

MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION & ZONING ITEMS
April 9, 2026

- I. **CALL TO ORDER** – Chair Davis called the meeting 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 Zach Davis, Ivy Barksdale, Robin Michler, William Wilson, Mike Owens, Johnathon Davis, Judy Worth, and Frank Penn. Planning staff members present were Jim Duncan, Traci Wade, Daniel Crum, Chris Chaney, Cheryl Gallt, Ryelle Browning, 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; Firefighter Embry Beatty, Division of Fire and Emergency Services; and Eric Sutherland, Division of Environmental Services.
- III. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Mr. Wilson made a motion, seconded by Ms. Worth, and carried 8-0 (Forester, M. Davis, Nicol absent), to approve the performance bonds and letters of credit as presented.
- IV. **POSTPONEMENTS AND WITHDRAWALS**
- A. **PLN-CELL-26-00001: BRIAR HILL SOUTH WIRELESS COMMUNICATION FACILITY** – an application for a 195-foot-tall self-supporting tower, with an approximately 4-foot-tall lightning arrestor attached at the top, for a total height of 199-feet, plus related ground facilities, for property at 2151 Royster Road.
- Applicant Representation - Attorney Russell Brown, was present to represent the applicant. He requested a one-month postponement so they could have more time to have discussions with the neighbors.
- Action - Mr. Owens made a motion, seconded by Mr. J. Davis, and carried 8-0 (Forester, M. Davis, Nicol absent), to postpone **PLN-CELL-26-00001: BRIAR HILL SOUTH WIRELESS COMMUNICATION FACILITY** to the May 14, 2026 Planning Commission meeting.
- V. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, March 5, 2026 at 8:30 a.m. The meeting was attended by Commission members Mike Owens, Frank Penn, and Judy Worth. 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, Ryelle Browning, Paula Owens; Firefighter 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.

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

- 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-26-00008: THOMAS & ANN ASBURY PROPERTY (N. CLEVELAND & BRIAR HILL) (6/1/26)*
– located at 4810 BRIAR HILL ROAD, LEXINGTON, KY
Council District: 12
Project Contact: CAM Surveying

Note: The purpose of this plan is to subdivide one lot into two lots.

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

Requirements Not Met:

1. Denote: No building permits shall be issued until the Health Department has issued a septic tank permit, and notes shall be required on final subdivision plans to this effect. (LSR 6-6(a)) (Engineering)
2. Identify blueline stream on the property. (Environmental Services)
3. Addition of general notes from previous plan. (LSR 5-4(f)) (Planning)
4. Denote who is responsible of easement maintenance. (LSR 5-4(g)) (Planning)
5. Denote KYTC/Traffic Engineering approval of new access to Briar Hill Road. (LSR 5-4(g)) (Planning)

Waiver(s) Necessary:

1. PLN-WAV-26-00009 - waiver for lot frontage for Tract 2B. (ZO Art. 4-1(c))

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. Contact Addressing Office to discuss address assignment for Tract 2A. (Addressing)
3. If no existing public sewer service to the property, an onsite (septic) system is required. (Engineering)

Plan Questions or Concerns:

1. Is there a joint maintenance agreement for the access to Lot 2B? (Engineering)

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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. PDR (Purchase of Development Rights) approval of subdivision of property.

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

9. Provided the Planning Commission grants waiver for lot frontage and approval is denoted on plan.
10. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation - Ms. Gallt oriented the Commission to the agricultural tract. She identified the access easement that had been created by deed previously, and noted that it would still serve as the access to the properties that were being subdivided. She also indicated that a portion of the property was under a Purchase Development Right (PDR) contract. Ms. Gallt also briefly explained the waiver request and reasons that staff was recommending approval.

The Staff Recommends: **Approval of the requested waiver of Article 6-4(c) of the Land Subdivision Regulations**, for the following reasons:

1. Granting the requested waiver will not adversely affect public health, safety and welfare as the lot to be created has an existing driveway through the adjacent property.
2. Granting the waiver is consistent with the intent of Article 1-5(a) of the Land Subdivision Regulations for Exceptional Hardship for relief of the required lot frontage for a lot with an existing home and access easement through adjacent property.

This recommendation is made subject to the following additional requirement:

- a. Addition of a note to the record plat referencing the Purchase Development Rights easement for the property. Denote: The total impervious surface is limited to 2 percent for the original farm. The 2 percent may be divided between all tracts based on acreage, allowing each tract to have a primary residence and tenant housing in accordance with the Zoning Ordinance.

Applicant Representation - Gary Roland, CAM Surveying, was present to represent the applicant. He agreed with the staff report and asked for approval. He asked for clarification about #5 of Conditions Not Met, because a new access was not needed at the current time. Ms. Wade clarified that the note was needed on the plan so that any future property owners would know that it was a requirement.

Action - Mr. Penn made a motion, seconded by Ms. Worth, and carried 8-0 (Forester, M. Davis, Nicol absent), to approve PLN-FRP-26-00008: THOMAS & ANN ASBURY PROPERTY (N. CLEVELAND & BRIAR HILL), as presented by staff.

Mr. Penn made a motion, seconded 8-0 (Forester, M. Davis, Nicol absent), to approve PLN-WAV-26-00009: THOMAS & ANN ASBURY PROPERTY (N. CLEVELAND & BRIAR HILL) for the reasons listed by staff, with one requirement.

2. Preliminary Subdivision Plans

- a. PLN-MJSUB-26-00002: PATCHEN WILKES, UNIT 3 (6/1/26)* – located at 1811 WINCHESTER ROAD, LEXINGTON, KY
Council District: 6
Project Contact: EA Partners

Note: The purpose of the plan is to depict the lotting layout for 42 single-family residential and one HOA lot.

