ~~Provided a Special Uses Permit is granted by the Floodplain Appeals Committee for activity within the floodplain. Edit Note #16 to the approval of the Division of Engineering.~~
18. ~~Denote conditions and requirements of Floodplain Appeals Committee, if approved.~~
18. ~~19.~~ Discuss outdoor storage restrictions of Article 19 of the Zoning Ordinance.
19. ~~20.~~ Discuss proposed compliance with new construction requirements of Article 19 of the Zoning Ordinance.

Commission Questions – Mr. Owens asked for clarity regarding the vehicle/equipment rentals. Mr. Chaney replied that the storage of such vehicles was prohibited in the floodplain.

Applicant Presentation – Jihad Hallany, Vision Engineering, was present to represent the applicant. He explained that the proposed building would be elevated above the floodplain. He further detailed their plan to build a guardrail around the parking lot to contain any moving vehicles, in the event of flooding. He listed the next steps of the approval process after an approval by the Planning Commission. They included applying for a Conditional Letter of Map Revision (CLOMR), a special use permit, and approval of the Floodplain Appeals Committee. He stated that the Division of Engineering was in agreement with the plan to move forward to the Planning Commission. He asked the Planning Commission to approve the plan so they could move ahead with their next steps with FEMA.

Commission Questions – Mr. Penn asked why the applicant was not focusing on keeping water out of

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the parking lot, rather than keeping the vehicles in the parking lot. Mr. Hallany replied that he felt that flooding would probably never happen, but wanted to add the guardrail as a safety precaution for overnight storage.

Mr. Penn further inquired about the depth of stormwater if it was present. Mr. Hallany estimate that it could be between a few inches to 3 feet maximum.

Mr. Nicol asked if there had been any consideration for improvements on the stream banks. Mr. Hallany stated the only way to get this property out of the floodplain was to raise it, but that would have consequences downstream. He said the current plans would not have any impact on properties further down Town Branch.

Mr. Penn opined that putting up a guardrail was a cheap fix for the problem. Mr. Hallany replied that the property was an existing parking lot where cars parked already.

Citizen Comments – Amy Clark, 628 Kastle Road, shared her concern about the Town Branch watershed. She was concerned about the amount of fill that would be added to the property, and felt approval at this point would be premature.

Zina Merkin, 120 Victory Avenue, was concerned about where water would go during a flood event, especially if fill was added to the site. She was also concerned about the old and historic buildings on the site currently. She also felt that the flood bank is currently unstable and unsafe, and adding more to the site could make it more dangerous.

Staff Comments – Ms. Wade explained that Planning Commission approval would allow the applicant to move forward with the next steps including approval by the Floodplain Appeals Committee (FAC). She added that issues such as the amount of fill and guardrail construction would all have to be addressed before construction began.

Commission Questions – Ms. Worth asked staff to explain the sequence of approvals, and suggested that it would be easier for them to make a decision after the FAC made a decision. Ms. Wade explained that the Division of Engineering would first have to sign off on a request for a CLOMR, but they would not be able to do that if there is not a development plan. Once approved, the applicant must work on the engineering plan of the site and then request a special use permit. This special use permit will be denied, which would allow the applicant to appeal to the FAC. After that, typically a minor amendment would be filed with the requirements of the Committee placed on the plan with a note.

Ms. Worth asked if the project could still be denied, even if the Planning Commission approves it. Ms. Wade affirmed that the FAC could deny the appeal, but reiterated that that process couldn't move forward without approval by the Planning Commission.

Applicant Rebuttal – Mr. Hallany reiterated that they were in agreement with the staff's recommendation and conditions, as well as the process of approval outlined by Ms. Wade.

Citizen Rebuttal – Ms. Clark encouraged the Planning Commission to ask the applicant to do more work and present more information before a decision was made.

Commission Comments – Mr. Penn said he did not approve of a guardrail without a CLOMR and more engineering information. Mr. Wilson asked staff to address this. Josh Dezarn, Division of Engineering, told the Planning Commission that the guardrail would be the chief reason why the application would go to the Floodplain Appeals Committee because it did not meet the requirements of Article 19. He added that it was just an idea that could be changed, and suggested that the applicant submit a different design or find a different location for the trailers.

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Mr. Owens concurred with Mr. Penn's concerns. He felt that the applicant should come back with a different plan.

Action – Mr. Owens made a motion, seconded by Ms. Worth, and carried 7-0 (J Davis, Z. Davis, and Michler absent) to continue the plan to the March 13, 2025 meeting.

- b. PLN-MJDP-25-00005: DENTON FARMS, UNIT 2, LOT 1 (AMD) (5/6/25)* – located at 3950 RICHMOND ROAD, LEXINGTON, KY
Council District: 7
Project Contact: Barrett Partners, Inc.

