

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

April 23, 2026

- I. **CALL TO ORDER** - Chair Zach 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, Molly Davis, Mike Owens, Frank Penn, Robin Michler, Larry Forester, Judy Worth, and Bruce Nicol. Planning staff members present were Jim Duncan, Daniel Crum, Jeremy Young, Chris Chaney, Cheryl Gallt, Ryelle Browning, Ben Wolford. Other staff present were Tracy Jones and Brittany Smith, Department of Law; David Filiatreau, Division of Traffic Engineering; Vaughan Adkins, Division of Engineering; and Brian Morgan, Division of Fire and Emergency Services.
- III. **APPROVAL OF MINUTES** – A motion was made by Ms. Worth, seconded by Mr. Forester and carried 8-0 (J. Davis, Wilson, and M. Davis absent), for the approval of minutes from the March 26, 2026 public hearing.
- IV. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal were considered at this time.

- A. **PLN-MAR-26-00008: SOUTH BROADWAY PROJECT OWNER, LLC** (4/23/26)* – a petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone for 5.089 net (5.406 gross) acres for property located at 1021, 1057, and 1059-1069 S. Broadway.

Applicant Representation - Attorney Dick Murphy was present to represent the applicant. He requested a one-month postponement to the May 28, 2026, public hearing to continue work on access points related to the proposed development.

Action - Mr. Penn made a motion, seconded by Mr. Forester, and carried 8-0 (Wilson, J. Davis, and M. Davis absent) to postpone **PLN-MAR-26-00008: SOUTH BROADWAY PROJECT OWNER, LLC** and the associated development plan to the May 28, 2026, meeting.

Note: Mr. Michler left the meeting at 1:33 pm.

- B. **PLN-MAR-25-00017: LEGACY TRAIL, INC.** (5/28/26)* – a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Corridor Business (B-3) zone for 12.64 net (13.77 gross) acres for property located at 1170 Newtown Pike.

Applicant Representation - Attorney Branden Gross was present to represent the applicant. He requested withdrawal.

Action – Mr. Forester made a motion, seconded by Ms. Worth, and carried 7-0 (Wilson, J. Davis, Michler, and M. Davis absent), to withdraw **PLN-MAR-25-00017: LEGACY TRAIL, INC.**

PLN-MJDP-25-00059: LEXMARK INTERNATIONAL CORPORATION LOT 1 (LEGACY TRAIL, LLC PROPERTY) (associated development plan)

Applicant Representation - Attorney Branden Gross was present to represent the applicant. He requested withdrawal.

Action – Mr. Forester made a motion, seconded by Ms. Worth, and carried 7-0 (Wilson, J. Davis, Michler, and M. Davis absent), to withdraw **PLN-MJDP-25-00059: LEXMARK INTERNATIONAL CORPORATION LOT 1 (LEGACY TRAIL, LLC PROPERTY)**.

Note: Mr. Michler returned to the meeting at 1:37 pm.

- C. **PLN-ZOTA-24-00006: REVISIONS TO ARTICLE 23A-10 FOR THE ECONOMIC DEVELOPMENT (ED) ZONE** – a text amendment to modify the Economic Development (ED) zone.

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

Applicant Representation – Branden Gross was present to represent the applicant. He requested a one-month postponement to the May 28, 2026 public hearing.

Action - Mr. Owens made a motion, seconded by Ms. Barksdale, and carried 8-0 (Wilson, J. Davis, and M. Davis absent) to postpone **PLN-ZOTA-24-00006: REVISIONS TO ARTICLE 23A-10 FOR THE ECONOMIC DEVELOPMENT (ED) ZONE** to the May 28, 2026, meeting.

V. LAND SUBDIVISION ITEMS - The Land Subdivision Committee met on Thursday April 2, 2026 at 8:30 a.m. Committee members in attendance were Vaughan Adkins, Division of Engineering; Steve Parker, Division of Traffic Engineering; Eric Sutherland, Brooke Gray, Lane Gilliam, Division of Environmental Services; Embry Beatty, Division of Fire; Rob Volpenhein, Addressing Office; Scott Burton, Division of Waste Management; Eve Miller and Scott Thompson, Division of Planning; Chris Dent, Division of Water Quality; and Tyler Skaggs, Kentucky Utilities. Other staff members in attendance were Traci Wade, Daniel Crum, Chris Chaney, Cheryl Gallt, and Paula Owens; 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 Thursday, April 2, 2026 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, Larry Forester, and William Wilson. Staff members present were Traci Wade, Daniel Crum, Jeremy Young, Chris Chaney, Ryelle Browning, Ben Wolford; Tracy Jones and Brittany Smith, 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. ANDERSON ANDOVER COUNTRY CLUB, LLC MAP AMENDMENT REQUEST AND LOCHMERE TRACT 4, LOT 1B (A PORTION OF) (ANDOVER GOLF COURSE) DEVELOPMENT PLAN

- a. **PLN-MAR-26-00005: ANDERSON ANDOVER COUNTRY CLUB, LLC (4/23/26)*** – a petition for a zone map amendment from a Townhouse Residential (R-1T) zone to a Neighborhood Business (B-1) zone for 0.368 net (0.397 gross) acres for property located at 3433 Country Club Drive.