Requirements Not Met:

1. Denote: No land disturbance, construction, clearing of native vegetation, or mowing shall occur in the vegetative buffer zone. Invasive species may be removed by hand-held equipment or a forestry grinder. (SWM 1.4.4 and ZO Art. 19-7(g)) (Engineering)
2. Denote: Areas with alluvial soils will be developed in accordance with the Land Subdivision Regulations. (LSR Art. 6-11) (Environmental Services)
3. Addition of proposed street names. (LSR 5-2(d)(2)) (Planning & Addressing)
4. Provide a common open space exhibit per requirements. (ZO Art. 20) (Open Space)
5. Depict all existing & proposed easements. (ZO 21-6 (a)(10) & (c)(5)) (Engineering)
6. Add floodplain elevations where necessary. (ZO Art. 19) (DWQ-Storm)

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7. Label existing farm roads (proposed driveways to existing residences). (Planning)

Waiver(s) Necessary:

1. PLN-WAV-26-00007- requesting a waiver for alternate street cross-sections (LSR 6-8(l) and Exhibits 6-1 & 6-3).

Design Considerations:

1. A sanitary sewer analysis is needed to evaluate the additional flow on the existing system, and a sanitary sewer capacity application is required prior to the issuance of a building permit. (DWQ-Sanitary)

Plan Questions or Concerns:

1. Discuss constructed wetland/stormwater management on Lot 3. (Planning)
2. Discuss Letter of Map Revision (LOMR) for Patchen Wilkes, specifically Lots 25-32. (Planning)
3. Are there any environmentally sensitive areas on site? (stream, floodplain, wetlands, sinkholes) (LSR 6-11) (ZO Art. 12-6(a)(9) &(c)(1)) (Engineering)
4. Discuss roadway construction in relation to the floodplain & permitting requirements. (Engineering)
5. Are provisions for maintenance of the private street defined? (LSR 5-4(h)(1)) (Engineering)
6. Is maintenance of onsite stormwater management defined? (LSR 6-7 (c)) (Engineering)
7. Has the embankment of the existing pond and discharge pipe been inspected? (Engineering)
8. Is a "no-rise" study required? (DWQ-Storm)

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

1. Urban County Engineer's acceptance of drainage, 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 & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Open Space Planner's approval of open space and vegetative areas.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Provided the Planning Commission grants waivers for cross-sections.
11. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Preservation - Ms. Gallt oriented the Commission to the preliminary subdivision plan. She briefly described the features of the area that included a floodplain that ran behind several of the lots. She also described the waiver request for two alternate street cross-sections. She stated that staff was recommending approval at this time.

The Staff Recommended: **Approval of the requested waiver(s) Article 6-8(l) & Exhibits 6-1 & 6-3, for the following reasons:**

1. Granting the requested waiver for street geometrics will not adversely affect public health, welfare and safety in compliance with the intent of the Land Subdivision Regulations, as the revised geometrics maintain appropriate and safe drive lanes. It also continues a previously approved cross-section.
2. The granting of the waivers is consistent with the intent of Article 1-5(b) of the Land Subdivision Regulations for Design Innovation and Large-Scale Development as the street system has been developed as part of an overall design for the existing residential development.

This recommendation is made subject to the following additional requirement:

- a. Addition of a note from Article 5-4(h)(1) of the Land Subdivision Regulations to the record plat referring to the maintenance of the private street.

Commission Question - Mr. Wilson asked if the applicant was requesting one waiver or two. Ms. Gallt replied that it was two waiver requests but one staff report.

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Mr. Z. Davis asked if there was an equine cemetery on the property. Ms. Gallt did not know and deferred to the applicant.

Mr. Michler asked if there was any articulation of how these lots should interact with the floodplain and greenway areas. Ms. Wade replied that it was not designated as a greenway or to have any kind of protections.

Applicant Representation - Attorney Branden Gross was present to represent the applicant. He stated that there were trees in the floodplain and would remain there as a feature for the backyards of the homes. He also stated that they were working on the Conditional Letter of Map Revision (CLOMR) for the property.

Commission Questions - Mr. Penn asked if the residents would be able to build fences in the floodplain in their backyards. Mr. Gross replied that they could not.

Mr. Z. Davis asked if there was an equine cemetery on the property, and Mr. Gross responded that there was not.

Action - Ms. Worth made a motion, seconded by Mr. Penn, and carried 8-0 (Forester, M. Davis, Nicol absent), to approve PLN-MJSUB-26-00002: PATCHEN WILKES, UNIT 3, with the conditions listed by staff.

Mr. Michler stated that this plan could have been designed better, with more creativity.

Mr. Penn asked who would be responsible for pond maintenance. Mr. Gross said that it would be the responsibility of a homeowner's association.

Ms. Worth made a motion, seconded by Mr. Penn, and carried 8-0 (Forester, M. Davis, Nicol absent), to approve PLN-WAV-26-00007, with the attached condition proposed by staff.

3. Development Plans

- a. PLN-MJDP-26-00009: FISTER PROPERTY (TAYLOR PROPERTY) (4/9/26)* – located at 150 & 151 LOCUST POINTE WAY and 114 MT. TABOR ROAD, LEXINGTON, KY
Council District: 5
Project Contact: Vision Engineering

Note: The purpose of the plan is to depict proposed residential/commercial buildings, parking, and circulation.

Note: The Planning Commission continued this item at the March 12, 2026 meeting.

