

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

August 22, 2024

- I. **CALL TO ORDER** - The meeting was called to order at 1:30 p.m. in the Council Chamber, 2nd Floor LFUGG Government Center, 200 East Main Street, Lexington, Kentucky.

Planning Commission members present: Zach Davis, Johnathon Davis, Larry Forester, Robin Michler, Bruce Nicol, Mike Owens, Graham Pohl, Bill Wilson, and Judy Worth.

Planning staff members present: Jim Duncan, Traci Wade, Daniel Crum, Tom Martin, Cheryl Gallt, Shaun Denney, and Bill Sheehy. Other staff members present were Tracy Jones and Brittany Smith, Department of Law.

- II. **APPROVAL OF MINUTES** – Mr. Mike Owens stated that he wished to correct the statement made in the June 27, 2024 minutes that related to mandating density and change it to reflect that he was talking about mandating ADU's. A motion was made by Mr. Owens, seconded by Mr. Wilson for the approval of the minutes of the June 27, 2024 public hearing, and carried 9-0 (Barksdale absent).

A motion was made by Mr. Owens, seconded by Mr. Wilson for the approval of the minutes of the July 25, 2024 public hearing, and carried 9-0 (Barksdale absent).

Commission Comment – Chairman Forester stated that this was Mr. Tom Martin's last meeting before he retired and he wanted to thank Mr. Martin for his 24 years of service to the Planning Commission. Chairman Forester opened the floor for Mr. Martin to say a few words.

Mr. Martin Comment – Mr. Martin, stated that it had been a pleasure to work and serve the Planning Commission and the public. Mr. Martin stated that Lexington is his hometown, and to be able to plan and work in service of it has been as wonderful, and he felt this is a bittersweet moment. He concluded by stating he hoped that his visitation was this well attended.

*Staff and members of the public applauded Mr. Martin and his distinguished career.

- II. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.

1. **PLN-ZOTA-24-00003: REGULATION OF SOLAR ENERGY SYSTEMS** – a text amendment to create a new article in the Zoning Ordinance to facilitate the siting, development, construction, installation, and decommissioning of solar energy systems.

Applicant Comment – Mr. Branden Gross, attorney for the applicant, asked for a one month postponement.

Action – A motion was made by Mr. Wilson, seconded by Mr. J. Davis and carried 9-0 (Barksdale absent) to postpone **PLN-ZOTA-24-00003: REGULATION OF SOLAR ENERGY SYSTEMS** to the September 26, 2024 public hearing.

2. **PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD)** (9/28/24)* - located at 1101 WINBAK WAY, LEXINGTON, KY.

Applicant Comment – Mr. Matt Carter, attorney for the applicant, asked for a postponement to the September 12, 2024 subdivision meeting to make some changes to be in line with the Zoning Ordinance.

Action – A motion was made by Mr. Z. Davis, seconded by Ms. Worth and carried 9-0 (Barksdale absent) to postpone **PLN-MJDP-24-00056: RED MILE MIXED-USE DEVELOPMENT (AMD)** to the September 12, 2024 public hearing.

- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, August 1, 2024 at 8:30 a.m. The meeting was attended by Commission members Mike Owens, Bruce Nicol, and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and Davis Filiatreau, Division of Traffic

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

Engineering. Staff members in attendance were: Traci Wade, Daniel Crum, Cheryl Gallt, Paula Schumacher, Quinn Mullholland; Greg Lengal and Embry Beaty; Division of Fire and Emergency Services; and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

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

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

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

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

B. DISCUSSION ITEMS – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

1. Development Plans

- a. PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) (8/8/2024)* - located at 2450 GEORGETOWN ROAD, LEXINGTON, KY

Council District: 2

Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict 66,070 square feet of commercial space and parking circulation.

Note: The Planning Commission postponed this item at the October 12, 2023, November 9, 2023, December 14, 2023, January 11, 2024, February 8, 2024, and March 14, 2024, May 9, 2024, June 13, 2024, July 11, 2024, and August 8, 2024 meetings.

The Subdivision Committee Recommended: **Postponement.** There are concerns and questions regarding access, compliance with Articles 12, 16, 18, & 20 of the Zoning Ordinance.