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.

Note: The petitioner is proposing the Neighborhood Business zone to expand an existing parking lot that is accessory to a restaurant, banquet facility and athletic facility. The request would result in the addition of twenty-six (26) new parking spaces.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval for the following reasons:

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The addition of the parking will help ensure the continued viability of a neighborhood amenity and gathering point (Theme A, Goal 3.d).
 - b. The proposal will ensure that the site remains accessible by various transportation modes (Theme A, Goal #3.b).
 - c. The proposal can be constructed with minimal environmental impact (Theme A, Goal #3.c).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The site has multi-modal access (Design Policy #4, #5 and #7).
 - b. The project invests in an existing neighborhood (Design Policy #10).
 - c. The proposed parking expansion increases access to neighborhood amenities (Livability Policy #6).
3. The requested Neighborhood Business (B-1) zone is in agreement with the Development Criteria of the 2045 Comprehensive Plan for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use, as the request expands the ability to accommodate vehicular traffic for local residents (A-DS12-1 and E-ST8-2), and does not detract from the existing pedestrian facilities on-site (A-DN3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as the development retains the connectivity with the existing neighborhood and planned townhome development (A-DS4-1), and utilizes shared parking among the three businesses located on the adjacent property (C-PS10-1).
 - c. These proposed rezoning meets the criteria of Environmental Sustainability and Resiliency as the proposed plan does not require removal any trees (B-PR7-1), could be accomplished with minimal grading (B-PR9-1) and will incorporate native plants and trees (B-SU11-1).
 - d. The proposal addresses the criteria for Site Design as the businesses located on the adjacent property provide amenities within neighborhood focused open spaces (A-DS9-1), and the request does not result in over-parking (C-PS10-2).
 - e. The proposed rezoning meets the criteria for Building Form, as the parking addition is in scale with the existing commercial use and the adjoining residential development (A-DS4-2).

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

4. This recommendation is made subject to approval and certification of PLN-MJDP-26-00015: LOCHMERE, TRACT 4, LOT 1B (A PORTION OF) (ANDOVER GOLF COURSE) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Staff Presentation – Mr. Jeremy Young oriented the Commission with the area of the proposed zone change and the surrounding properties. He used aerial imagery from 2023 and 2026 to show the progression of the property and how it had been developed over the last three years. He indicated the applicant planned to build townhomes on the property and is requesting to expand an existing parking lot that is accessory to a restaurant, banquet facility, and athletic facility. He stated that the proposed development met the goals of the 2045 Comprehensive Plan.

He noted that the staff's recommendation was **Approval** and offered to answer questions from the Commission.

- b. **PLN-MJDP-26-00015: LOCHMERE TRACT 4-B (A PORTION OF) (ANDOVER GOLF COURSE)**
(5/3/26)* – located at 3433 COUNTRY CLUB DRIVE, LEXINGTON, KY
Council District: 7
Project Contact: Barrett Partners, Inc.

Note: The purpose of this plan is to depict a new parking area, and a revised townhome and circulation layout, in support of the requested zone change from a Townhouse Residential (R-1T) zone to a Neighborhood Business (B-1) zone.

Requirements Not Met:

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)(3)) (Building Inspection)
2. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission. (ZO Art. 21-6(b)(2)) (Planning)
3. Upload Open Space exhibit to Accela and include the open space requirements in the site statistics as a percentage. (Open Space)
4. Denote and label height of canopy. (ZO Art. 21-6(a)(8)) (Planning)
5. Addition of addresses for all properties. (ZO Art. 21-6(a)(14)) (Planning)
6. Addition of building line. (ZO Art. 21-6(a)(14)) (Planning)
7. Addition of missing information from previous plan. ((ZO Art. 21-6(a)(5)) (Planning)
8. Complete details in site statistics box. (ZO Art. 21-6(a)(13)) (Planning)
9. Addition of note on street cross-section B-B from previous plan, "No parking on street except as noted for mailbox," and label landscape median. (ZO Art. 21-6(a)(6)) (Planning)
10. Resolve any easement conflicts prior to obtaining a building permit. (SS&PS Manual 6.9.2) (Engineering)
11. Provide a turn-around greater than 150'. (Fire)

Waiver(s) Necessary: None at this time.

