

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
July 10, 2025

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The June 12, 2025 minutes will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponements and withdrawals will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, July 3, 2025 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Mike Owens, Frank Penn, and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and Steve Parker, Division of Traffic Engineering. Staff members in attendance were Traci Wade, Daniel Crum, Chris Chaney, Jeremy Young, Cheryl Gallt, James Mills, Bill Sheehy; Embry Beatty, Division of Fire and Emergency Services; and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) The Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- 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.

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

1. Final Subdivision Plans

- a. PLN-FRP-25-00014: BOONSBORO MANOR (INTERSTATE PARK PROPERTY) (IVCP ATHENS SOUTH LLC) (AMD) (8/31/25)* – located at 5354 ATHENS BOONSBORO ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Spencer Surveying

Note: The purpose of this amendment is to create 15 lots and dedicate right-of-way for Hat Trick Way. Waivers of the Land Subdivision Regulations for the cross-section for Hat Trick Way and access to lots provided solely by an access easement have been requested.

The Subdivision Committee Recommended: **Postponement**. There are questions about converting an access easement into 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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Denote: This property shall be developed in accordance with the approved final development plan.
13. Provided the Planning Commission grants the requested waiver and access easement as sole frontage for a lot.
14. Discuss proposed dedication of Hat Trick Way.

2. Preliminary Subdivision Plans - None at this time.

3. Development Plans

- a. PLN-MJDP-25-00029: COLEMAN PROPERTY (NEWTOWN PIKE HAMPTON INN AND SUITES) (AMD) (8/3/25)* – located at 1880 NEWTOWN PIKE & 1480 COLEMAN COURT, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The purpose of this amendment is to reconfigure building square footage increasing lot coverage and revising parking and dumpster location.

Note: The Planning Commission continued this item at the June 12, 2025 meeting.

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.

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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. Remove gray shading and hatching.
12. Denote review and recommendation of Royal Springs Wellhead Protection Committee.
13. Clarify numbers in site statistics for parking.

- b. PLN-MJDP-25-00031: MARLBORO MANOR SUBDIVISION, LEXINGTON MOTEL (BLAIR PROPERTY, KOPPUS AND HART PROPERTY) (TRANSY HAGGARD APARTMENTS) (8/31/25)* – located at 450 RADCLIFFE ROAD and 475 & 495 HAGGARD LANE, LEXINGTON, KY
Council District: 1
Project Contact: Prime Engineering

Note: The purpose of this plan is to depict lotting scheme for 29 single-family dwellings, 26 townhomes, four multi-family structures and one senior living facility. A waiver of the Land Subdivision Regulations for an alley has been requested.

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, including traffic calming measures.
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 Lighting Plan per Article 30 of the Zoning Ordinance.
14. Provided the Planning Commission grants a waiver of the Land Subdivision Regulations for the proposed alley.

- c. PLN-MJDP-25-00032: INTERSTATE PARK PROPERTY (BOONESBORO MANOR) (IVCP ATHENS SOUTH LLC) (TACO BELL) (AMD) (8/31/25)* – located at 5354 ATHENS BOONSBORO ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Karpinski Engineering

Note: The purpose of this amendment is to depict proposed quick service drive-through on Tract 1D and proposed access road.

The Subdivision Committee Recommended: **Postponement**. There are questions about converting an access easement into 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.

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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. Provide lighting plan that conforms to Article 30 of the Zoning Ordinance.
14. Denote previously approved waivers and conditions on the face of the plan.
15. Correct cross-sections for Doe Run Trail extended (D-D and H-H) and verify remaining cross-sections are appropriately labelled "private streets" vs. "access easements."
16. Clarify timing of sanitary sewer capacity improvements as they relate to the issuance of building permits in Note #15.
17. Update Note #16 to reflect new lotting scheme proposed on Final Record Plat.