Requirements Not Met:

1. Denote correct Commission Certification after approval. ((ZO Art. 21-6(b)(6 & 7)) (Planning)
2. Addition of pedestrian access to existing Locust Pointe Way that complies with ZO Art. 16-6(a)(3). (Traffic)
3. Resolve building footprint conflicts with property lines. (Building Inspection)
4. Depict internal pedestrian walkways that comply with ZO Art. 16-6(a)(3)(a)(i-iii). (Bike/Ped)
5. Add the RLA stamp/ISA C.A. name/cert. number to Tree Inventory Map. (Urban Forester)
6. Amend Tree Protection Plan to remove pear trees as significant trees, and propose mitigation of tree loss. (ZO Art. 26-4(c)) (Urban Forester)
7. Amend canopy proposed for B-1 zone to add one more tree. (44 large trees provides 33,000 sq. ft. and 33,040 sq. ft. is required) (ZO Art. 26-5(e)). (Urban Forester & Landscape)
8. Provide upload of Open Space exhibit to Accela. (Open Space)
9. Depict all existing and proposed easements. (ZO Art. 21-6(a)(10)) (Engineering)
10. Add public streets to Note 4. (Engineering)
11. Remove all improvements from Locust Pointe Way right-of-way. (Planning)

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12. Depict roadway improvements that comply with the Land Subdivision Regulations. (LSR 6-8(b)) (Planning)
13. Clarify clubhouse use or modify to a principal permitted use in the B-1 zone. (Planning)

Waiver(s) Necessary:

1. PLN-WAV-26-00002: FISTER PROPERTY (TAYLOR PROPERTY) - withdrawn by applicant on April 6, 2026.

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. Will there be any dumpster locations on the property? (Waste Management)
3. Automatic and manual gate systems shall require the pre-approval of the Lexington Fire Department Water Control Office prior to being installed. Automatic gates shall have the Click2Enter system. (Fire)
4. There is an existing sewer line that crosses the property to 151 Locust Pointe Way and is in a dedicated easement by plat H-739, so it is part of the public sewer system. Depict the easement. (Engineering)

Plan Questions or Concerns:

1. Discuss whether breezeways connecting buildings satisfies ZO Art. 8-16(b)(20)) (Planning)
2. Discuss continuation or termination of Locust Pointe Way and need for waiver. (Planning & Engineering)
3. Discuss clubhouse use in the B-1 zone. (Planning)
4. Discuss clustering of compact parking spaces in one location. (Planning)
5. What is the width of the compact spaces? (Traffic)
6. What is the radius of the flares on the main entrance? (Traffic)
7. Discuss Note #13 & #14. (Engineering)
8. Submit the request for release of the right-of-way to Commissioner of Public Works. (Engineering)
9. Discuss stormwater management proposal. (ZO Art. 21-6(a)(9)) (Engineering)
10. Depict easements for stormwater controls. (Engineering)

The Subdivision Committee Recommended: **Postponement.** There are questions regarding termination of Locust Pointe Way and utilizing existing right-of-way as part of a private development project.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Urban Forester's approval of tree inventory map.
4. Open Space planner's approval of the treatment of greenways and greenspace.
5. Department of Environmental Quality's approval if environmentally sensitive areas.
6. Provided the Planning Commission grants the waiver for Locust Pointe Way termination.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation - Mr. Chaney re-oriented the Commission to the development plan that had been continued from the March 12, 2026 meeting. He highlighted the changes that had been made to Locust Pointe Way, that now terminated in a cul-de-sac, which eliminated the need for a waiver. He stated that the Staff recommended approval of the revised plan with the following requirements:

Requirements Not Met:

1. ~~Denote correct Commission Certification after approval. ((ZO Art. 21-6(b)(6 & 7))~~ (Planning)
2. ~~Addition of pedestrian access to existing Locust Pointe Way that complies with ZO Art. 16-6(a)(3).~~ (Traffic)
3. ~~Resolve building footprint conflicts with property lines.~~ (Building Inspection)
- 1.4. Depict internal pedestrian walkways that comply with ZO Art. 16-6(a)(3)(a)(i-iii). (Bike/Ped)
- 2.5. Add the RLA stamp/ISA C.A. name/cert. number to Tree Inventory Map. (Urban Forester)

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- ~~6. Amend Tree Protection Plan to remove pear trees as significant trees, and propose mitigation of tree loss. (ZO Art. 26-4(c)) (Urban Forester)~~
- ~~3.7. Amend canopy proposed for B-1 zone to add one more tree. (44 large trees provides 33,000 sq. ft. and 33,040 sq. ft. is required) (ZO Art. 26-5(e)). (Urban Forester & Landscape)~~
- ~~4.8. Provide upload of Open Space exhibit to Accela. (Open Space)~~
- ~~5.9. Depict all existing and proposed easements. (ZO Art. 21-6(a)(10)) (Engineering)~~
- ~~6.10. Add public streets to Note 4. (Engineering)~~
- ~~11. Remove all improvements from Locust Pointe Way right-of-way. (Planning)~~
- ~~7.12. Depict roadway improvements that comply with the Land Subdivision Regulations. (LSR 6-8(b)) (Planning)~~
- ~~8.13. Clarify clubhouse use or modify to a principal permitted use in the B-1 zone. (Planning)~~
- ~~9. Denote: A consolidation plat will be required prior to applying for building permits. (Planning)~~
- ~~10. Remove notes #13 and #14. (Planning)~~
- ~~11. Correct Note #8 to remove reference to Georgetown Road Landscape Corridor ordinance. (Planning)~~
- ~~12. Denote clubhouse/commercial portion of Building 3 will be open to the public in order to comply with Art. 8-16 of the Zoning Ordinance.~~

Waiver(s) Necessary:

- ~~1. PLN WAV 26-00002: FISTER PROPERTY (TAYLOR PROPERTY) requests a waiver for the terminus of Locust Pointe Way without the use of a cul-de-sac (LSR 6-8(b) & (f)), in association with PLN MJD 25-00009, for property at 150 & 151 Locust Pointe Way and 114 Mt. Tabor Road.~~

Design Considerations:

