

MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
March 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, Molly Davis, Robin Michler, and Zach Davis. Planning staff members present were Jim Duncan, Traci Wade, Daniel Crum, Chris Chaney, Jeremy Young, Cheryl Galt, 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 Shannon Ison and Embry Beatty, Division of Fire and Emergency Services.

Chair Comments – Chair Forester welcomed the new Planning Staff member, Jeremy Young, as well as new Planning Commissioner, Molly Davis.

III. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Ms. Worth made a motion, seconded by Mr. Wilson, and carried 8-0 (J. Davis, Barksdale, and Penn absent).

IV. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponements and withdrawals were considered at this time.

A. **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 April 10, 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.

B. **PLN-MJDP-24-00074: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY, LOT 4 (THE FOUNTAINS OF PALOMAR) (AMD) (3/13/25)*** - located at 3855 FOUNTAINBLUE LANE, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

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

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with Section 16-6 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.

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

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. Discuss compliance with Section 16-6 of the Zoning Ordinance for corner lots.

Applicant Representation – Attorney Branden Gross was present to represent the applicant for these two applications. He requested a one-month postponement on both items. He stated that one of the two plans would be withdrawn once they completed their revisions.

Action – Mr. Wilson made a motion, seconded by Ms. Worth, and carried 8-0 (J. Davis, Barksdale, and Penn absent), to postpone PLN-MJSUB-24-00011: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION, LOTS 4 & 5 (AMD) to the April 10, 2025 meeting.

Action - Mr. Wilson made a motion, seconded by Ms. Worth, and carried 8-0 (J. Davis, Barksdale, and Penn absent), to postpone PLN-MJDP-24-00074: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY, LOT 4 (THE FOUNTAINS OF PALOMAR) (AMD) to the April 10, 2025 meeting.

- C. 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.

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

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.

Applicant Representation – Attorney Branden Gross was present to represent the applicant. He requested a one-month postponement so the lot coverage issue could be resolved.

Action - Mr. Z. Davis made a motion, seconded by Mr. Owens, and carried 9-0 (J. Davis, and Penn absent), to postpone PLN-MJDP-25-00002: GIVENS PROPERTY, OUTLOT 6 (WENDY'S) (AMD) to the April 10, 2025 meeting.

- D. 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.

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.

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

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 – Matt Carter, Vision Engineering, was present to represent the applicant. He requested an indefinite postponement because of the lot coverage issue.

Action – Mr. Z. Davis made a motion, seconded by Ms. Barksdale, and carried 9-0 (J. Davis, and Penn absent), to indefinitely postpone PLN-MJDP-24-00099: GIVENS PROPERTY, OUTLOT 7 (7BREW) (AMD).

- E. PLN-MJDP-24-00010: DISTILLERY DISTRICT- WEST UNIT 1 (AMD) (4/1/25)* - 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-footed 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: **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. 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 Flood plain.
18. Denote conditions and requirements of Floodplain Appeals Committee, if approved.
19. Discuss outdoor storage restrictions of Article 19 of the Zoning Ordinance.
20. 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. Owens made a motion, seconded by Ms. Barksdale, and carried 9-0 (J. Davis, and Penn absent), to postpone PLN-MJDP-24-00010: DISTILLERY DISTRICT- WEST UNIT 1 (AMD) to the April 10, 2025 meeting.

- F. PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) (2/13/25)* - located at 1101

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

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 remain questions and concerns regarding the removal of significant trees from tree protection plan on previous plan and adherence to conditional zoning restrictions along Red Mile Road.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Dimension driveways, walkways, parking spaces, drive aisles, and ingress/egress.
14. Addition of street cross-section for Winbak Way.
15. Label trees in tree protection areas per Article 26 of the Zoning Ordinance.
16. Addition of any proposed or existing easements.
17. Clarify proposed "entertainment" land use for Building 39.
18. Clarify site statistics totals and purpose of amendment.
19. Remove drive aisle from required landscape buffer per conditional zoning restrictions.
20. Clarify number of floors on Buildings 36, 37, 38, and 39.
21. Provide mitigation plan for removal of trees.
22. Correct Note #16 to remove reference to Article 27 of the Zoning Ordinance.
23. Correct site statistics to remove buildings 2 & 28 which are no longer depicted.
24. Depict compliance with Article 28-6 for building features for Building 39.
25. Discuss timing of construction of a mixed-use building per the restrictions of Article 28-5(h)(5)(c)(1).