- d. PLN-MJDP-25-00033: JERRICO, INC., PROFESSIONAL OFFICE PROJECT (LOT 3) (AMD) (8/31/25)* – located at 251 YORKSHIRE BOULEVARD, LEXINGTON, KY
Council District: 7
Project Contact: Thoroughbred Engineering

Note: The purpose of this amendment is to add 40 parking spaces and required interior landscaping to Lot 3.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding Vehicular Use Area (VUA) and compliance with Article 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. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace planner's approval of the treatment of greenways and greenspace.
8. Division of Waste Management's approval of refuse collection locations.
9. United States Postal Service Office's approval of kiosk locations or easement.
10. Discuss location of proposed VUA in front yard and compliance with Article 16-6 of the Zoning Ordinance.

- e. PLN-MJDP-25-00034: BLUE SKY INDUSTRIAL ESTATES, TRACT A, BLOCK A (LEADERSHIP & SHARED SERVICES BUILDING) (8/31/25)* – located at 673 & 689 BLUE SKY PARKWAY, LEXINGTON, KY
Council District: 12
Project Contact: MLH Civil Engineers

Note: The purpose of this plan is to depict a 23,500 square foot building and parking layout.

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.

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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 open space exhibit.
14. Provide lighting plan in compliance with Article 30 of Zoning Ordinance.
15. Denote the number of bike parking spaces in site statistics.
16. Denote gate to the approval of Division of Fire.

- f. PLN-MJDP-25-00035: HAMBURG PLACE MALL, UNIT 1 PARCEL 2, OUTLOT 4 (AMD) (8/31/25)* – located at 1849 ALYSHEBA WAY, LEXINGTON, KY
Council District: 6
Project Contact: MLH Civil Engineers/John Hunt

Note: The purpose of this amendment is to add 220 square feet to building and revise parking and circulation.

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. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Provide Lighting Plan per Article 30 of the Zoning ordinance.
13. Addition of revised site statistics box for height, use, and lot coverage.
14. Dimension all buildings on outlots.

- g. PLN-MJDP-25-00036: TURNER PROPERTY AND MEADOWTHORPE COMMUNITY BUSINESS CENTER (TURNER COMMONS) (AMD) (8/31/25)* – located at 125 TURNER COMMONS WAY, LEXINGTON, KY
Council District: 11
Project Contact: Palmer Engineering

Note: The purpose of this amendment is to add land to reconfigure main entrance, modify buildings and parking layouts across the plan.

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

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Clarify road on the vicinity map.
14. Dimension ingress and egress into property and driveways for parking.
15. Denote location of street cross-sections on plan face for Main Street and North Forbes Road.
16. Addition of private street maintenance note per Article 5-4(h)(1) of the Land Subdivision Regulations.
17. Correct Commission Certification for a major plan per Article 21-6(a)(15) of the Zoning Ordinance.
18. Clarify totals in the site statistics box.
19. Provide Lighting Plan per Article 30 of the Zoning Ordinance.

4. PERFORMANCE BONDS AND LETTERS OF CREDIT – Bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

V. ZONING ITEMS - The Zoning Committee met on July 3, 2025, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Zach Davis, William Wilson, Larry Forester, Johnathon Davis, Bruce Nicol, Robin Michler, and Molly Davis. Staff members present were Traci Wade, Daniel Crum, Chris Chaney, Jeremy Young, and Bill Sheehy.

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

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

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

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

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

The procedure for these hearings is as follows:

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

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

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

1. RD PROPERTY GROUP, LLC ZONING MAP AMENDMENT AND PATCHEN WILKES, UNIT 2 DEVELOPMENT PLAN

Note: The Planning Commission postponed this item at the June 26, 2025 meeting.

- a. **PLN-MAR-25-00008: RD PROPERTY GROUP, LLC** – a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone and a Neighborhood Business (B-1) zone to a Commercial Center (B-6P) zone and to remove existing conditional zoning restrictions within the property's Neighborhood Business (B-1) zone, for 32.30 net (34.28 gross) acres for property located at 1811 Winchester Road (a portion of). The applicant is also requesting a variance to increase the maximum VUA between a building and a street from 60' to 110'.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The applicant is proposing the rezoning of a portion of the subject property to construct a mixed-use development that consists of a grocery store, a gas station, commercial outlots, as well as a multi-family residential component.