- ~~1. See all Accela comments provided by the Division of Engineering.~~
- ~~2. Will there be any dumpster locations on the property? (Waste Management)~~
- ~~3. Automatic and manual gate systems shall require the pre-approval of the Lexington Fire Department Water Control Office prior to being installed. Automatic gates shall have the Click2Enter system. (Fire)~~
- ~~3.4. There is an existing sewer line that crosses the property to 151 Locust Pointe Way and is in a dedicated easement by plat H-739, so it is part of the public sewer system. Depict the easement. (Engineering)~~

Plan Questions or Concerns:

- ~~1. Discuss whether breezeways connecting buildings satisfies ZO Art. 8-16(b)(20)) (Planning)~~
- ~~2. Discuss continuation or termination of Locust Pointe Way and need for waiver. (Planning & Engineering)~~
- ~~3. Discuss clubhouse use in the B-1 zone. (Planning)~~
- ~~4. Discuss clustering of compact parking spaces in one location. (Planning)~~
- ~~5. What is the width of the compact spaces? (Traffic)~~
- ~~1.6. What is the radius of the flares on the main entrance? (Traffic)~~
- ~~7. Discuss Note #13 & #14. (Engineering)~~
- ~~8. Submit the request for release of the right-of-way to Commissioner of Public Works. (Engineering)~~
- ~~2.9. Discuss stormwater management proposal. (ZO Art. 21-6(a)(9)) (Engineering)~~
- ~~3.10. Depict easements for stormwater controls. (Engineering)~~
- ~~4. Discuss timing of cul-de-sac construction. (Planning)~~

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

- 1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
- 2. Urban County Traffic Engineer's approval of street cross-sections and access.
- 3. Urban Forester's approval of tree inventory map.
- 4. Open Space planner's approval of the open space and vegetative areas.
- 5. Department of Environmental Quality's approval if environmentally sensitive areas.

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- ~~6. Provided the Planning Commission grants the waiver for Locust Pointe Way termination.~~
6.7. Correct all noted deficiencies listed as "requirements not met" herein.

Commission Questions - Mr. Owens was concerned that there was not enough commercial space in this development to justify the B-1 zone. He asked why staff did not recommend a residential re-zoning. Mr. Chaney replied that there was no threshold for the amount of either commercial or residential uses. Mr. Owens opined that this was a gross misuse of the B-1 zone.

Mr. Michler asked if staff had discussed the possibility of changing to an R-4 zone with the applicant. Mr. Chaney said there was no zone change with this, and the applicant was working with the existing zone, B-1. Ms. Wade added that a part of the property was zoned residential.

Mr. Penn asked if there was a minimum amount of other uses required, and Mr. Chaney replied that there was no minimum square footage, but each building had to have a commercial element.

Applicant Presentation - Jihad Hallany, Vision Engineering, was present to represent the applicant. He stated that the property was appropriate for the area, and they would have commercial space in each building, including the clubhouse. He added that the B-1 zone had a 20% canopy requirement, but they were proposing 35% canopy, which is higher than the R-4 zone.

Commission Question - Mr. Owens asked Mr. Hallany if they had looked into having more commercial space in the development. Mr. Hallany replied that they had discussed it, but the applicant ultimately felt that more commercial space was un-warranted in this particular area.

Mr. Owens asked how many units were being proposed, and Mr. Hallany replied that it was 170 units. Mr. Owens asked if that justified more commercial space. Mr. Hallany stated that it was not what the applicant wanted, but agreed to look into it again before submitting their final development plan.

Commission Comment - Mr. Michler suggested that, in the future, developments like these could be designed to be "retail ready", so more commercial uses could be brought in at a later time.

Action - Mr. Wilson made a motion, seconded by Ms. Barksdale, and carried 6-2 (Owens and Penn opposed, Forester, M. Davis, and Nicol absent), to approve PLN-MJDP-26-00009: FISTER PROPERTY (TAYLOR PROPERTY), with the six conditions provided by staff.

- b. PLN-MJDP-26-00010: BRYANT PROPERTY (AMD) (4/5/26)* – located at 1800 & 1810 BRYANT ROAD, LEXINGTON, KY
Council District: 6
Project Contact: Vision Engineering

Note: The purpose of this amendment is to reconfigure building, parking, and circulation on Lot 2, and add access easement on Lot 1.

Requirements Not Met:

1. Addition of building line on Lot 1 along cul-de-sac/access easement. (ZO Art. 12-6(a)) (Planning)
2. Addition of all easements including Lot 3. (ZO Art. 12-6(a)(10)) (Planning)
3. Clarify Lighting Plan to comply with Article 30 of the Zoning Ordinance. (Planning)
4. Add "relocation of dumpster and addition of access easement on Lot 1" to purpose of amendment. (ZO Art. 12-7(d)) (Planning)
5. Correct title for cul-de-sac to access easement. (ZO Art. 12-6(a)(10)) (Planning)
6. Denote any waiver or variance, if approved by the Planning Commission. (Planning)
7. Update enclosure detail to comply with p. 7 of the Dumpster Service Guide. (Waste Management)
8. Provide Open Space Exhibit that includes common open space, and include open space requirements in site statistics as a percentage. (ZO Art. 20-3) (Open Space)
9. Turn-arounds will need to be provided within the parking lot drive aisle between the apartment buildings. (Fire)
10. Amend Tree Inventory Map to comply with ZO Art. 26-4. (Urban Forester)

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11. Provide mitigation measures to be taken, if any, for justified removals. (ZO Art. 26-4(c)) (Urban Forester)
12. Depict easements for stormwater controls. (LSR 6-7(c)) (Engineering)
13. Remove reference to plat J-551 with the wrong title. (Engineering)

Waiver(s) Necessary:

1. PLN-WAV-26-00003: BRYANT PROPERTY (AMD) - requests a waiver of the sidewalk standards to eliminate sidewalk on the southeast side of the street on Lot 3 (LSR 6-8(n)(1)), in association with PLN-MJDP-26-00010, for property at 1800 & 1810 Bryant Road.