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. Contact Addressing Office for assignment of address(es)/suite numbers. (Addressing)
3. Is the pond a standalone or does it connect to a blueline stream? (Environmental)
4. Discuss turnaround for new parking. (Fire)
5. Discuss loss of turnaround on Country Club Drive and loss of dumpster. ((ZO Art. 21-6(a)(6)) (Planning)
6. Discuss easement conflicts for homes on Country Club Drive. (ZO Art. 21-6(a)(10)) (Planning)
7. Discuss plan expiration. (Signed 6/3/20) (Planning)
8. What is the proposal for stormwater management? (ZO Art. 21-6(a)(9)) (Engineering)

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

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

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, 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. Open Space planner's approval of open space and vegetative areas.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Note: Ms. M. Davis entered the meeting at 1:45 pm.

Staff Presentation – Ms. Cheryl Gallt referenced the revised development plan to orient the Commission with the layout of the proposed development and the updated list of conditions.

She shared the location of the parking lot in which the applicant was requesting a zone change for and indicated where the developers would add a turn-around for emergency vehicles within the townhome section of the property.

Ms. Gallt presented a revised staff report which included the following requirements and conditions:

Requirements Not Met:

1. Upload Open Space exhibit to Accela and include the open space requirements in the site statistics as a percentage. (Open Space)
2. Resolve any easement conflicts prior to obtaining a building permit. (SS&PS Manual 6.9.2) (Engineering)
3. Provide a turn-around greater than 150' to the approval of the Division of Fire.

Waiver(s) Necessary – None at this time.

Design Considerations

1. See all Accela comments provided by the Division of Engineering.
2. Contact Addressing Office for assignment of address(es)/suite numbers. (Addressing)
3. Is the pond a standalone or does it connect to a blueline stream? (Environmental)
4. Discuss turnaround for new parking. (Fire)
5. Discuss loss of turnaround on Country Club Drive and loss of dumpster. ((ZO Art. 21-6(a)(6)) (Planning)
6. Discuss easement conflicts for homes on Country Club Drive. (ZO Art. 21-6(a)(10)) (Planning)
7. Discuss plan expiration. (Signed 6/3/20) (Planning)
8. What is the proposal for stormwater management? (ZO Art. 21-6(a)(9)) (Engineering)

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, 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. Open Space planner's approval of open space and vegetative areas.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Ms. Gallt concluded by stating that the staff recommends approval of the preliminary development plan. She offered to answer any questions from the Planning Commission.

Applicant Presentation – Attorney Dick Murphy reminded the Commission that in 2019 the Anderson Andover Property was part of a successful zone change, becoming the home of Carson's restaurant and their connected event space. He stated that due to that success, they are now seeking expansion through town homes and additional parking for the restaurant.

Mr. Murphy requested that item #3 under the requirements not met section of the revised staff report be amended to extend to the approval of the final development plan to allow more time for the developers to achieve this goal. He clarified that this extension would provide a safe time frame for the adjustment.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve **PLN-MAR-26-00005: ANDERSON ANDOVER COUNTRY CLUB, LLC** for the reasons given by staff.

Staff Comments – Ms. Gallt suggested that any change to the conditions, specifically item #3, be included in the motion.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve **PLN-MJDP-26-00015: LOCHMERE TRACT 4-B (A PORTION OF) (ANDOVER GOLF COURSE)**, with the revised conditions presented by staff, modifying item #3 under requirements not met to read: Denote: Approval of turn-around by the Division of Fire at the time of approval of the final development plan.

2. BOARD OF TRUSTEES CLAYS MILL BAPTIST CHURCH MAP AMENDMENT REQUEST AND CLAYS MILL ROAD BAPTIST CHURCH HOUSING PROJECT DEVELOPMENT PLAN

- a. **PLN-MAR-26-00006: BOARD OF TRUSTEES CLAYS MILL BAPTIST CHURCH** (4/23/26)* – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone for 5.45 net (5.59 gross) acres for property located at 3000 Clays Mill Road. In addition to the rezoning request, the applicant is requesting a conditional use permit for a place of religious assembly and childcare center accessory to a place of religious assembly and a variance to reduce the landscape and buffer from 8 feet to 1.7 feet.

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.

Note: The applicant is proposing the rezoning of the subject property to convert a portion of an existing structure into 5 apartment units.

The Zoning Committee Recommended: **Approval.**

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

1. The requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The addition of residential units will help meet housing demand (Theme A, Goal #1.c).
 - b. The proposal will expand housing variety and choice (Theme A, Goal #1.b).
 - c. The proposal will result in minimal environmental impact (Theme A, Goal #3.c).
 - d. The request will increase the utility of an underutilized parcel (Theme A, Goal #2.a and Goal #2.d).