The grocery store is proposed to be a total of 127,000 square feet, and includes an attached pharmacy and liquor store, and a total of 492 parking spaces. The store is oriented towards an internal access drive that runs parallel to Winchester Road. A gas station is proposed along Charleston Drive, west of the proposed grocery. The proposal includes five outlots along Winchester Road, which will be accessed through internal access driveways.

The multi-family residential component consists of two multi-family residential buildings, with a total of 154 units. These buildings are proposed to be accessed from Thunderstick Drive, and feature 154 parking spaces.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Approval of the zone change to B-6P for the following reasons:

1. The proposed Commercial Center (B-6P) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request allows for more flexibility to create higher density housing (Theme A, Goal #1.b)
 - b. The proposal utilizes an underdeveloped property along a corridor for a mixed-use development (Theme A, Goal #2.a; Theme E, Goal #1.d and #1.e)
 - c. The request will provide for neighborhood serving commercial uses (Theme A, Goal #3.d).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request will improve connectivity by extending existing stub streets, thereby increasing connectivity (Theme A, Design Policy #2 and #13)
 - b. The proposed apartment uses will increase the variety of housing choice available in the area (Theme A, Design Policy #8).
 - c. The request provides commercial uses that will provide for nearby residents' daily needs (Theme A, Design Policy #12).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.

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

- a. The proposed rezoning meets the criteria for Land Use, as the request provides neighborhood level commercial areas (A-DS12-1), incorporates residential uses into their commercial center (A-DN3-2), and provides a greater access to healthy and affordable food (C-PS15-2).
 - b. The proposed rezoning meets several criteria for Transportation, Connectivity, and Walkability, as the request makes vehicular connections to the existing commercial areas and allows for future connectivity with both Patchen Wilkes Farm and the existing Eastland Parkway neighborhood (A-DS4-1; A-DS13-1), and provides a starting point for future pedestrian facilities along the Winchester Road frontage (D-CO-2).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency, as the request locates the structure outside of the floodplain setback (B-PR-2-1), provides for street trees (D-SP10-1), and will avoid overlighting B-PR10-1).
 - d. The proposal meets several criteria for Site Design, as the development introduces a pavilion and the potential for programmatic elements within their open space (D-PL4-1), provides for connections to existing stub streets (C-Li8-1), and meets the parking requirements of the B-6P zone (C-PS1-2).
 - e. The plan meets several of the criteria for Building Form, as the request intensifies a parcel that is located along a Corridor (A-DS4-2), and transitions its uses from the most auto-centric outlots along the corridor to grocery and multi-family residential further into the site (A-EQ5-1).
4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00027: PATCHEN WILKES UNIT 2) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

The Staff Recommends: **Approval** of the removal of the conditional zoning for the following reasons:

1. The nearby increases in allowable land use intensity, expansion of the Urban Services Boundary, adoption of the Urban Growth Master Plan, and the construction of large regional scale institutions are changes that have occurred that have shifted the intensity of anticipated development along this portion of Winchester Road, and make the current conditions inappropriate.
- b. **VARIANCE** – As part of their application, the petitioner is also seeking a dimensional variance to increase the allowable width of Vehicular Use Area in front of the building from 60 feet to 110 feet.

The Zoning Committee Recommended: **Postponement**.

The Staff Recommends: **Disapproval** of the requested variance for the following reasons:

1. The applicant has not provided a sufficient justification to meet the requirements of Article 7 of the Zoning Ordinance or KRS 100.243. There do not appear to be special circumstances that are unique to the subject property that do not generally apply to land in the general vicinity, or in the same zone that justify the need for the variance.
 2. The applicant has not provided sufficient information to determine that strict enforcement of the Zoning Ordinance will result in an unnecessary hardship or deprive the applicant of the reasonable use of their land
 3. Approval of the requested variance would negatively impact the pedestrian experience in the area, and is not consistent with the character of development in the area.
- c. **PLN-MJDP-25-00027: PATCHEN WILKES, UNIT 2** (8/3/25)* – located at 1811 WINCHESTER ROAD, LEXINGTON, KY
Council District: 6
Project Contact: EA Partners

Note: The purpose of this plan is to depict a 127,000 sq. ft. grocery store with parking, a gas station, and 154 multi-family dwelling units in support of the requested zone change from a Neighborhood Business (B-1) zone and Planned Neighborhood Residential (R-3) zone to a Highway Business (B-6P) zone and removing the conditional zoning from the remaining B-1 zoned area.