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. All pedestrian crossing greater than 24' shall be raised. (Bike/Ped)
3. The sanitary sewer capacity application on file will need to be updated prior to the issuance of building permits. (DWQ-Sanitary)
4. Sidewalks cannot count towards your vegetative open space. (Open Space)
5. The inlets from the proposed public street are directed through a private property (Lot 1). Where is the stormwater management for quality and quantity for Lot 1? The public storm is required to be kept separate from the private on-site systems. (Engineering)

Plan Questions or Concerns:

1. Discuss Note #10 for mitigation of loss of trees. (Planning)
2. Explain patterned crossing between Building 2 and 3 and in front of Building 4. (Traffic)
3. Discuss who will own and maintain the Stormwater Management areas. (SWM 1.5.6) (Engineering)
4. Are you building a berm over the existing sanitary sewer easement? (Engineering)
5. What is the proposal for stormwater management? ZO 21-6(a)(9) (Engineering)
6. Discuss access easement conversion to public or private street. Does cul-de-sac meet public street standards? (Planning)

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Urban Forester's approval of tree inventory map.
4. Open Space planner's approval of the treatment of greenways and greenspace.
5. Department of Environmental Quality's approval if environmentally sensitive areas.
6. Provided the Planning Commission approves PLN-WAV-26-00002.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation - Ms. Gallt reminded the Commission that this plan had been brought back to them for re-consideration from the March 12, 2026 meeting. She informed them that the applicant had submitted a revised plan and that a new staff report was available. She explained that the applicant had reduced the number of units on the project which eliminated the need for the second access point, and they had also reduced the amount of parking. She indicated the change of location for the buildings and the open space to the rear of the property. Ms. Gallt detailed the revised staff report.

Requirements Not Met:

1. Addition of building line on Lot 1 parallel to cul-de-sac/access easement. (ZO Art. 12-6(a)) (Planning)
- ~~1.2.~~ Addition of all easements including Lot 3. (ZO Art. 12-6(a)(10)) (Planning)
- ~~2.3.~~ Clarify Lighting Plan to comply with Article 30 of the Zoning Ordinance. (Planning)
- ~~3.4.~~ Add "relocation of dumpster" and Remove "addition of access easement on Lot 1" to purpose of amendment. (ZO Art. 12-7(d)) (Planning)
- ~~5.~~ Correct title for cul-de-sac to access easement. (ZO Art. 12-6(a)(10)) (Planning)
- ~~4.6.~~ Denote any waiver or variance, if approved by the Planning Commission. (Planning)
- ~~7.~~ Update enclosure detail to comply with p. 7 of the Dumpster Service Guide. (Waste Management)

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- ~~5.8.~~ Provide Open Space Exhibit that includes common open space, and include open space requirements in site statistics as a percentage. (ZO Art. 20-3) (Open Space)
- ~~9.~~ Turn-arounds will need to be provided within the parking lot drive aisle between the apartment buildings. (Fire)
- ~~6.10.~~ Amend Tree Inventory Map to comply with ZO Art. 26-4. (Urban Forester)
- ~~7.11.~~ Provide mitigation measures to be taken, if any, for justified removals. (ZO Art. 26-4(c)) (Urban Forester)
- ~~8.12.~~ Depict easements for stormwater controls. (LSR 6-7(c)) (Engineering)
- ~~13.~~ Remove reference to plat J-551 with the wrong title. (Engineering)
9. Correct side yard setback line to 25 feet adjacent to A-U zone. (ZO Art. 15-3) (Planning)
10. Denote existing zoning along west/southwest property line. (ZO Art. 21-6) (Planning)

Waiver(s) Necessary:

1. PLN-WAV-26-00003: BRYANT PROPERTY (AMD) - requests a waiver of the sidewalk standards to eliminate sidewalk on the southeast side of the street on Lot 3. (LSR 6-8(n)(1))

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. All pedestrian crossing greater than 24' shall be raised. (Bike/Ped)
3. The sanitary sewer capacity application on file will need to be updated prior to the issuance of building permits. (DWQ-Sanitary)
4. Sidewalks cannot count towards your vegetative open space. (Open Space)
5. The inlets from the proposed public street are directed through a private property (Lot 1). Where is the stormwater management for quality and quantity for Lot 1? The public storm is required to be kept separate from the private on-site systems. (Engineering)

Plan Questions or Concerns:

1. Discuss Note #10 for mitigation of loss of trees. (Planning)
- ~~2.~~ ~~Explain patterned crossing between Building 2 and 3 and in front of Building 4. (Traffic)~~
- ~~2.3.~~ Discuss who will own and maintain the Stormwater Management areas. (SWM 1.5.6) (Engineering)
- ~~3.4.~~ Are you building a berm over the existing sanitary sewer easement? (Engineering)
- ~~4.5.~~ What is the proposal for stormwater management? ZO 21-6(a)(9) (Engineering)
- ~~5.6.~~ Discuss access easement conversion to public or private street. Does cul-de-sac meet public street standards? Final record plat dedicating cul-de-sac shall be recorded prior to certification of development plan. (Planning)

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Urban Forester's approval of tree inventory map.
4. Open Space planner's approval of the treatment of greenways and greenspace.
5. Department of Environmental Quality's approval if environmentally sensitive areas.
6. Provided the Planning Commission approves PLN-WAV-26-00002.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation Continued - Ms. Gallt briefly described the requested waiver, and the reasons that staff was recommending approval.