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

2. The requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal will comply with the Multi-Family Design Standards (Design Policy #3).
 - b. The project would provide infill residential units (Density Policy # 2).
 - c. The applicant stated that these units are intended to meet a wide range of income levels (Equity Policy #3).
 - d. The new use would integrate well with the existing community (Equity Policy #9).
 - e. The project would involve the reuse of an existing structure (Growth Policy #9).
3. The requested Medium Density Residential (R-4) zone is in agreement with the Development Criteria of the 2045 Comprehensive Plan for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use by increasing density with a mixed-use infill project (A-DN2-1 & B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability by providing pedestrian access (A-DS4-1) and utilizing shared parking (C-PS10-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency as the proposed plan does not require removal any trees (B-PR7-1), could be accomplished with minimal grading (B-PR9-1) and will incorporate native plants and trees (B-SU11-1) and increase the tree canopy (B-RE1-1) .
 - d. The request meets the requirements for Site Design by providing pedestrian access to Clays Mill Road (A-DS5-4) and utilizing the existing parking located at the rear of the property (A-DS7-1).
 - e. The request meets the requirements for Building Form by retrofitting an existing structure (E-GR5-1) that minimizes contrasts in scale with the surrounding neighborhood (A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-26-00016 CLAYS MILL ROAD BAPTIST CHURCH HOUSING PROJECT prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Staff Presentation – Mr. Young oriented the Planning Commission to the location of the proposed zone change. He indicated that the applicant is seeking to rezone the subject property in order to retrofit an existing church structure with five apartment units. He also explained that the applicant is requesting both a variance and a conditional use permit.

Mr. Young clarified that while the apartments will not be labeled “affordable housing”, but that they will be offered to members of Clays Mill Baptist Church at a reduced rate. He stated that the proposal was in agreement with The Goals, Objectives, Policies, and Development Criteria of the 2045 Comprehensive Plan.

Mr. Young stated that the staff recommends **Approval** and offered to answer any questions from the Commission.

- b. **VARIANCE** – In addition to the rezoning request, the applicant is requesting a variance to reduce the landscape and buffer from 8 feet to 1.7 feet.

The Zoning Committee recommended: **Approval**.

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

1. Approval of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.
2. The requested variance is due to special circumstances that do not generally apply to land in the general vicinity, or in the same zone. The site features existing circulation patterns that predate the current Zoning Ordinance.

3. Strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land or would create an unnecessary hardship on the applicant. Providing the required buffer would necessitate significant changes to the site's access, circulation, and parking areas.
4. The circumstances of the variance request are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

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

1. Provided the Planning Commission and Urban County Council approve the requested zone change to the R-4 zone, otherwise the requested variances shall be null and void.
2. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
3. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering and Building Inspection prior to construction and occupancy.
Action of the Planning Commission shall be noted on the Development Plan for the subject property.

- c. **Conditional Use Permit:** The applicant is requesting a conditional use permit for a place of religious assembly and childcare center accessory to a place of religious assembly.

The staff recommends **Approval** for the following reasons:

1. Approval of the conditional use permit will not have any negative impacts on the surrounding community. Both of the uses associated with this request have existed at this location for a number of years, and no expansion of the existing structures is proposed at this time to accommodate the new residential component.
2. There is sufficient parking present on-site to accommodate the proposed users of the site.
3. All necessary public facilities and services are available and adequate for the proposed uses.

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

1. The uses shall be operated in accordance with the submitted application materials and the associated Development Plan.
2. All necessary permits, shall be obtained from the Divisions of Planning and Building Inspection prior to commencement of the use.
3. The applicant shall comply with all requirements of the State of Kentucky's Cabinet for Health and Family Services.

Staff Presentation – Mr. Young oriented the Commission with the variance and conditional use permit. He noted that the applicant was requesting that the landscape buffer between adjacent parcels be reduced from 8 feet to 1.7 feet. He shared images of the site depicting vegetation that made it difficult to appropriately create a buffer of 8 feet.

He stated that staff recommends **Approval** of the variance for the reasons given by staff. He offered to answer any questions from the Commission.

Mr. Young then oriented the Commission with the applicants' request for a conditional use permit, noting that the previously granted permit applied in the current zone, and that the property owner was seeking approval with no changes within the proposed R-4 zone.

He stated that staff recommends **Approval** for the following reasons:

1. The uses shall be operated in accordance with the submitted application materials and the associated development plan.
2. All necessary permits shall be obtained from the Division of Planning and Building Inspection prior to the commencement of use.
3. The applicant shall comply with all requirements of the State of Kentucky's Cabinet for Health and Family Services.

Commission Questions – Chair Davis sought clarification that the Planning Commission would take action on three items: the zone change, the development plan, and the variance.

Daniel Crum, Principal Planner, stated that the Planning Commission will take action on four items: the zone change, the development plan, the variance, and the conditional use permit.

- d. **PLN-MJDP-26-00016: CLAYS MILL BAPTIST CHURCH HOUSING PROJECT** (6/1/26)* – located at 3000 CLAYS MILL ROAD, LEXINGTON, KY
Council District: 10
Project Contact: Earthcycle Design

Note: The purpose of this plan is to depict five residential units in an existing building, in support of the requested zone change from a Single-Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone.