Applicant Representation – Matt Carter, Vision Engineering, was present to represent the applicant. He told the Commission that he was confident that this plan was ready to present, but had to work out a few more issues with staff. He requested a two-week postponement.

Action – Mr. Owens made a motion, seconded by Ms. Worth, and carried 9-0 (J. Davis, and Penn absent), to postpone PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD) to the March 27, 2025 meeting.

- G. PLN-MJDP-24-00097: PARK HILLS SHOPPING CENTER, LOT 4 (AMD) (3/13/25)* – 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.

* - 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 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 reached out and requested a one-month postponement.

Action – Mr. Z. Davis made a motion, seconded by Mr. Wilson, and carried 9-0 (J. Davis, and Penn absent), to postpone PLN-MJDP-24-00097: PARK HILLS SHOPPING CENTER, LOT 4 (AMD) to the April 10, 2025 meeting.

- H. 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.

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

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.

Staff Comments – Ms. Wade informed the Commission that the applicant had reached out and requested a one-month postponement.

Action – Mr. Michler made a motion, seconded by Ms. Barksdale, and carried 9-0 (J. Davis, and Penn absent), to postpone PLN-MJDP-25-00001: GDK FARM, LLC (TURNER PROPERTY) to the April 10, 2025 meeting.

IV. LAND SUBDIVISION ITEMS – The Subdivision Committee met on Thursday, March 6, 2025 at 8:30 a.m. The meeting was attended by Commission members Frank Penn, 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-24-00095: NEWTOWN SPRINGS, LOT 4 (AMD) (3/13/25)* – located at 1425 NEWTOWN CENTER WAY, LEXINGTON, KY
Council District: 1
Project Contact: EA Partners

Note: The purpose of this amendment is to depict a restaurant, drive-thru, parking, and circulation on Outlot 4.

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

Note: This plan was postponed at the January 16, 2025 meeting for two months.

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 the Capacity Assurance Program requirements, prior to plan certification.
 12. United States Postal Service Office's approval of kiosk locations or easement.
 13. Correct spelling in purpose statement.
 14. Document lighting plan per Article 30 of the Zoning Ordinance.
 15. Denote review and recommendations of the Royal Springs Aquifer Wellhead Protection Committee.
 16. Provided the Board of Adjustment approves the drive-through facilities.
 17. Depict dimensions and bearings of proposed Lot 4.
 18. Denote access easement over Lot 3A for the benefit of Lot 4.
 19. Label dashed lines parallel to western boundary of Lot 3A.
 20. Dimension covered patio and add square footage on face of plan.
2. PLN-MJDP-25-00009: SOUTH LEXINGTON DEVELOPMENT CO. INC (WYNNDALE DEVELOPMENT, LLC) (HIGBEE CREEK) LOT 5 (5/4/25)* – located at 1850 & 1870 OLD HIGBEE MILL ROAD, LEXINGTON, KY
Council District: 9
Project Contact: EA Partners

Note: The purpose of this amendment is to depict development on Lot 5.

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 Waste Management's approval of refuse collection locations.
 10. United States Postal Service Office's approval of kiosk locations or easement.
 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. Depict all property information for Lot 2 including site statistics and a total column.
 13. Addition of building line on Lot 5.
 16. Resolve Note #15 from previous plan about greenway dedication.
3. PLN-MJDP-25-00010: HIGHLAWN SUBDIVISION, BLOCK A, LOTS 10-12 (5/4/25)* – located at 1400 N. LIMESTONE, LEXINGTON, KY
Council District: 1
Project Contact: Banks 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 plan is to update the street cross-section for Bolser Avenue.

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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
5. Enlarge dimensions and text on street cross-section.
6. Provide a lighting plan per Article 30 of the Zoning Ordinance.

Action – Ms. Worth made a motion, seconded by Ms. Barksdale, and carried 9-0 (J. Davis, and Penn absent), 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. Preliminary Subdivision Plans – None at this time.

3. Development Plans

- a. PLN-MJDP-24-00101: CURRENT ADDITION PROPERTY, LOTS 31, & 38-40 (OLDHAM & COLUMBIA TOWNHOMES) (5/4/25)* – located at 550, 556, 560, & 568 COLUMBIA AVENUE, LEXINGTON, KY
Council District: 3
Project Contact: Element Design

Note: The purpose of this plan is to develop 13 townhomes, reconfigure 3 lots, and depict shared parking.