The Staff Recommended: **Approval of the requested waiver to Article 6-8(n)(1) for the construction of a sidewalk on one side of the street** for the following reasons:

1. Granting the requested waiver to release the applicant of responsibility of construction of the sidewalk on both sides of the street will not adversely affect the public health, safety, and welfare in compliance with the intent of the Land Subdivision Regulations. The applicant has proposed a sidewalk connection to the Brighton Trail along the southwest property boundary, and the cul-de-sac has already been constructed.

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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 extreme elevations and utilities located on the southwest side of the access easement/cul-de-sac. To construct the sidewalk, it would also encroach into the adjacent property in close proximity of the structure on the property.

Conditions of Approval:

- a. Bike and Pedestrian Planners approval of the sidewalk connection on the property from the street to the trail.

Commission Questions - Mr. Owens asked how many units were proposed originally. Ms. Gallt replied that it was 100 units, but had reduced to 96. She also mentioned that they had reduced the parking by 24 spaces.

Applicant Presentation - Jihad Hallany, Vision Engineering, was present to represent the applicant. He told the Commission that, after the last meeting, they had walked the site with the Urban Forester and had worked on a revision that would address several of the issues that had been discussed. He stated that they had reduced the impervious surface, preserved more trees, and increased the canopy to residential standards.

Citizen Comments - Greg Lubeck, 1842 Timber Creek Drive, was concerned about the traffic impact on Pleasant Ridge Drive. He also said that Bryant Road needed to be updated before more traffic was added to it.

Eddie Gribbins, 3072 Glenwood Drive, stated that he has a swimming pool on the property because the owner gave it to him. He shared all of his concerns with the development, and stated that he would be taking legal action to prove that it was his property. He also claimed that there was a slave graveyard on the property.

Haley Ly - 3084 Glenwood Drive, opined that this was too much density and did not fit with the single family homes in the vicinity. He was also concerned about traffic and the environmental impacts of canopy removal.

Sage Kitchen - 3260 Brighton Place Drive, acknowledged that the new plan did preserve more trees, but did not feel the density was appropriate. She asked the applicant to have more creativity.

Denise Enlow - 1815, Timber Creek Drive, stated that the plans were reviewed too quickly. She opined that a traffic study submitted by the applicant was a conflict of interest and should be done by a third party. She asked the Planning Commission to ensure that there was no graveyard on site.

Melanie Buttery - 3089 Glenwood Drive, was very concerned about traffic congestion. She stated that Bryant Road was inadequate for new traffic.

Beth Hollis - 1851 Timber Creek, said that Bryant Road was a poorly constructed road, and could not support new traffic. She reiterated concerns of traffic. She did not want to see three story buildings from her house. She opined that apartments typically lead to higher crime.

Applicant Rebuttal - Mr. Hallany stated that this property could also be developed into a hotel or other more intrusive use, and the apartments could be a good transition to the single family homes. He said that the use of Bryant Road is extremely limited at the current time, so it could support the additional traffic. He believed that this property was underutilized and a good place for this development.

Staff Comments - Mr. Filiatreau, Division of Traffic Engineering, informed the Planning Commission that there was a study being done currently at the intersection of Bryant Road and Pleasant Ridge.

Commission Questions - Ms. Worth stated that a traffic study needed to include driver behavior rather than just traffic counts. Mr. Filiatreau replied that it was a full traffic impact study that would result in a new design.

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Mr. Michler asked Mr. Filiatreau to address Bryant Road because it did not appear to be a B-3 corridor. Mr. Filiatreau replied that in front of this development it is narrow, but it does widen into a 30-foot cross section.

Mr. Wilson asked for clarification of the timing of the study. Mr. Filiatreau stated that the study was currently underway, with the intention of presenting their findings to Council by October of 2026.

Ms. Barksdale inquired if there were any plans to improve Bryant Road, particularly in the narrower section. Ms. Wade explained the improvements that had been made to one side of Bryant Road up to the subject property. She further added that the other side was not improved, because of a large water line, gas line, and significant topographic change. She gave a brief history of the rezoning in the area that affected the decision to not upgrade Bryant Road.

Mr. Owens asked what the height restrictions were for the B-3 zone. Ms. Wade replied that it was 60 feet.

Mr. Wilson asked if staff was aware of any gravesites on the property. Ms. Wade responded that they had not seen any documentation of any gravesites. She did point out a family gravesite that was on the aerial photograph, but off property. She also stated that the applicant would have to inform the Planning Commission of the existence of a gravesite, if one was found, and she also explained their options and processes to take care of one.

Ms. Worth was concerned about the number of graves that could be present. She asked if the Commission was able to request a LiDAR (Light Detection and Ranging) study to be performed on site. Ms. Wade replied that it would be acceptable to request a study if there is evidence provided.

Mr. J. Davis asked if the process was any different if it was found to be a slave cemetery. Ms. Wade replied that the Ordinance required the same protections for any graveyard.

Mr. Penn asked Mr. Hallany if he was aware of any gravesite. Mr. Hallany replied that this was the first time he had heard about it, but he offered to denote that an archaeological study would be done before final development plan submittal.

Ms. Wade told the Planning Commission that it would be better for the Commission to have the correct information before they made their decision.

Mr. Z. Davis asked Mr. Hallany about his knowledge of the swimming pool on the property and the claim of Mr. Gribbins that that area of the property belonged to him. Mr. Hallany did not recall seeing the pool, and was unaware of any litigation.

The Commission discussed what kind of a motion they would make, and Ms. Jones suggested a continuance rather than a postponement.

Mr. Wilson made a motion, seconded by Mr. J. Davis, and carried 8-0 (Forester, M. Davis, Nicol absent), to continue PLN-MJDP-26-00010: BRYANT PROPERTY (AMD) to the May 14, 2026 meeting in order to assess the possible gravesites on the property.

