

**MINUTES
URBAN COUNTY PLANNING COMMISSION
ZONING ITEMS PUBLIC HEARING**

October 23, 2025

- I. **CALL TO ORDER** - Chair Davis called the meeting to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUCG Government Center, 200 East Main Street, Lexington, Kentucky.
- II. **ATTENDANCE** – Planning Commission members present were Zach Davis, Ivy Barksdale (arrived at 1:36 p.m.), William Wilson, Judy Worth, Larry Forester, Robin Michler, Johnathon Davis, Mike Owens, Frank Penn, and Molly Davis. Planning staff members present were Jim Duncan, Traci Wade, Daniel Crum, Chris Chaney, Jeremy Young, and Paula Owens. Other staff present were Tracy Jones and Brittany Smith, Department of Law; David Filiatreau, Division of Traffic Engineering; Vaughan Adkins, Division of Engineering; and Firefighter Embry Beatty, Division of Fire and Emergency Services.
- III. **APPROVAL OF MINUTES** – Mr. Forester made a motion, seconded by Ms. Worth, and carried 9-0 (Barksdale and Nicol absent, Owens abstained), to approve the September 25, 2025 minutes.
- IV. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.

- A. **PLN MAR-25-00013: SCOTTY BAESLER** – a petition for a zone map amendment from Agricultural Rural (A-R) zone to a Medium Density (R-4) zone and a Light Industrial (I-1) for 65.69 net (73.72 gross) acres for properties located at 200, 201, 250, 251, & 301 Canebrake Drive.

Applicant Comment – Attorney Nick Nicholson was present to represent the applicant. He request a one-month postponement.

Action – Mr. Penn made a motion, seconded by Mr. Wilson, and carried 9-0 (Barksdale and Nicol absent), to postpone **PLN MAR-25-00013: SCOTTY BAESLER LLC** until the November 20, 2025 public hearing.

- B. **PLN-MAR-25-00015: BALL HOMES, INC.** (12/1/25)*– a petition for a zone map amendment from Agricultural-Rural (A-R) zone to an Expansion Area Residential (EAR-2) zone for 12.35 net (12.54 gross) acres for property located at 451 Chilesburg Road.

Applicant Representation - Attorney Nick Nicholson was present to represent the applicant. He requested a one-month postponement.

Action - Mr. Wilson made a motion, seconded by Mr. J. Davis, and carried 9-0 (Barksdale and Nicol absent), to postpone **PLN-MAR-25-00015: BALL HOMES, INC.** to the November 20, 2025 meeting.

- C. **PLN-MAR-25-00016: WYNNDALE DEVELOPMENT, LLC** (12/1/25)*– a petition for a zone map amendment from a Single Family Residential (R-1A) zone to a Community Center (CC) zone for 2.30 net (2.75 gross) acres and a Medium Density Residential (R-4) zone for 7.73 net and gross acres for a property located at 2575 Winchester Road.

Applicant Representation - Attorney Nick Nicholson was present to represent the applicant. He informed the Commission that the applicant was seeking an indefinite postponement so they could wait for further information.

Action - Mr. Penn made a motion, seconded by Ms. Worth, and carried 9-0 (Barksdale and Nicol absent), to indefinitely postpone **PLN-MAR-25-00016: WYNNDALE DEVELOPMENT, LLC**.

- V. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, October 2, 2025 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, 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 Daniel Crum, Chris Chaney, Cheryl Gallt, Paula Owens; Embry

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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.*

VI. ZONING ITEMS - The Zoning Committee met on October 2, 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, Johnathon Davis, Molly Davis, and William Wilson. Staff members present were Daniel Crum, Chris Chaney, Jeremy Young, James Mills, and Iris Dooling.

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.

Note - Ms. Barksdale arrived at this time.

1. WAR ADMIRAL PLACE, LLC ZONING MAP AMENDMENT AND SOUTH BROADWAY PLACE AND HAMBURG PLACE B-5P & B-6P HIGHWAY COMMERCIAL AREA DEVELOPMENT PLAN

- a. **PLN-MAR-25-00010: WAR ADMIRAL PLACE, LLC (10/23/25)*** – a petition for a zone map amendment from Commercial Center (B-6P) zone with conditional zoning restrictions to a Commercial Center (B-6P) zone with modified conditional zoning restrictions for 56.27 net (71.45 gross) acres for properties located at 2300-2350 Grey Lag Way; 2320 and 2344 Elkhorn Road; and 2200-2277 War Admiral Way.

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.

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The applicant is seeking to remove conditional zoning restrictions in the existing B-6P zone that limit the property to a maximum of 532,000 sq. ft. of gross building area to allow for additional commercial construction on the undeveloped lots.