Requirements Not Met:

1. Addition of all easements. (ZO Art. 21-6(a)(10)) (Planning)
2. Addition of residential uses in site statistics under uses. (ZO Art. 21-6(a)(13)) (Planning)
3. A portion of bicycle parking is required to be covered for multi-family development. (ZO Art. 16) (Bike/Ped)
4. Provide justification for any proposed removals and mitigation for significant trees removed. (ZO Sec. 26-4(c)) (Urban Forester)
5. Depict any Tree Protection Areas, if applicable. (ZO Art. 26-2) (Urban Forester)

Waiver(s) Necessary: None at this time.

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. Contact Addressing Office for reassignment of address(es)/suite numbers. (Addressing)
3. If impervious area is increasing, verify stormwater capacity for quality and quantity. (Engineering)
4. Contact SS tap-on-desk. Submit updated capacity assurance, if warranted. (Engineering)

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

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

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

1. Provided the Urban County Council approves the zone change to R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Department of Environmental Quality's approval of environmentally sensitive areas.
8. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
9. Open Space planner's approval of the treatment of open space and vegetative areas.
10. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
11. Division of Waste Management's approval of refuse collection locations.
12. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
13. United States Postal Service Office's approval of kiosk locations or easement.

Staff Presentation – Ms. Gallt oriented the staff with the layout of the final development plan. She shared a color rendering of the property with the Commission. An existing structure is being retrofit into the five apartments and she expressed the possibility of adding an additional sidewalk from the building to Clays Mill Road.

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

Commission Questions – Ms. Molly Davis noted that the space between the church property and the residents on Neal Drive was narrow, and asked Ms. Gallt if she had reviewed that element of the plan.

Daniel Crum, Principal Planner, mentioned that staff would answer questions pertaining to the variance after the presentation.

Applicant Presentation – Attorney Scott Schuette was present to represent the applicant. He stated that the variance was not a product of the zone change, but one that has already existed on the property. He also noted that it did not apply to the entirety of the property's driveway, but only on specific points.

He reminded the Commission that the conditional use permit was approved in 2024 and emphasized that the applicant was seeking reapproval for the new zone.

Mr. Schuette clarified that while the cost of the apartments would be in line with what would be considered low-income housing, the applicant is not seeking any federal funding for the project, and that the rent prices will be a product of the church staff that will occupy the units.

He stated that he and the applicant agreed with staff's recommendation.

Citizen Comments – Stephen Trotter, Neal Drive, read a letter written by two of his neighbors. He expressed concern that the proposed zone change would allow for future large-scale development.

Vinny Paiva, 592 Longview Drive, urged the Commission to think about how the proposed change to a R-4 zone could impact the future of the property.

Applicant Rebuttal – Mr. Schuette stated that there are no future plans to further develop the church property beyond what the applicant is currently proposing. He also clarified that if any major changes were to be made to the property, it is likely that any future developments would need to be presented to the Planning Commission for approval.

Staff Comments – Mr. Crum clarified that not all changes to the property would return to the Commission for approval. He stated that only those involving a new preliminary development plan or changes to stub streets would need further Commission approval.

Commission Comments – Ms. M. Davis stated that she thought it was wonderful when entities provide housing options for staff. She noted that sensitivity to neighbors is important and expressed concern regarding the addition of housing units without providing adequate green space.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve **PLN-MAR-26-00006: BOARD OF TRUSTEES CLAYS MILL BAPTIST CHURCH** for the reasons provided by staff.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve **PLN-MJDP-26-00016: CLAYS MILL BAPTIST CHURCH** subject to the 13 conditions recommended by staff.

Action – Mr. Forester made a motion, seconded by Mr. Michler, and carried 9-0 (Wilson and J. Davis absent), to approve the associated **variance request** with the four conditions provided by staff.

Action – Mr. Forester made a motion, seconded by Ms. Worth, and carried 9-0 (Wilson and J. Davis absent), to approve the associated **conditional use permit** with the conditions and findings provided by staff.

Note: Mr. Michler recused himself from the meeting, stating that he had a conflict of interest with the next agenda item. He exited the meeting at 2:23 pm.

3. **BREAD AND ROSES, LLC MAP AMENDMENT REQUEST AND BREAD AND ROSES, LLC PROPERTY DEVELOPMENT PLAN**

- a. **PLN-MAR-26-00007: BREAD AND ROSES, LLC** (4/23/26)* – a petition for a zone map amendment from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.6049 net (0.6436 gross) acres for property located at 456 East High Street. In addition to the rezoning request, the applicant is requesting variances to 1.) reduce the width of the required landscape buffer area from 15 feet to 4.4 feet along the western (rear) property line and 2.) eliminate the required six-foot fence along the rear property line.

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.