The Subdivision Committee Recommends: **Postponement**. There are questions regarding the need for a floodplain study to identify the extent of the floodplain.

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

1. Provided the Urban County Council approves the zone change to B-6P and removes conditional zoning; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
8. Add north arrow to vicinity map.
9. Add section line for cross-section E-E.
10. Provide Tree Inventory Map per Article 26 of the Zoning Ordinance.
11. Depict VUA (Vehicular Use Area) perimeter buffering per Article 18(a)(2) of the Zoning Ordinance.
12. Depict proposed development of Outlots #2-6 per Article 21 of the Zoning Ordinance.
13. Discuss lack of pedestrian connection between multi-family residential and grocery store.
14. Discuss orienting proposed grocery store to Charleston Drive instead of Winchester Road.
15. Discuss Placebuilder criteria.

2. ON THE BLOCK, LLC ZONING MAP AMENDMENT AND ON THE BLOCK, LLC PROPERTY DEVELOPMENT PLAN

Note: The Planning Commission postponed this item at the June 26, 2025 meeting.

- a. **PLN-MAR-25-00009: ON THE BLOCK, LLC** (8/3/25)* – a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone to for 0.0402 net (0.0993 gross) acres for the property located at 400 Chestnut Street. The applicant is also requesting a variance to reduce the required property perimeter landscaping from 15' to 0'.

COMPREHENSIVE PLAN AND PROPOSED USE

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The petitioner is proposing the Neighborhood Business (B-1) zone in order to lease to prospective commercial tenants. The applicant intends to utilize the property for potential retail, restaurants, professional offices, restaurants, or personal service uses. No parking for the use will be provided on-site; although, on-street parking is available in the general vicinity.

The Zoning Committee Recommended: **Approval.**

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

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed project is in a location that promotes infill, redevelopment, adaptive reuse, and mixed-use developments (Theme A, Goal #2.a).
 - b. The proposed rezoning will allow for a commercial development with the potential for a neighborhood-serving business (Theme A, Goal 3.d).
 - c. The proposed project will remain in scale with the surrounding context through the reuse of an existing, non-conforming structure (Theme A, Goal #2.b) while prioritizing multi-modal facilities promoting safer connectivity (Theme A, Goal #3.b).

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2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposed rezoning will allow the applicant to reuse an existing structure for a commercial use in scale with the surrounding context (Theme A, Design Policy #4).
 - b. The proposal will not have any on-site parking, prioritizing multi-modal connectivity (Theme A, Design Policy #7).
 - c. The proposal intends to prioritize multi-modal connections for the potential commercial user (Theme A, Design Policy #10).
 - d. The proposal seeks to add neighborhood-level commercial opportunities through re-zoning the property (Theme A, Design Policy #12).
 3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the recommendations for Land Use, as the proposed development will re-establish a commercial use within a neighborhood context (A-DS10-1), which will provide a pedestrian-oriented commercial opportunity (A-DN3-1).
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as the proposal will provide safe multi-modal facilities (A-DS5-1) that incorporates dedicated connections to neighborhood anchors (C-PS10-1) promoting pedestrian, bike, and transit users to the property (A-DS1-2).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency, as the applicant proposes to use native, low-impact landscaping (B-PR2-1), while not adding any impervious surface to the site (B-SU4-1).
 - d. The request meets the requirements for Site Design, as the proposed development will activate the streetscape by promoting a pedestrian-oriented site (A-DS5-4) with no on-site parking (C-PS10-2) that will enhance the public realm by activating the street corner (C-LI8-1).
 - e. The request meets the criteria for Building Form, as the proposal maintains appropriate scale to the surrounding neighborhood (A-DS4-2) through the reuse of a viable existing structure (E-GR4-1) while creating a pedestrian-oriented atmosphere (A-DS5-3) through the activation of the street corner (D-PL2-1).
 4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00028: ON THE BLOCK, LLC PROPERTY prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. **VARIANCE** – As part of their application, the petitioner is also seeking two variances to reduce the required perimeter buffer for a business zone adjacent to a residential zone from fifteen (15) feet to zero (0) feet.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval** of the requested variance for the following reasons:

1. Approval of the requested variances should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public, as the site has always operated commercially.
2. Strict application of the Zoning Ordinance would adversely impact the applicant's ability to utilize the parcel, as the existing structure is built to commercial building code, not residential building code.
3. The circumstances of this variance are not a result of actions taken by the applicant subsequent to the adoption of the Zoning Ordinance.

