

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
September 11, 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 August 14, 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, September 4, 2025 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Mike Owens, Judy Worth, and Frank Penn. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were Traci Wade, Daniel Crum, Chris Chaney, Jeremy Young, Cheryl Gallt, Paula Schumacher; 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.

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

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

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.

Note: The Planning Commission postponed this item at the July 10, 2025 and August 14, 2025 meetings.

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-25-00042: PHELPS PROPERTY (11/2/25)* – located at 4075 OLD RICHMOND ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Barrett Partners, Inc.

Note: The purpose of the plan is to depict development of a convenience store and gas station, a restaurant, multi-family and townhouse residential. Waivers of Zoning Ordinance Article 16-6(a)(1), Zoning Ordinance Article 16-6(a)(2), and Zoning Ordinance Article 23A-9(k)(4).

Requirements Not Met:

1. Provide dumpster enclosure and pad specifications in compliance with DSG pgs. 7, 8, & 10. (Waste Management)
2. Depict all existing and proposed easements. (ZO Art. 21-6(a)(10)) (Engineering & Planning)
3. Dimension all driveways and walkways. (ZO Art. 21-6(a)(5)) (Engineering)
4. Provide open space exhibit depicting location and area calculations for usable open space that complies with ZO Art. 23A-9(k)(1). (Open Space & Planning)
5. Clarify street cross-sections C-C & E-E, and addition of cross-section for private street. (ZO Art. 21-6(a)(6)) (Planning)
6. Depict internal walkways in compliance with ZO Art. 16-6(a)(3). (Traffic & Bike/Ped)
7. Modify raised pedestrian crossing to comply with ZO Art. 16-6(a)(3)(c). (Traffic)
8. Addition of new cross-section of Aphids Way, including pedestrian path. (ZO Art. 21-6(a)(6)) (Planning)

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9. Addition of building line. (ZO Art. 23A-9(i)) (Planning)
10. Addition of purpose of plan note. (Planning)
11. Provide a 15' buffer between the adjacent EAR-1 properties in compliance with ZO Art. 18-3(a)(1). (Landscape)
12. Provide typical detail for landscape berm. (Planning)
13. Modify VUA in the front yard of Richmond Road and Aphids Way. (ZO Art. 16-6(a)(1)) (Planning)
14. Modify the placement of parking areas between buildings and street. (ZO Art. 23A-9(k)(4)) (Planning)

Waiver(s) Necessary:

1. ZO Art. 16-6(a)(1) VUA in the front yard.
2. ZO Art. 16-6(a)(2) Limited parking in front yard in the CC Zone (Lot 2).
3. ZO Art. 23A-9(k)(4) Limited parking in the front yard for Lot 2.

Design Considerations:

1. Review all Accela comments and design considerations provided by the Division of Engineering.
2. Submit a 50% design report to Planning and Engineering. (LSR Art. 4-5(b)) (Engineering)
3. Appears that there are line levels that may need to be turned off for Aphids Way. (Traffic)

Plan Questions or Concerns:

1. Provide street name suggestion or Addressing Office will assign a name. (Addressing)
2. Discuss connectivity with Lots 2 & 3 to provide a secondary means of egress. (Fire)
3. Clarify if trail connect to Jacobson Park entrance. (Open Space)
4. Discuss how the property will be sewered and sanitary sewer capacity. (LSR Art.5-2(h)) (Engineering & Sanitary)
5. Discuss section E-E and where it is shown on the plan. (Engineering)
6. Is the intersection in the middle a 4-way stop condition? Discuss the "raised pedestrian table" and vehicular movement. (Engineering)
7. What is the cross-section of the 16'-6" right-in only off of Athens Boonesboro Road and 16' right-in from Aphids Way? (Engineering)
8. Have proposed entrances been approved by KYTC/Traffic Engineering? (LSR 6-8(p) & (q)) (Engineering)
9. Discuss construction entrance shown on the west side of the property (a construction easement/encroachment from KYTC would be required for this). (Engineering)
10. Discuss Old Richmond Road regarding timing of closure, take back of right-of-way, and what it will become. (Engineering)
11. What are the specifications for the 8' path? (Engineering)
12. Will the parcel be subdivided? Is a sanitary sewer tap available for each proposed lot? If subdivided, Public Sewers are needed. (LSR 6-6(d)) (Engineering)
13. What is the proposal for stormwater management? (ZO 21-6(a)(9)) (Engineering)
14. The plan shows encroachment into an existing stormwater management facility. Has there been an analysis to determine if the proposed reconfiguration will be of adequate size/volume for stormwater quantity and quality from the existing and this proposed development? (Engineering)
15. Discuss who will own and maintain the Stormwater Management areas. (SWM 1.5 & LSR 6-7) (Engineering)
16. Discuss addition of "Do Not Enter" sign for the access from Richmond Road. (Traffic)

The Subdivision Committee Recommended: **Postponement.** There are questions regarding compliance with Articles 16 and 18 of the Zoning Ordinance.