Note: The petitioner proposes the rezoning of the subject property to the Neighborhood Business (B-1) zone to allow for the applicant to lease the existing one-story, 20,038 square-foot office structure to a wider range of potential uses. The applicant proposes to retain the site's existing 37-space parking lot configuration and existing pedestrian network with this request.

The Zoning Committee Recommended: **Approval**, with a modified list of conditional zoning restrictions.

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

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed development will respect the context of the surrounding area by utilizing a structure that has been at this location since 1954 (Theme A, Goal #2.b).
 - b. The proposed development will help the existing neighborhood flourish by introducing new neighborhood scaled and oriented business uses into what was previously a strictly professional office development (Theme A, Goal #3.a).
 - c. The proposed development will encourage positive and safe social interactions by retaining the pedestrian connections to surrounding uses (Theme A, Goal #3.b).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The applicant is not proposing any changes to the exterior of the building and will remain within the character of the area (Design Policy #4).
 - b. The request will repurpose an existing structure for another use (Growth Policy #4).
 - c. This development provides pedestrian-friendly connections to other neighborhood-level commercial uses (Design Policy #5 and #12).
3. The justification and corollary development plan are in agreement with the development criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use as it promotes modifying the current office space to include low-intensity business uses that will provide neighborhood amenities in an existing mixed-use neighborhood (C-LI7-1, C-PS9-1, E-GR9-2).
 - b. The proposed rezoning meets the Transportation, Connectivity, and Walkability development criteria, as the proposal will utilize the existing pedestrian and vehicular connections that are in place for the existing office building, and the property is in close proximity to existing transit stop (A-DS1-2, A-DS4-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resilience as the existing tree canopy will be maintained, and native plants will be used for any new landscaping (B-PR7-1, B-SU11-1).

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

- d. The proposed rezoning is compatible with the Site Design criteria as parking will continue to be oriented to the side and rear of the site. Additionally, over-parking will not occur as no new parking is being proposed (A-DS7-1, C-PS10-2).
 - e. The proposed rezoning meets the Building Form criteria as it is incorporating reuse of a viable existing structure and minimizes significant contrasts in scale, massing, and design (A-DN2-2, E-GR4-1).
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
- a. Prohibited Uses:
 - i. Automobile service stations
 - ii. Miniature golf courses
 - iii. Carnivals and Circuses, even on a temporary basis
 - iv. Drive-through facilities
 - v. Pawn shops
 - vi. Gasoline pumps
 - vii. Mining of non-metallic minerals
 - viii. Parking lots and structures, other than as an accessory use
 - ix. Rental of equipment whose retail sale would otherwise be permitted in a B-1 zone
 - x. Minor automobile repair
 - xi. Funeral parlors

These use restrictions are appropriate and necessary for the following reasons:

- 1. Staff finds that these restrictions are appropriate and necessary to protect the character of the Aylesford Park Historic area as well as the character of the High Street corridor.
 - 2. The limitations of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public.
5. This recommendation is made subject to approval and certification of PLN-MJDP-26-00020: BREAD & ROSES PROPERTY, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Staff Presentation – Ms. Ryelle Browning oriented the Commission to the zone change request. She stated that the applicant was seeking to rezone the property from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone in order to lease the property to a wider range of users.

She shared a vicinity map with the Commission detailing neighboring zones. She also stated that the applicant hosted a public meeting with the neighborhood to provide information about the requested zone change and variance.

Ms. Browning outlined the revised conditional use restrictions for the Commission. She stated that the zone change and use restrictions comply with the Goals, Objectives, and Policies of the 2045 Comprehensive Plan.

Ms. Browning stated that staff recommends **Approval** of the zone change and offered to answer any questions from the Commission.

- b. **VARIANCE** – The applicant is seeking a reduction of the required property perimeter buffer from 15 feet to 4.4 feet, and to eliminate the required six-foot fencing along the rear property line.

The Zoning Committee recommended: **Approval**.

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

- 1. Approval of the landscape variances should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public. The subject property has operated over 70 years without the required landscaping buffers adjacent to the adjoining residential zoning.

- Furthermore, the proposed fencing would disrupt the existing trees, and the existing vegetation in this area will be sufficient to screen views of the use.
2. With the lack of on-street parking available on E. High Street, the reduction in parking that would result from incorporating a 15-foot wide landscape buffer area would unreasonably restrict the applicant's use of the property.
 3. The circumstances of this variance are not a result of actions taken by the applicant subsequent to the adoption of the Zoning Ordinance.

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

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

Staff Presentation – Ms. Browning oriented the Commission to the reasons for the variance request. She stated that the variance was requesting a reduction of the required property perimeter buffer from 15 feet to 4.4 feet, and to eliminate the required six-foot fencing along the rear property line. She shared images of the site of the requested variance.

She stated that staff recommended approval of the variance and offered to answer any questions from the Commission.