Note: The purpose of this amendment is to revise building types on Unit 2, Lot 1 to include 61 multi-family units and 34 townhomes.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Improve plan legibility for conditional zoning notes.
13. Addition of tree inventory to be preserved per Article 26 of the Zoning Ordinance.
14. Denote exactions to the approval of the Division of Planning.
15. Provide Lighting Plan per Article 30 of the Zoning Ordinance.
16. Provided the Planning Commission finds the development to be in compliance with the Expansion Area Master Plan.
17. Denote Planning Commission approval of a waiver for lot frontage and access for Units 12-31 shall be required at the final record plat stage..
18. Denote 50' buffer along Richmond Road per conditional zoning restrictions.
19. Resolve compliance with Article 23A-2(i) for garage setbacks along Ellerslie Park Boulevard.

Staff Presentation – Ms. Gallt oriented the Planning Commission to the development plan. She pointed out the area where they planned to build both apartments and townhomes. She informed the Commission that there were two new conditions added to the staff report due to some conditional zoning that had been placed on the property. They addressed the need for a second emergency access point and a hedge row along a portion of Delong Road. Ms. Gallt said that staff was recommending 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.

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11. United States Postal Service Office's approval of kiosk locations or easement.
12. Improve plan legibility for conditional zoning notes.
13. Addition of tree inventory to be preserved per Article 26 of the Zoning Ordinance.
14. Denote exactions to the approval of the Division of Planning.
15. Provide Lighting Plan per Article 30 of the Zoning Ordinance.
16. Provided the Planning Commission finds the development to be in compliance with the Expansion Are Master Plan.
17. Denote Planning Commission approval of a waiver for lot frontage and access for Units 12-31 shall be required at the final record plat stage.
18. Denote 50' buffer along Richmond Road per conditional zoning restrictions.
19. Resolve compliance with Article 23A-2(i) for garage setbacks along Ellerslie Park Boulevard.
20. Denote: No building permits for Unit 2, Lot 1 shall be issued until emergency access is constructed at indicated location along Delong Road. Such emergency access shall meet the requirements of the Division of Fire and Emergency Services and Traffic Engineering.
21. Denote: No building permits for Unit 2, Lot 1 shall be issued until hedge-fence along Delong Road to replicate what is across Delong Road on Juddmonte Farm per conditional zoning, item E.

Commission Questions – Mr. Owens asked about a possible emergency access depicted on the development plan near the intersection of Old Richmond Road and Athens Boonsboro Road. Ms. Gallt replied that Old Richmond Road would be closed eventually, and that particular access possibility would be unacceptable.

Ms. Worth asked if the current conditions along Delong Road, including honeysuckle, would be acceptable for the hedge row. Ms. Gallt replied that it would need to be removed and replaced with similar plantings to match what was currently along Juddmonte Farm. Ms. Gallt explained that it would include a hedge and fence.

Applicant Comments – Michael Barlow was present to represent the applicant. He said that they were in agreement with the conditions in the staff report. He added that they had met with the fire department to discuss the future emergency services access.

Citizen Comments – Dave Osbourn, 485 Weston Park, was concerned about the height of one of the proposed apartment buildings. He presented a map and some photos to demonstrate his concerns.

Applicant Rebuttal – Mr. Barlow stated that they intended to comply with the allowable building height for the zone, 35 feet.

Commission Questions – Mr. Nicol state that according to the development plan, the applicant was meeting the Ordinance regarding building height.

Mr. Owens asked if there was a possibility to grade the property lower so the height of the building would not be so intrusive. Mr. Barlow said it might be possible.

Mr. Penn asked if the property was the natural elevation or if it had fill from other development. Mr. Barlow said that it most likely did have extra fill from previous work within their development.

Mr. Owens asked if the Division of Fire had any comments regarding the second access. Mr. Beatty replied that he had spoken to the applicant, and that there needs to be a second access before anything else is built.

Mr. Owens asked if there was a possibility of adding a condition encouraging a possible grade change to lower the property. Ms. Wade replied that the Planning Commission does not typically get involved in that part of the process.

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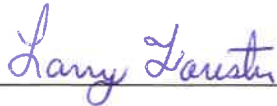
Action – Mr. Nicol made a motion, seconded by Mr. Wilson, and carried 7-0 (J Davis, Z. Davis, and Michler absent), to approve PLN-MJDP-25-00005: DENTON FARMS, UNIT 2, LOT 1 (AMD) with the revised conditions presented by staff.

Mr. Nicol made a motion, seconded by Mr. Penn, and carried 7-0 (J Davis, Z. Davis, and Michler absent), to approve the EAMP Compliance Statement as presented by staff.

VII. COMMISSION ITEMS

Mr. Duncan reminded the Planning Commission of their upcoming work session.

IIIX. ADJOURNMENT – Chair Forester adjourned the meeting at 2:36 p.m.



Larry Forester



Robin Michler