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.

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

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. Correct plan title to match staff report.
16. Denote Final Development Plan and Preliminary Subdivision Plan in title block.
17. Depict lotting scheme for adjacent and subject properties per Article 5-2(d) of the Land Subdivision Regulations.
18. Depict property location on vicinity map.
19. Denote right-of-way widths in cross-sections and discuss possible waiver.
20. Consolidate all general notes in one group and number accordingly.
21. Denote a consolidation plat will be required prior to issuance of building permits.
22. Use standard site statistics table.
23. Provide Lighting Plan per article 30 of the Zoning Ordinance.
24. Resolve purpose of Vehicle Use Area on the south end of Unit 1.

Staff Presentation – Mr. Chaney oriented the Planning Commission to the final development plan/preliminary subdivision plan which depicted 13 townhomes. He said that the applicant did submit a revised plan, but it was submitted after the deadline, so there were no new conditions. He added that it seemed the revision addressed several of the cleanup items.

Commission Questions – Mr. Michler asked why the ends of two of the townhome buildings did not front on Columbia Avenue, since it was the primary street. Mr. Chaney replied that there had not been any such discussions. Mr. Michler further asked if there were any design guidelines that referenced the orientation of the units. Mr. Chaney replied that the front doors were required to front a public right-of-way, and the applicant had chosen to face the units on both Oldham Court and Park Avenue which are public right-of-way.

Ms. Davis asked if there was a tree protection plan and if any of the trees on the property had been saved. Mr. Chaney replied that there was a tree preservation plan included on the plan, but suggested that the applicant address questions about the trees.

Applicant Representation – Ramona Fry, Element Design, was present to represent the applicant. She stated that the interior trees had been removed as well as one street tree that was a potential hazard.

Mr. Michler asked why the applicant had chosen to orient the buildings to the side streets rather than Columbia Avenue. Ms. Fry replied that they had looked at several designs before concluding that this was the best orientation for the project. She added that she could discuss adding architectural features to address Columbia Avenue with the developer.

Staff Comments – Ms. Wade clarified that while there was no requirement for both sides to have an entrance, but there was a requirement for 10% openings on sidewall and front building faces.

Staff Presentation – Mr. Chaney presented the waiver request at this time. He informed the Commission that the applicant was requesting the waiver for an alternate street cross-section. He explained the Staff recommendation. He added that one of the issues that required this request was an existing stone wall on the property.

The Staff Recommends: Approval of the requested waiver of Articles 6-8(a), Exhibit 6-3, and 6-10(b)(2), for the following reasons:

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

1. Granting the requested waiver will not adversely affect public health, welfare and safety as the sidewalks will meet current standards and there are accommodations for street trees. Additionally, utilities are in place and the reduced utility strip will not impact the development, adjoining lots or utility providers.
2. Granting the waiver is consistent with the intent of Article 1-5(a) of the Land Subdivision Regulations for Exceptional Hardship due to the conditions on site which include a non-typical existing cross-section and an existing stone and masonry retaining wall.

Findings for the appropriateness for an alternate cross-section:

1. Allowing a narrower utility strip to accommodate wider sidewalks while providing a planting easement for street trees is appropriate and consistent with the intent of the Land Subdivision Regulations and will not negatively impact public health and safety.

The recommendation is made subject to the following additional condition:

- a. Denote and depict the proposed 5' planting easement on the Final Development Plan.

Commission Questions – Ms. Davis asked which trees would be affected by the reduction of the utility strip. Mr. Chaney pointed to the strip on Park Avenue. Mr. Chaney stated that there was a street tree planting requirement. Ms. Fry added that the revised plan does show the street tree plantings.

Citizen Comments - Mark Barker, 539 Park Avenue, displayed photographs of trees that had been removed from the property. He thought that replacement of the trees was important to the neighborhood, and was concerned about sufficient parking.

Commission Question – Mr. Owens asked if the street tree plantings that were submitted were sufficient to staff. Ms. Wade replied that often the street trees are not always indicated on a development plan graphically, but she shared street tree spacing requirements.

Ms. Worth reminded Mr. Barker that the Urban Forester would have to sign off on the proposed tree canopy.