- c. **PLN-MJDP-26-00020: BREAD & ROSES, LLC PROPERTY** (6/1/26)* – located at 456 E. HIGH STREET, LEXINGTON, KY
Council District: 3
Project Contact: Gresham Smith

Note: The purpose of this plan is to support the requested zone change from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone.

Requirements Not Met:

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. Denote: The location of the fire hydrants, fire department or fire service features, if required, shall be approved by the Division of Fire, Water Control Office. (ZO Art. 21-6(b)(4)) (Planning)
3. Reduce or remove shading on existing building for legibility. (ZO Art. 21-6) (Planning)
4. Correct language in Commission Certification. (ZO Art. 21-6(b)) (Planning)
5. Depict internal vehicular and pedestrian connections. (ZO Art. 16-6(a)(3)(b)) (Planning)
6. Depict minimum and Maximum building lines. (ZO Art. 8-16(h)) (Planning)
7. Upload open space exhibit, and include open space requirements in site statistics as a percentage. (ZO Art. 20-3) (Open Space)

Waiver(s) Necessary:

1. Variance for landscape buffer between residential and business zones. (ZO Art 18-3(a)(1))

Design Considerations:

1. Contact SS tap-on-desk. Submit updated capacity assurance, if warranted.

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

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

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

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. 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 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. Provided the Planning Commission grants the requested variance for zone-to-zone screening.
13. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation – Mr. Chris Chaney shared the associated development plan with the Commission. He stated that the proposed development plan depicts minimal changes to the property.

He noted that the applicant had submitted a revised development plan, and that staff had proved a revised staff report with the following conditions:

Requirements Not Met:

1. Upload open space exhibit, and include open space requirements in site statistics as a percentage. (ZO Art. 20-3) (Open Space)
2. Denote approval of variance, if granted, prior to certification.
3. Denote conditional zoning restrictions.

Waiver(s) Necessary:

1. Variance for landscape buffer between residential and business zones. (ZO Art 18-3(a)(1))

Design Considerations:

1. Contact SS tap-on-desk. Submit updated capacity assurance, if warranted.

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

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

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
101 East Vine St., Suite 700, Lexington, KY 40507 / 859.258.3160 Phone / 859.258.3163 Fax / lexingtonky.gov
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. 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 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. Provided the Planning Commission grants the requested variance for zone-to-zone screening.

13. Correct all noted deficiencies listed as "requirements not met" herein.

Commission Questions – Ms. Worth stated that she did not understand the use restriction about funeral parlors and sought clarification on the matter.

Mr. Crum clarified that the intent behind staff's position on the conditional restriction was to maintain consistency throughout the property's past three rezonings. He added that the Zoning Committee discussed having that restriction removed, and the Commission could move to finalize that amendment at today's meeting.

Ms. M. Davis brought the staff's attention to a parcel on the development plan, which was noted as owned, but also marked as useable open space.

Mr. Chaney stated that the parcel was previously owned by a neighbor, but is currently owned by the applicant.

Applicant Presentation – Attorney Dick Murphy was present to represent the applicant. He stated that the former owner of the property was the Francis Whitman Trust, and that the closing was held in January to transfer ownership of the tract to John Michler.

He added that the zone change was requested with no specific renter in mind, but to allow for more options when finding an occupying business for the space.

Mr. Murphy sought confirmation that under the revised staff report, Michler's employees would still be able to park on the property as an accessory use.

Mr. Crum clarified that the intent behind the conditional restriction was to prevent paid parking lots from occupying the property, and that Michler's employees would still be able to use the property for parking.

Action – Ms. M. Davis made a motion, seconded by Ms. Worth, and carried 8-0 (Wilson and J. Davis absent, Michler recused), to approve **PLN-MAR-26-00007: BREAD AND ROSES, LLC** based on the findings and conditional zoning restrictions provided by staff.

Action – Ms. M. Davis made a motion, seconded by Ms. Worth, and carried 8-0 (Wilson and J. Davis absent, Michler Recused), to approve **PLN-MJDP-26-00020: BREAD AND ROSES, LLC PROPERTY** subject to the conditions provided by staff.

Action – Ms. M. Davis made a motion, seconded by Mr. Penn, and carried 8-0 (Wilson and J. Davis absent, Michler recused), to approve the associated **variance request** based on the staff report, findings, and conditions provided by staff.

Note: Mr. Michler returned to the meeting at 2:51 pm.

Note: Mr. Forester left the meeting at 2:53 pm

VII. COMMISSION ITEMS

- A. PFR-26-1: HALEY PIKE SOLAR PROJECT** – A request for a Public Facilities Review for a Solar Energy System installation at the Haley Pike Landfill located at 4172 Hedger Lane.

Staff Presentation – Mr. Crum oriented the Commission to the request for a Public Facilities Review. He explained that PFR's are presented when a government entity, exempt from zoning restrictions, requests to expand a public facility. He stated that this request was to utilize a decommissioned landfill to install ground-mounted solar energy systems. Mr. Crum mentioned that the project would encompass 357 acres.