The Zoning Committee Recommended: **Postponement.**

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

1. The applicant should provide greater information regarding unanticipated physical, social, or economic changes within the area which make the current conditions inappropriate.

b. PLN-MJDP-25-00039: HAMBURG PLACE B-5P & B-6P HIGHWAY COMMERCIAL AREA (AMD)
(10/23/25) * – located at 2200, 2201, 2212, 2217, 2235, 2251, & 2277 WAR ADMIRAL WAY, 2200 & 2344 ELKHORN ROAD, and 2300, 2317, 2320, & 2350 GRAY LAG WAY, LEXINGTON, KY

Note: The purpose of this plan is to depict the removal of conditional zoning restriction limitation of 532,000 square feet of gross building area.

Requirements Not Met:

1. Depict interior landscape areas on Outlots 5 & 6. (Z.O. Art. 18-3(b)(4)(a)) (Planning)
2. Provide dumpster enclosure information and denote location for Lot 6. (Waste Management)
3. Label centerline of blue line stream present in the greenway. (Environmental Quality)
4. Denote: No buildings or structures shall be located on any land with a slope greater than 30%. For areas with slopes between 15% and 30%, the provisions of Article 6-11 of the Land Subdivision Regulations shall be applicable. (Environmental Quality)
5. Provide Tree Inventory Map and Tree Preservation Plan exhibit. (Urban Forester)
6. Ensure Outlot 6 will meet requirements of Z.O. Art. 18. (Landscape Examiner)
7. Addition of internal pedestrian walkways in compliance with Z.O. Art. 16-6(a)(3)(a)) (Bike/Ped).
8. See Accela notes provided by the Division of Engineering.

Waiver(s) Necessary: None at this time.

Design Considerations:

1. When placing fill on the current sanitary sewer line, be sure the new design criteria is followed for the correct pipe material to be used for the new depth and easement encroachment/pipe protection is followed. (Sanitary)

Plan Questions or Concerns:

1. Discuss changes in lot sizes and overall total acreage in site statistics from previous development plan. (Planning)

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

1. Provided the Urban County Council approves the removal of the conditional zoning restrictions; 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 inventory map.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation - Mr. Young oriented the Planning Commission to the requested zone change area, and stated that the applicant was only requesting the removal of one conditional zoning restriction - the limit of development to 532,000 square feet of gross building area. He stated that staff was recommending approval for the following reasons:

1. The nearby changes in 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

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have occurred that have shifted the intensity of anticipated development along this portion of Winchester Road, and make the current condition restricting square footage inappropriate.

2. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restriction is recommended via conditional zoning:
 - a. Use of the 1.5 net acre parcel at the southern end of the subject property shall be limited to off-street parking, vehicular circulation, and use of no more than a 1,500 square-foot area for a portion of a vehicle fueling facility and canopy.

This use restriction is appropriate and necessary for the subject property to ensure greater compliance with the detailed land use recommendations of the Comprehensive Plan, and since they have been volunteered by the applicant.

3. This recommendation is made subject to approval and certification of PLN-MJDP-25-00039: HAMBURG PLACE B-5P & B-6P HIGHWAY COMMERCIAL AREA (AMD) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Mr. Chaney oriented the Commission to the associated development plan. He explained that the only changes to the development plan were on Outlots 5 & 6. He detailed the conditions of approval, and stated that staff was recommending approval at this time.

Applicant Representation - Attorney Nick Nicholson was present to represent the applicant. He explained some of the history of the project, and why the square foot limitation existed. He said that the two lots were not developed because the development as a whole had reached the maximum amount of allowable square footage. He said that the development plan reflected shell buildings, and they would have to bring back a final development plan when tenants were found. Mr. Nicholson thanked the Planning Commission and asked for approval.

Commission Questions - Mr. Penn asked if the development plan was a place holder. Mr. Nicholson confirmed that and said the final development plans could look very different once tenants were found.

Ms. M. Davis asked about the proximity of Outlot 6 to the floodplain, and if there was a possibility to reduce the amount of parking depicted. Mr. Nicholson affirmed that they could do that, but they could not move forward with any plans until the conditional zoning restriction was lifted.

Mr. Nicholson reminded the Commission that they were not requesting the removal of the conditional zoning restriction that prohibited gas stations.

Action - Ms. M. Davis made a motion, seconded by Mr. J. Davis, and carried 10-0 (Nicol absent), to approve PLN-MAR-25-00010: WAR ADMIRAL PLACE, LLC, to modify the conditional zoning restriction on the square footage limitation, as presented by staff.

Ms. Worth made a motion, seconded by Mr. Forester, and carried 10-0 (Nicol absent), to approve PLN-MJDP-25-00039: HAMBURG PLACE B-5P & B-6P HIGHWAY COMMERCIAL AREA (AMD), subject to the seven conditions, as presented by staff.