Ms. Davis asked if there would be required trees planted in the front yard rather than the right-of-way. Ms. Wade replied affirmatively.

Ms. Davis asked how many bedrooms were planned for each unit and how it balanced with the open/green space. Ms. Fry replied that 12 units would have two bedrooms, and one ADA unit would have three. She said that there was more open space and green space than required. Ms. Wade replied that this zone does not require open space, but there are landscaping buffer requirements that are being provided.

Ms. Worth asked Ms. Wade to remind the Commission of the parking requirements. Ms. Wade stated that there was no parking minimums for any zones, and that the applicant decides how many spaces are needed for their site. Parking spaces had never been a 1:1 requirement. She added that, in this particular plan, there may be one or two more spaces added when the dumpster is removed from the plan, and on street parking is available.

Action – Mr. Nicol made a motion, seconded by Mr. Wilson, and carried 9-0 (M. Davis and Z. Davis abstained, J. Davis and Penn absent) to approve PLN-MJDP-24-00101: CURRENT ADDITION PROPERTY, LOTS 31, & 38-40 (OLDHAM & COLUMBIA TOWNHOMES) as presented by staff.

Mr. Nicol made a motion, seconded by Mr. Wilson, and carried 9-0 (M. Davis and Z. Davis abstained, J. Davis and Penn absent) to approve the waiver request as presented by staff.

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

- b. PLN-MJDP-25-00007: COWGILL PARTNERS, LP PROPERTIES (MEADOWCREST) (AMD) (5/4/25)* – located at 2550 WINCHESTER ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Vision Engineering

Note: The purpose of this plan is to revise the layout on Lots 1 & 2 for a planned mixed-use office and residential development.

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

The Subdivision Committee Recommended: **Postponement.** There are several discussion questions that need to be addressed.

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. Provide a Lighting Plan per Article 30 of the Zoning Ordinance.
14. Denote height in feet on buildings 1-4 on Lots 1 & 2.
15. Denote residential square footage in site statistics.
16. Provided the Planning Commission finds that the development complies with the Expansion Area Master Plan.
17. Provided the Planning Commission grants a waiver to Article 6-8(a) of the Land Subdivision Regulations.
18. Denote exactions to the approval of the Division of Planning.
19. Discuss continuation of Paramount Drive as a private street and angled parking at the south end of Paramount Drive.
20. Discuss Notes #27 and #28 related to vehicular access to Lots 1 & 2 and Polo Club Boulevard.
21. Discuss proposed supportive uses on Lots 1 & 2 and compliance with Article 23A-10 of the Zoning Ordinance.

Staff Presentation – Mr. Chaney oriented the Commission to the development plan. He informed them that the applicant had submitted a revised plan, and a revised staff report had been distributed. He pointed out the residential and office use areas, as well as the proposed new street layout. He stated that Staff recommended approval 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.

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

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 a Lighting Plan per Article 30 of the Zoning Ordinance.
14. ~~Denote height in feet on buildings 1-4 on Lots 1 & 2. Remove what appears to be spot elevation tick marks on plan face.~~
15. ~~Denote residential square footage in site statistics.~~
15. 15. Provided the Planning Commission finds that the development complies with the Expansion Area Master Plan.
16. 17. Provided the Planning Commission grants a waiver to Article 6-8(a) of the Land Subdivision Regulations.
17. 18. Denote exactions to the approval of the Division of Planning.
19. ~~Discuss continuation of Paramount Drive as a private street and angled parking at the south end of Paramount Drive.~~
20. ~~Discuss Notes #27 and #28 related to vehicular access to Lots 1 & 2 and Polo Club Boulevard.~~
21. ~~Discuss proposed supportive uses on Lots 1 & 2 and compliance with Article 23A-10 of the Zoning Ordinance.~~
18. Discuss Note #34 regarding light trespass onto Lots 3 & 4.
19. Discuss open space agreement with University of Kentucky for Lot 17.

Staff Presentation - Mr. Chaney explained the waiver request made by the applicant to Article 6-8(a) of the Land Subdivision Regulations. They requested an alternate cross-section, and staff made the following recommendation:

The Staff Recommends: Approval of the requested waiver of Article 6-8(a), for the following reasons:

1. Granting the requested waiver will not adversely affect public health, welfare and safety as the reduction of lane width is still sufficient for normal vehicular traffic and will act as a traffic calming feature.
2. Granting the waiver is consistent with the intent of Article 1-5(b) of the Land Subdivision Regulations for Design Innovations and Large-Scale Development due to creating a traffic calming effect on traffic along Paramount Drive.