Mr. Crum used aerial images to orient the Commission on the location of the proposed solar project, and the surrounding area, noting a miniature airstrip used by a model plane club. He added that the location of the proposed project will take place exclusively on land within the Agricultural Rural (A-R) zone.

Mr. Crum stated that two types of solar panels will be used on the property. Ground mounted and suspended cable mounted panels. The suspended panels are intended to reduce environmental impact.

Mr. Crum concluded by establishing with the Commission that their role is to determine if this project is in compliance with the 2045 Comprehensive Plan, and the sustainability policies outlined in Imagine Lexington 2045. He added that staff finds that there are no oppositions to the project within the 2045 Comprehensive Plan.

Commission Questions – Mr. Penn expressed concern about using land, not labeled as brownfield, for solar energy.

Ms. M. Davis asked staff to clarify what an LFUCG spray field was.

Staff deferred Ms. M. Davis's question to the applicant to be answered during their presentation.

Mr. Owens emphasized Mr. Penn's concerns and reiterated the question of whether or not this project takes place exclusively on brownfield, otherwise defined as land that has been deemed unfit for agricultural purposes.

Mr. Crum stated that his understanding is that the land within the proposed project has limited agricultural use, due to environmental concerns from the proximity of the landfill.

Applicant Presentation – Adam Edelen, Founder of Edelen Renewables, was present as representation of the applicant. He thanked the members of the Commission for their future consideration of the project and confirmed that his company, Edelen Renewables, expressly does not develop on prime farmland. He added that they are known for repurposing former industrial areas into renewable green energy sources. He stated that Edelen Renewables, to the best effect, has done this in Eastern Kentucky with their Coal to Solar projects.

Mr. Edelen stated that as a Kentucky native, he understands that farmland is precious and would never compromise something so important to Kentucky's heritage. He emphasized that the land on the parcel is not prime agricultural land, and even the areas that are not part of the landfill are unusable for agricultural purposes because they are adjacent to the landfill.

Commission Questions – Mr. Owens called Mr. Edelen's attention to his Justification, noting that in the document there is a mention of grazing grasses, and asked if that would still be possible within the project.

Mr. Edelen confirmed that because of the unusable nature of the land, that it would not be possible to include within the development. He added that his company will investigate the possibility of growing lavender on the site.

Mr. Penn expressed concerns about who would be responsible for maintaining the grass and landscape.

Mr. Edelen clarified that keeping the grass mowed was part of operations and management under his company.

Note: Mr. Forester returned to the meeting at 3:11 pm

Amy Samples, Chief Operating Officer, Edelen Renewables, added that there will be land management requirements finalized in the ground lease agreement to make sure that Edelen Renewable maintains accountability regarding property maintenance dictated within the Landfill Closure Guidelines.

Mr. Penn questioned whether Edelen Renewables had reached out to neighboring property owners to make them aware of the proposed solar development.

Mr. Edelen responded by confirming that he has reached out to the neighboring landfill, but not the neighboring farm owners.

Chair Davis reminded Mr. Edelen that he indicated he could explain to the Commission what a spray field was; a question earlier posed by Ms. M. Davis.

John Howard, Deputy Director of Waste Management, explained that a spray field works in cooperation with the runoff from the mulch and composting process. Spray fields are designated areas where wastewater is distributed to avoid sediment pond overflow.

Mr. Nicol admitted that he was personally against solar farms on agricultural land, but acknowledged the uniqueness of this situation, and commended Edelen Renewables for their work in finding a creative solution to bring renewable energy to an unusable tract of land.

Mr. Penn vocalized his disappointment that this process does not require more communication between applicants and neighboring land and property owners. He suggested that when this PFR goes back to Council for final approval, it is noted that Edelen Renewables should communicate with adjacent property owners about the approved project.

Ms. Worth asked if the power produced by the proposed solar facility would be used locally within Fayette County.

Mr. Edelen confirmed that it would.

Chair Davis stated that he would support a written recognition that the land being considered for the solar facility is strictly brownfield, to ensure this case does not set a precedent for other solar facilities in Fayette County.

Action – Mr. Owens made a motion, seconded by Mr. Nicol and carried 9-0 (J. Davis and Wilson absent), that **PFR-26-1 HALEY PIKE SOLAR PROJECT is in agreement with the 2045 Comprehensive Plan** noting that this land is particularly unsuitable for agricultural production.

Mr. Duncan thanked the Commission and reminded them that since this is a five Thursday month, there will be a second Planning Commission work session on Thursday, April 30th, at 1:30 am, in the Phoenix Building.

VIII. ADJOURNMENT - The meeting was adjourned at 3:36 p.m.

Zach Davis, Chair

Robin Michler, Secretary

TW/DC/JY/CC/BW