Should the 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.

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7. Open Space Planner's approval of open space areas.
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. Kentucky Transportation Cabinet's approval of access to Athens Boonsboro Road.
13. Correct all noted deficiencies listed as "requirements not met" herein.
14. Provided the Planning Commission grants the requested waivers.

b. PLN-MJDP-25-00052: GAINSWAY MALL SHOPPING CENTER (SOUTHEASTERN HILLS SUBDIVISION, UNIT 3) (AMD) (11/2/25)* – located at 1163 & 1165 CENTRE PARKWAY, LEXINGTON, KY

Council District: 8

Project Contact: Vision Engineering

Note: The purpose of the plan is to depict parking and circulation for a new multi-tenant retail building. Waivers of Zoning Ordinance Articles 16-6(a)(1) and 16-6(a)(3) have been requested.

Requirements Not Met:

1. Provide sidewalk for all adjacent rights-of-way to the building entrance that meet ZO Art. 16-6(a)(3). (Traffic)
2. Revise dumpster enclosure detail to include gate retainers (drop rods) along with drilled holes and one additional bollard. (Waste Management)
3. Provide open space exhibit that complies with ZO Art. 20, and include open space requirements in the site statistics as a percentage. (ZO Art. 20-3) (Open Space)
4. Provide crosswalk or sidewalk to the park per ZO Art. 20-5. (Open Space)
5. Submit tree protection plan that complies with ZO Art. 26-4(c) and denote tree protection areas per ZO Art. 26-2. (Urban Forester)

Waiver(s) Necessary:

1. ZO Art. 16-6(a)(1) - No VUA in front yard for corner lots.
2. ZO Art. 16-6(a)(3) - Pedestrian access to right-of-way.

Design Considerations: None at this time.

Plan Questions or Concerns:

1. Discuss drive aisle around building only 16' wide. (Fire)
2. Please revise Note #4 to include public streets. (Engineering)
3. Is an access easement needed to allow this parcel to use the existing driveway? (Engineering)
4. Is a sanitary sewer tap available for each proposed lot? If subdivided, public sewers are needed. (LSR 6-6(d)) (Engineering)
5. It isn't clear where the new lot lines will be. An easement for the proposed service connection may be required. (Engineering)
6. What is the proposal for stormwater management? (ZO 21-6(a)(9)) (Engineering)
7. Where is the stormwater management facility for this area? (Engineering)
8. Verify that stormwater management requirements for quantity and quality are being met. (Engineering)
9. Who owns and maintains the existing stormwater system? (Engineering)
10. Consider if easements are required. (Engineering)
11. Is a commercial maintenance agreement and an organized commercial development group to share responsibility for the driveway and the existing storm system planned? (Engineering)

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

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

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2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Open Space Planner's approval of open space areas.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Correct all noted deficiencies listed as "requirements not met" herein.
14. Provided the Planning Commission approves the requested waivers.

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 September 4, 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, Johnathon Davis, and Molly Davis. Staff members present were Traci Wade, Daniel Crum, Chris Chaney, Jeremy Young, Bill Sheehy, and Tracy Jones; Department of Law.

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).

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. PLN-MAR-25-00012: 1234 SCOVILLE ROAD - a petition for an amendment to the Montclair Neighborhood Design (ND-1) Overlay zone in the Single Family Residential (R-1C) zone to increase the maximum depth of a building from 55 feet to 82 feet at 1234 Scoville Road.

The Zoning Committee recommended: **Disapproval**.

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

1. The applicant has not provided any information regarding special circumstances or unique conditions of the property that justify the proposed modification that are specific to the subject property. The property is one of the widest lots along Scoville Road.
2. The applicant has not demonstrated that being limited to fifty-five (55) feet of building depth would deprive the property owner of reasonable use of their land, or create an unnecessary hardship.
3. Granting the modification would alter the essential character of the general vicinity as no eighty-two (82) foot deep buildings exist along Scoville Road.
4. The request does not meet the intent behind the Montclair ND-1 standards, which emphasizes retaining compatible building scope and form.

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

A. APPOINT MEMBER TO FLOODPLAIN APPEALS COMMITTEE – The staff will request that the Planning Commission appoint a member to the Floodplain Appeals Committee to fill an existing vacancy.

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 September & October

Work Session, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building.....	September 18, 2025
Technical Committee, Wednesday, 8:30 a.m., 3 rd Floor Conference Room, Phoenix Building.....	September 24, 2025
Zoning Items Public Hearing , Thurs., 1:30 p.m., 2 nd Floor Council Chambers, Gov't Center.....	September 25, 2025
Subdivision Committee, Thursday, 8:30 p.m., 3 rd Floor Conference Room, Phoenix Building.....	October 2, 2025
Zoning Committee, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building.....	October 2, 2025
Subdivision Items Public Hearing , Thurs., 1:30 p.m., 2 nd Floor Council Chambers, Gov't Center.....	October 9, 2025

X. ADJOURNMENT

TW/CC/CG/PS

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