Findings for the appropriateness for an alternate cross-section:

1. Allowing a reduction in width in the drive lanes from the required 15' to 11' of the proposed street cross section in order to provide traffic calming is appropriate and consistent with the intent of the Land Subdivision Regulations and will not negatively impact public health and safety.

Commission Question - Ms. Worth inquired about the back-in parking near the clubhouse. She stated that she was not comfortable with that type of parking. Mr. Chaney replied that the applicant had responded to the similar concerns of the Division of Traffic Engineering and reduced the number of back-in spaces as well as moved them further away from the curve in the road. Mr. Filiatreau added that back-in parking is allowed in the Zoning Ordinance.

Staff Presentation - Mr. Chaney continued his presentation and explained the Expansion Area Master Plan (EAMP) report. He noted that this development was in compliance with the EAMP for the following reasons:

1. The use and proposed development meet the definition of the Economic Development (ED) land use category of the EAMP that has been planned for this area.
2. The proposed development does meet the requirements of the Economic Development (ED) zone.
3. All required sanitary sewer trunk line and collector street infrastructure (Polo Club Boulevard) to serve this development are in place.

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

The staff recommends the following changes to the final development plan in order to ensure even greater compliance with the Community Design Element of the EAMP:

- a. Reevaluate the proposed traffic circle near the Winchester Road intersection to the approval of Traffic Engineering.
- b. Provide a correct termination for Paramount Drive, adjacent to Lots 3 & 4 in order to allow traffic circulation and pedestrian access to the greenway and open space.

Applicant Representation – Attorney Brandon Gross, Matt Carter, Vision Engineering; and Carson Baughman, Cowgill were present to represent the applicant. Mr. Gross presented an affidavit and photo of the required sign posting. He displayed a color version of the plan. He stated that there had been discussions with staff regarding the lighting plan, and felt that it could be resolved. He said that they would be able to comply with open space requirements and also felt that this discussion could be resolved. He addressed the waiver request and said that it was for traffic calming.

Commission Questions – Ms. Davis asked Mr. Gross to point out the section of road that would be addressed with the waiver request, and he did so. He further justified the request by suggesting that the Complete Streets Manual would ultimately recommend 11-foot lanes.

Ms. Davis asked for additional information about the greenway, and detention/retention area with trails. Mr. Gross stated that they were basically turning an old farm pond into a water feature. He stated that it would serve as both retention and detention, and both were depicted on the development plan. He said that the water would slowly go out to an exposed stream and ultimately to a floodplain. Ms. Davis opined that the basin would be unsightly. Mr. Carter replied that it was a water quality feature that was part of the overall stormwater master plan. He added that it would have creek cobble and landscaping. Ms. Davis stated that the development plan did not match that and was concerned that it would not end up as described. Mr. Gross replied that it was not required to be depicted at this time.

Mr. Michler asked why the applicant had requested 11-foot lanes in the waiver instead of asking for less. Mr. Gross replied that the Division of Fire asks for a minimum of 20-foot wide streets. Mr. Carter added that they requested 11-foot lanes because there would be parallel parking, and they wanted to make sure there was enough room for that.

Mr. Owens asked why the parallel parking was necessary. Mr. Gross said they anticipate needing parking for visitors to use the trail system.

Mr. Owens shared his concern about the 3 back-in parking spaces, and asked if the applicant really needed them. Mr. Baughman shared the parking numbers and explained that the spaces were very intentional to create an urban feel as well as slow down drivers.

Ms. Worth requested information about the lack of depicted tree plantings in the drainage easements. Mr. Gross stated that, because there was a 30% tree canopy coverage, they would be depicting the new trees on the landscape plan that would be submitted later. Mr. Gross said that they planned this area to be a nice amenity that people would want to come and visit, and Mr. Carter added that they planned to plant the stream area heavily.

Mr. Michler opined that the more back-in spaces were built and used, the more people would use them correctly.

Mr. Michler requested clarification about the parking around Building 4 because there appeared to be two aisles of parking. Mr. Gross replied that those aisles of parking were in what they considered the back of the building, but they would also be under a garage canopy. He noted that most of the development's parking would be under canopies or podium parking.