- c. PLN-MJDP-26-00019: THE MAXWELL (LYNDHURST SUBDIVISION) (AMD) (6/1/26)* – located at 201 E. MAXWELL, LEXINGTON, KY
Council District: 3
Project Contact: Vision Engineering

Note: The purpose of the plan is to request a waiver to eliminate the sidewalk along the northside of Hagerman Court and add a pergola to rooftop patio above 3-story portion of structure.

Requirements Not Met:

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1. 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. (ZO Art. 21(b)(1)) (Building Inspection)
2. Correct Commission Certification. (Planning)
3. Correct vicinity map to reflect current lot configuration. (Planning)

Waiver(s) Necessary:

1. PLN-WAV-26-00005 - requesting a waiver for sidewalk requirements. (LSR 6-8(n)(1))

Design Considerations:

1. The sidewalk should be built in the 5' of space provided. (Bike/Ped)

Plan Questions or Concerns:

1. Confirm that trash and recycle compactors will be used at this complex. (Waste Management)
2. What is the status of relinquishing the previous Hagerman Court right-of-way to adjacent properties? (Engineering)

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. Open Space planner's approval of open space and vegetative areas.
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. Provided the Planning Commission grants PLN-WAV-26-00005 to eliminate sidewalk along north side of Hagerman Court.
13. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation - Mr. Chaney oriented the Planning Commission to the revised development plan. He described the request to add a pergola to the 3-story portion of the building, which added height to that side of the building. He then described their wavier request to eliminate one side of a portion of Hagerman Court. Pictures of the street were displayed, and Mr. Chaney described the current state of the newly constructed street. He explained that staff had consulted with the Bicycle/Pedestrian Coordinator who felt the sidewalk should be constructed. He stated that staff recommended approval of the development plan.

Commission Question - Mr. Michler asked if there was room for the sidewalk, and Mr. Chaney stated that there was. Mr. Michler stated that it appeared that the sidewalk space was already there, but it just needed to be paved.

Ms. Worth was concerned that the sidewalk would be very close to the gas meters on the existing home.

Staff Presentation - Mr. Chaney briefly described the waiver report. He said that the new section of Hagerman Court was access for the multi-family building, and it would generate substantial pedestrian traffic. He described the reasons why staff was recommending disapproval of the waiver at this time.

The Staff Recommends: **Disapproval of the requested waivers to Article 6-8(n)(1)** for the following reasons:

1. Granting the requested waiver to the requirement for sidewalks to be constructed on both sides of public streets will adversely affect public health, welfare and safety in compliance with the intent of the Land Subdivision Regulations. By granting this waiver, there is the strong possibility that this

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section of missing sidewalk will become a gap in the pedestrian network and negatively impact pedestrian movement.

2. Granting the waiver is not consistent with the intent of Article 1-5(a) of the Land Subdivision Regulations for Exceptional Hardship, as there is adequate space to construct a compliant sidewalk and there are no topographical or other obstacles to prevent the construction of a fully functioning pedestrian facility on the north side of Hagerman Court.

Applicant Presentation - Matt Carter, Vision Engineering, was present to represent the applicant. He passed out an exhibit with photos and renderings of the building with the pergola and the new portion of Hagerman Court. He described the pergola as an open structure that would be added to an open deck on the top of the third story of the building.

Mr. Carter explained the reasons why they felt that the sidewalk would be difficult to build. He discussed the ADA/PROWAG (Public-Right-of-Way Accessibility Guidelines) compliance issues, as well as the proximity to the house, retaining wall, and a driveway. He stated that two sidewalks on this street would be redundant and unnecessary. He asked for approval of the waiver.

Staff Comments - Mr. Chaney reiterated that the Bicycle/Pedestrian Coordinator was in favor of the sidewalk's construction. He also said that, if the rest of Hagerman Court were to be developed, it would leave this portion of the sidewalk unbuilt and without connections.

Mr. Filiatreau, Division of Traffic Engineering, stated that Mr. Carter was correct about the PROWAG compliance, but felt that some other type of solution for the issue could be found. He admitted that he did not have enough information to make an exact recommendation.

Commission Questions - Ms. Worth asked Mr. Filiatreau to explain his conclusion about the waiver as he had during the Subdivision Committee. Mr. Filiatreau replied that it would be difficult to build the sidewalk to PROWAG standards, but opined that there still could be a way to resolve the problem. He agreed that there was a possibility that the house that would abut the sidewalk could be removed for future development. Ms. Worth asked if it was even safe to build the sidewalk that is close to a home and its gas meter. Mr. Filiatreau said that the distance to the house could be reduced to 4 feet as long as it went to 5 feet at one point for accessibility.

Mr. Owens asked for clarification about the sidewalk width. Mr. Filiatreau replied that they could go down to 4 feet for the sidewalk as long as there was a 5-foot section for two wheelchairs to pass. He added that the applicant would need a different type of waiver if that were what was desired. He still felt that there could be some design solution to fix the problem.

Mr. Michler asked for clarification about what was being reviewed, and Ms. Wade reminded the Commission that the development plan was adding a pergola to the top of the building, and was not part of the waiver request.

Mr. Michler asked if there was a problem building the sidewalk on the portion of road where there was a retaining wall. Mr. Carter said that they did not own that property, and could not do anything about the retaining wall.

Mr. Owens asked if there was anywhere that they could add the 5-foot section of necessary sidewalk, and Mr. Carter replied that there was not, because it was either too close to the house or on property that did not belong to them.

Mr. Michler commented that the 3-story section of the building was agreed on to protect a historic home next door. He felt that the addition of outdoor space could be achieved in many ways without the addition of a pergola, and did not want to change what had been thoroughly discussed and approved previously. He also said that he was inclined to support staff regarding the waiver request.