Note - Mr. J. Davis informed the Commission that he would be recusing himself from the following case, and left the meeting at this time.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMENDMENTS

1. PLN-ZOTA-25-00016: AMENDMENT TO THE INDUSTRIAL REDEVELOPMENT PLANNED UNIT DEVELOPMENT (PUD-3) ZONE TO ADD SHORT-TERM RENTALS (3/2/2026)* – a text amendment to allow short-term rentals in the PUD-3 zone.

INITIATED BY: Turner Property 4, LLC
PROPOSED TEXT: Copies are available from the staff.

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The Zoning Committee Recommended: **Approval of the Staff Alternative Text.**

The Staff Recommends: **Approval of the Staff Alternative Text**, for the following reasons:

1. The proposed text amendment results in consistency in how short-term rental (STR) uses are regulated across the urban zones.
2. The proposed text amendment provides enforceable limitations on hosted and un-hosted short-term rentals in order to prevent adverse impacts on the health, safety, and welfare of the local community and visitors to the Urban County.

Staff Presentation - Mr. Crum presented the request to allow short-term rentals as a principal use in the PUD-3 zone. He depicted the location of the three existing PUD zones and described them. He briefly explained why the PUD zones had not been considered when the short-term rental regulations were adopted. Additionally, Mr. Crum said that Staff recommended alternative text that included the addition of short-term rentals as a conditional use in the PUD-1 and PUD-2 zones for consistency with the zones that were addressed in the earlier text amendments.

Mr. Penn asked if this was updating the PUD zones. Mr. Crum clarified that this was updating the short-term rental chart that listed the zones and where short-term rentals were allowed. The PUD zones were not listed, but this ZOTA would correct that.

Ms. Worth asked why the PUD-3 was recommended for principal use, but the other two PUD zones were conditional use. Mr. Crum explained that the PUD-1 & PUD-2 zones were primarily residential, but the PUD-3 zone is more of a mixed-use entertainment area and regulated differently, so they would not need that type of restriction of a conditional use or number of units.

Applicant Representation - Attorney Zach Cato was present to represent the applicant. He said that he agreed with the staff alternative text, and had no problem adding the PUD-1 & PUD-2 zones. He asked for approval at this time.

Mr. Penn asked Mr. Cato if he had ever used the PUD-3 zone before, and Mr. Cato replied that his firm requested the ZOTA that created the PUD-3 zone.

Action - Mr. Michler made a motion, seconded by Ms. Barksdale, and carried 9-0 (Nicol absent, J. Davis recused), to approve the staff alternative text of **PLN-ZOTA-25-00016: AMENDMENT TO THE INDUSTRIAL REDEVELOPMENT PLANNED UNIT DEVELOPMENT (PUD-3) ZONE TO ADD SHORT-TERM RENTALS.**

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

A. ADOPTION OF 2026 MEETING & FILING SCHEDULE - Ms. Wade presented the draft 2026 Meeting & Filing Schedule. She pointed out the minor changes that had been made, including moving the date of the continued discussion/extension/re-approval filing one week earlier.

Action - Mr. Forester made a motion, seconded by Ms. Worth, and carried 9-0 (Nicol and J Davis absent), to adopt the 2026 Meeting & Filing Schedule as presented by staff.

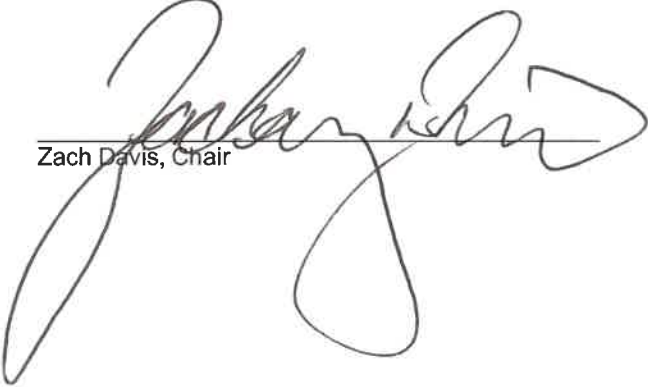
Mr. Penn asked if the November hearings would have full agendas. Ms. Wade replied that it could be a longer meeting.

Mr. Duncan reminded the Commission of their upcoming work session that would have a full agenda of updates and presentations.

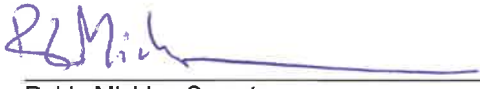
Ms. Worth asked Mr. Duncan if the Commission could get information about industrial bonds for housing, and Mr. Duncan said that he would make that request.

VII. ADJOURNMENT - Chair Davis adjourned the meeting at 2:15 p.m.

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Zach Davis, Chair



Robin Michler, Secretary