Ms. Davis requested a definition of podium parking. Mr. Gross explained it with more detail.

Ms. Worth asked the applicant to consider placing solar panels on the canopies, and the applicant agreed to do so.

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

Mr. Michler asked staff to clarify the canopy parking near the proposed Tunnel Road. Ms. Wade did so.

Action – Mr. Wilson made a motion, seconded by Mr. Nicol, and carried 9-0 (M. Davis abstained, J. Davis and Penn absent) to approve PLN-MJDP-25-00007: COWGILL PARTNERS, LP PROPERTIES (MEADOWCREST) (AMD) with the revised conditions presented by staff, but changing Conditions 18 & 19 to resolve.

Mr. Wilson made a motion, seconded by Mr. Nicol, and carried 9-0 (J. Davis and Penn absent) to approve the waiver request, as presented by staff.

Mr. Wilson made a motion, seconded by Mr. Nicol, and carried 9-0 (M. Davis abstained, J. Davis and Penn absent) to approve the EAMP compliance report as presented by staff.

- c. PLN-MJDP-25-00008: SHRINERS HOSPITAL/MASONIC TEMPLE ASSOCIATION OF LEXINGTON, LOTS 3 & 4 (AMD) (5/4/25)* – located at 3992 & 3980 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

Note: The purpose of this amendment is to make Syringa Drive a private access easement and to revise building and parking layouts on Lots 3 & 4.

The Subdivision Committee Recommended: Postponement. There are questions regarding the lot coverage from previous plan in the B-3 zone per Article 8-20(I)(1) of the Zoning ordinance and regarding an access easement instead of a public street.

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 site statistics with cabinet & slide for Lots 1-7
14. Provide a Lighting Plan per Article 30 of the Zoning Ordinance.
15. Denote HOA on Lot 23 for the detention basin.
16. Label tree protection areas per Article 26 of the Zoning Ordinance per Note 1 in the inventory list.
17. Addition of private street and access easement maintenance note for Syringa Drive (private street) and Fountainblue Lane (access easement).
18. Discuss driveway access points no longer lining up with access across Fountainblue Lane and new egress points.
19. Discuss drive-thru between building and canopy on Lot 3.
20. Discuss gas pump locations and dimension from a residential zone.
21. Discuss proposed gate and compliance with the Land Subdivision Regulations.
22. Discuss Syringa Drive termination point from a public street to the purposed private street.

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

Staff Presentation – Ms. Gallt oriented the Planning Commission to the development. She told the Commission that the applicant had previously not met the required lot coverage, but they had submitted a revised plan that did meet requirements. Ms. Gallt described the concerns of staff regarding access points that were no longer aligned in the new plan and a depicted drive-through that ran between a convenience store and the gas fueling canopy. Ms. Gallt told the Commission that they needed more information about the gate and private street request of Syringa Drive. She said there was a revised staff report and stated that staff was recommending approval based on 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, including proposed gates.
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 site statistics with cabinet & slide for Lots 1-7.~~
14. ~~14.~~ Provide a Lighting Plan per Article 30 of the Zoning Ordinance.
- ~~15. Denote HOA on Lot 23 for the detention basin.~~
- ~~16. Label tree protection areas per Article 26 of the Zoning Ordinance per Note 1 in the inventory list.~~
- ~~17. Addition of private street and access easement maintenance note for Syringa Drive (private street) and Fountainblue Lane (access easement).~~
14. ~~48.~~ Discuss driveway access points no longer lining up with access across Fountainblue Lane and new egress points.
15. ~~49.~~ Discuss drive-thru between building and canopy on Lot 3.
- ~~20. Discuss gas pump locations and dimension from a residential zone.~~
- ~~21. Discuss proposed gate and compliance with the Land Subdivision Regulations.~~
16. ~~22.~~ Discuss Denote location of Syringa Drive transition point from a public street to the purported private street, and remove text labeled access easement.
17. Update townhomes in the R-3 zone to pair all driveways.

Commission Questions – Mr. Michler asked if there had been a change to the previously submitted and approved tree mitigation plan and was concerned that there was not enough space for the trees in the new plan. Ms. Wade replied that the expectation was that the applicant submitted a revised tree mitigation plan to be approved by the Urban Forester.