Action - Mr. Michler made a motion, seconded by Mr. Penn, which failed 3-5 (J. Davis, Barksdale, Z. Davis, Worth, Wilson opposed, Forester, M. Davis, Nicol absent) to disapprove PLN-MJDP-26-00019:

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THE MAXWELL (LYNDHURST SUBDIVISION) (AMD), because the context of the building had not changed, and the pergola was not necessary to meet open space requirements on the third story.

Action - Ms. Worth made a motion, seconded by Mr. Wilson, and carried, 6-2 (Michler and Penn opposed, Forester, M. Davis, Nicol absent) to approve PLN-MJDP-26-00019: THE MAXWELL (LYNDHURST SUBDIVISION) (AMD)

There was some brief discussion about the motion including the sidewalk waiver. Ms. Wade explained that it would be included in the waiver request action.

Action - Ms. Worth made a motion, seconded by Mr. Wilson, and carried 7-1 (Michler opposed, Forester, M. Davis, Nicol absent), to approve PLN-WAV-26-00005, finding that the applicant had proved there was a hardship to build the sidewalk.

Note - Mr. Owens left the meeting at 4:04 p.m.

4. Waivers

- a. PLN-WAV-26-00006: BEAUMONT FARM, UNIT 10, LOT 10 - requesting a waiver for a reduction of open space requirements (ZO Art. 20-2(b)), in association with PLN-MJDP-26-00008, for property at 3199 Beaumont Centre Circle.

Staff Presentation - Ms. Gallt oriented the Commission to development plan that required the waiver. She pointed out that the applicant was asking to add a building in the middle of a large parking lot, and could not find a way to add enough useable and vegetated open space to meet the requirements. She explained why staff was recommending approval of the waiver.

The Staff Recommends: **Approval of the requested waiver of Article 20-2(b) of the Zoning Ordinance** for the following reasons:

1. This waiver request does not compromise public health safety and welfare and supports the intent of Article 20-2(b) as the applicant is providing more interior VUA and vegetated open areas than what exists currently, and is intensifying an underutilized portion of the property.
2. The extent of the waiver of this particular regulation is the minimum necessary to reasonably afford relief to the applicant as request balances the parking and circulation needs for the existing commercial site, while improving upon the current site conditions.
3. A strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship on the applicant by impacting desirable modification to the long-standing center.

Applicant Presentation - Todd Earnst, CMW, was present to represent the applicant. He agreed with staff's recommendation and asked for approval.

Action - Mr. Michler made a motion, seconded by Mr. J. Davis, and carried 7-0 (Forester, M. Davis, Nicol, Owens absent), to approve PLN-WAV-26-00006: BEAUMONT FARM, UNIT 10, LOT 10, as recommended by staff.

- b. PLN-WAV-26-00008: COVENTRY (BELMONT FARM) (BELMONT CENTER, LOTS 1-11) (AMD) - requesting a waiver for substantial completion requirements (LSR 4-7(c)(1)), in association with PLN-FRP-26-00007, for property at 2450 Georgetown Road.

Staff Presentation - Mr. Chaney explained the waiver request for substantial completion requirements. He explained that the applicant could not develop the sewer to several of the lots due to grading that

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had to completed. He indicated that they were requesting permission for 100% surety bond. He explained that staff was recommending approval at this time.

The Staff Recommends: **Approval of the requested waivers to Article 4-7(c)(1)** for the following reasons:

1. Granting the requested waiver to the substantial completion requirement will not adversely affect public health, welfare, and safety in compliance with the intent of the Land Subdivision Regulations because the sanitary sewer will be constructed to ensure all eleven lots are buildable.
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 unique timing considerations for completing the public improvements and the transfer of property before all the infrastructure is in place.

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

1. Denote that no development of Lots 1, 2, 4, 5, and 6 shall be allowed until a final development plan is approved and certified including an evaluation of the sanitary sewer capacity.
2. The applicant shall provide a 100% surety for all public improvements per the requirements of the Land Subdivision Regulations and the Engineering Manuals.

Applicant Representation - Matt Carter, Vision Engineering, was present to represent the applicant. He added that there was some sewer on site currently, but they would be able to start the mass grading that needed to be done as soon as the plat was approved. He asked for approval.

Commission Question - Chair Davis stated that there might be a Kentucky historical marker on this portion of Georgetown Road, and wanted to make sure that it was noted on the plan. Mr. Carter stated that if it was on this property, he would denote its location on the plan.

Action - Mr. Penn made a motion, seconded by Ms. Worth, and carried 7-0 (Forester, M. Davis, Nicol, Owens absent), to approve PLN-WAV-26-00008: COVENTRY (BELMONT FARM) (BELMONT CENTER, LOTS 1-11) (AMD), as presented by staff.

VII. COMMISSION ITEMS

Commission Question - Mr. Penn asked to revisit PLN-MJDP-26-00010: BRYANT PROPERTY (AMD). He wanted to make sure that there was resolution about the swimming pool location as well as the potential gravesite. He was concerned that legal issues could arise because of Mr. Gribbins' claims. Mr. Carter stated that when the title search of the property was done, there was no reference to Mr. Gribbins owning that piece of the property.

Ms. Jones informed Mr. Penn that he could make a motion about clarifying the pool and its relationship to the Bryant Property at the time of the next meeting.

Action - Mr. Penn made a motion, seconded by Mr. Wilson, and carried 7-0 (Forester, M. Davis, Nicol, Owens absent), to require the applicant to address the pool encroachment on the subject property (PLN-MJDP-26-00010: BRYANT PROPERTY (AMD)) at the next meeting.

Director Comments - Mr. Duncan reminded the Planning Commission about the upcoming work session on April 16th.

VIII. ADJOURNMENT – Chair Davis adjourned the meeting at 4:25 p.m.

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Zachary Davis, chair



Robin Michler, secretary

TW/DC/CC/CG/PO

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