This recommendation of Approval is made subject to the following conditions:

- a. Provided the Planning Commission and Urban County Council approve the requested zone change to the B-1 zone, otherwise the requested variances shall be null and void.
- b. The development shall be constructed in accordance with the approved development plan and supplemental documents, or as amended by the Planning Commission.
- c. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
- d. Action of the Planning Commission shall be noted on the Development Plan and future plats for the subject property.

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- c. **PLN-MJDP-25-00028: ON THE BLOCK, LLC PROPERTY** (8/3/25)* – located at 400 CHESTNUT STREET, LEXINGTON, KY
Council District: 1
Project Contact: Mizu Engineering

Note: The purpose of this plan is to depict an existing structure and lot, in support of the requested zone change from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Residential (B-1) zone.

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Department of Environmental Quality's approval of environmentally sensitive areas.
8. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
9. Greenspace planner's approval of the treatment of greenways and greenspace.
10. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
11. Division of Waste Management's approval of refuse collection locations.
12. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
13. United States Postal Service Office's approval of kiosk locations or easement.
14. 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. Denote written scale in addition to graphic scale.
16. Orient design scheme and vicinity map with north to the top of page.
17. Correct plan title to match staff report.
18. Depict contour lines at 2' intervals.
19. Depict all doors on existing structure.
20. Provided a variance is approved for zone-to-zone screening per Article 18 of the Zoning Ordinance.
21. Denote height of building in feet.
22. Provide Tree Inventory Map and Tree Protection Plan per Article 26 of the Zoning Ordinance.
23. Discuss Placebuilder criteria.

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

- A. ELECTION OF OFFICERS** – The Commission's By-laws state that at the first regular meeting in July, the Commission shall elect a Chairperson, Vice-Chairperson, Secretary, and Parliamentarian. The Nominating Committee was named at the June 12th Planning Commission meeting and has presented its slate for consideration by the Planning Commission. Nominations may also be made from the floor.

The current officers are as follows:

Chair: Larry Forester

Vice Chair: Zach Davis

Secretary: Robin Michler

Parliamentarian: Judy Worth

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The Nominating Committee recommended the following slate:

Chair: Zach Davis
Vice Chair: Ivy Barksdale
Secretary: Robin Michler
Parliamentarian: Judy Worth

- B. DELEGATION OF SECRETARY'S DUTIES** – The Commission's past procedure for carrying out the Secretary's duties, except for signing minutes, has been to delegate that authority to the Director of the Division of Planning and his staff. The Chair will request that the Commission consider taking similar action at this time.

VII. STAFF ITEMS

- A. ARTICLE 4-5(B) IMPROVEMENT PLAN PROGRESS REPORT** - When the project engineer has completed approximately fifty percent (50%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how storm water, sanitary sewer and environmental conditions imposed by the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient meeting. The report is for information only, and no action by the Commission shall be taken; however, there shall be no issuance of the Notice to Proceed, as outlined in section 4-5(d), until the Planning Commission meeting is complete.

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

IX. MEETING DATES FOR July & August

Work Session, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....July 17, 2025
Zoning Items Public Hearing, Thurs., 1:30 p.m., 2nd Floor Council Chambers, Gov't Center.....**July 24, 2025**
Technical Committee, Wednesday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....July 30, 2025
Work Session, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....July 31, 2025
Subdivision Committee, Thursday, 8:30 p.m., 3rd Floor Conference Room, Phoenix Building.....August 7, 2025
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....August 7, 2025
Subdivision Items Public Hearing, Thurs., 1:30 p.m., 2nd Floor Council Chambers, Gov't Center.....**August 14, 2025**

X. ADJOURNMENT

TW/CC/CG/PS

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