Applicant Presentation – Fred Eastridge, Vision Engineering, was present to represent the applicant. He said that the footprint was not really any different than it was previously, and the Tree Mitigation Plan would still work with the new layout. He told the Commission that he had met with staff and the Division of Traffic Engineering regarding the access realignment and the drive-through concerns, and they had agreed on the resolution of those issues.

Commission Question – Mr. Michler asked if the Tree Preservation Plan and the Tree Mitigation plan would both be approved by the Urban Forester. Ms. Wade replied that they were two different things and that the Commission could add the review and approval of the Tree Mitigation Plan to the Urban Forester's sign off.

Mr. Michler requested that the Division of Traffic Engineering comment on the location of the drive-through. Mr. Filiatreau confirmed that he had met with the applicant to discuss the atypical situation. He said that there was an existing easement that complicated the situation, but was confident that they could come to an agreement with the applicant.

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

Ms. Worth asked if they should add approval of the tree mitigation plan as a separate condition or add it to the existing Condition #5. Ms. Wade suggested that they add it to Condition #5.

Action – Ms. Worth made a motion, seconded by Mr. Z. Davis, and carried 8-1 (Michler opposed, M. Davis abstained, Penn and J. Davis absent) to approve PLN-MJDP-25-00008: SHRINERS HOSPITAL/MASONIC TEMPLE ASSOCIATION OF LEXINGTON, LOTS 3 & 4 (AMD) with the revised conditions presented by staff, adding approval of the tree mitigation plan to Condition #5, and changing Conditions #14 & #15 to “resolve”.

Note – Mr. Owens left the meeting at 3:15 p.m.

- d. PLN-MJDP-25-00011: DELAWARE GROUP & CLAY INGELS COMPANY, LLC (RAIL YARD) (6/3/25)* – located at 968, 976, and 1000 DELAWARE AVENUE, LEXINGTON, KY
Council District: 5
Project Contact: Earthcycle Design

Note: The purpose of this plan is to incorporate 976 & 1000 Delaware Avenue into the existing adaptive reuse development.

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

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 a Lighting Plan per Article 30 of the Zoning Ordinance for areas of new construction.
14. Provided the Planning Commission finds that the Adaptive Reuse Project meets the requirements of Article 8-21(o)(4) of the Zoning Ordinance.
15. Discuss use of banquet area and canopy at 976 Delaware Avenue and discrepancy with description in Comprehensive Plan Statement.
16. Discuss compliance of principal structures with 20-foot front yard setback of the I-1 zone.

Staff Presentation – Mr. Chaney oriented the Planning Commission to the adaptive re-use development plan. He stated that this was an addition to a previously approved adaptive re-use that serves as a restaurant and motorcycle repair shop. They were proposing three multi-family buildings, a community garden, and other amenities. He told the Commission that the applicant had addressed Condition #15. He shared the Adaptive Re-use Compliance report and stated that staff recommends approval.

Commission Questions – Mr. Nicol asked if Condition #15 could be removed. Mr. Chaney replied that they could be resolved.

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

Ms. Davis shared her concern that there was not sufficient parking and asked several questions regarding what the colors on the development plan indicated. Mr. Chaney suggested that the applicant could better answer those questions.

Applicant Representation – Scott Southall, Earthcycle Design, was present to represent the applicant. He explained the different color areas on the plan.

Commission Questions – Ms. Davis told the applicant that she was supportive of this type of development in the area, but hoped that it would be more cohesive than it seemed to be on the plan.

Ms. Worth asked about the dwelling units and if any of them would be considered affordable or market rate. Mr. Southall replied that about 30% of the units would be affordable and the rest would be market rate.

Action – Mr. Nicol made a motion, seconded by Ms. Worth, and carried 8-0 (Penn, J. Davis, and Owens absent) to approve PLN-MJDP-25-00011: DELAWARE GROUP & CLAY INGELS COMPANY, LLC (RAIL YARD) as presented by staff, but removing Conditions #15 and #16.

Mr. Nicol made a motion, seconded by Ms. Worth, and carried 8-0 (Penn, J. Davis, and Owens absent), to accept and approve the Adaptive Re-use Compliance Report.

VI. COMMISSION ITEMS

Ms. Wade reminded the Planning Commission of the upcoming Work Session.

IX. ADJOURNMENT – Chair Forester adjourned the meeting at 3:36 p.m.



Larry Forester



Robin Michler

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