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

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Addition of conditional zoning restrictions.
14. Correct plan title to match staff report.
15. Addition of record plat information.
16. Addition of dimensions on access points.
17. Denote construction access point.
18. Addition of street cross-section location on plan face.
19. Addition of building line setback for Huntley Place and Remington Way.
20. Denote final record plat to be recorded prior to plan certification to correct conflicts.
21. Denote review and recommendations for the Royal Springs Aquifer Recharge Area.
22. Denote plan shall comply with Georgetown Road Landscape Ordinance.
23. Provided the Planning Commission grants the requested waiver for right-in/right-out on Citation Boulevard.
24. Discuss conflict of easement and building #2.
25. Discuss Lots 8 & 9 building conflict with 50' setback.
26. Discuss access to Lot 9 relative to proposed Remington Way Access.
27. Discuss multi-modal plan per Article 12-8(h) for Final Development Plan area.
28. Discuss Minster Way construction timing.
29. Discuss "non-delineated wetland" identified on Lot 2.
30. Discuss compliance with Articles 16, 18, & 20 of the Zoning Ordinance.

Development Plan Presentation – Ms. Cheryl Gallt oriented the Planning Commission to the location and characteristics of the subject property. Ms. Gallt stated that the applicant is proposing a 405,110 square foot development meant for retail and office uses and indicated that they are requesting multiple waivers, access and spacing to the property along Citation Boulevard and Georgetown Road. Ms. Gallt concluded by stating that Mr. Martin would be giving a presentation on the waivers.

Waiver Request Presentation – Mr. Tom Martin oriented the Planning Commission to the specificities of the waivers requested by the applicant. Mr. Martin stated that the applicant was seeking a waiver for two access points on Georgetown Road (one across from Innovation Drive), and on Citation Boulevard and they are placing what will serve as a service road along the property. Mr. Martin indicated that the proposed access directly across from Innovation Drive on Georgetown Road, would ultimately need a traffic light at some point in time, and that this entrance would have vehicles that would need to go through at least four lanes of traffic, which could lead to more accidents. For that reason, Mr. Martin indicated that Staff was recommending disapproval of the waiver for this access point but is recommending approval for the second access point on Georgetown Road, which is proposed to be a right-in/ right-out access. This would allow more spacing, closer to the 1,200 feet that is standard on arterial roadways.

The staff also supported a right-in/right-out access to Citation Boulevard.

Mr. Martin concluded by stating that he could answer any questions for the Planning Commission.

Commission Questions – Mr. Pohl asked where the recommended access points will be and Mr. Martin pointed to the right-in/right-out access point on Georgetown Road and the previously mentioned access further down Georgetown Road.

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

**Ms. Ivy Barksdale arrived at approximately 2:00 PM*

Mr. Owens thanked Mr. Martin for his 24 years of service and asked if the waiver request was just for Innovation Drive. Mr. Martin indicated that the waiver request was for all three access points and Staff was recommending approval of two.

Mr. Michler asked if this property was split zoned and Mr. Martin indicated that the north portion of the property had a little bit of P-1 zoning. Mr. Michler also asked if the B-6P zone had lot coverage requirements and how that process worked with the phasing of construction. Mr. Martin indicated that the B-6P zone did have floor area ratio minimum requirements and that the applicant has five years to file for a permit on every structure on a final development plan. If they do not do that, they have to come back to the Planning Commission for reapproval and reevaluation.

Mr. Michler concluded by asking if those who wanted to leave the retail portion of the property, would have to loop around to the office portion. Mr. Martin indicated yes, or they could leave out at Huntley Drive.

Applicant Presentation – Mr. Matt Carter, engineer for the applicant, stated that he was in agreement with Staff's conditions, except about Staff's recommendation to close off the access point at Innovation Drive. Mr. Carter argued that in their traffic impact study, public safety was a big concern and that access here would help differentiate between the residential and commercial traffic. Mr. Carter concluded by stating he could answer any questions from the Planning Commission.

Commission Questions – Mr. Owens asked Mr. David Filiatreau of Traffic Engineering, if he'd speak to the safety concerns at Innovation Drive. Mr. Filiatreau stated that in discussions with the applicant, the main concern stemmed from through movement traffic, because the left turn out and through traffic lead to the most severe injuries. Mr. Filiatreau stated that he thought that the public street proposed by the applicant is designed to handle more traffic and that he did not think a full access point at that spot would be warranted. Additionally, Mr. Filiatreau mentioned that he did not think at the outset, a traffic light would go be necessary at Innovation Drive.

Mr. Michler asked Mr. Filiatreau what his opinion was on how to safely transition a traditionally rural road like Georgetown Road, into more urban roads as the character of this area changes. Mr. Filiatreau stated that given what we know now, that road is more of a rural road, with wider lanes that allow for higher speeds, but generally Traffic Engineering is more reactive to what the road is currently.

Mr. Nicol asked if the access was allowed as proposed and a light deemed necessary, would that light provide traffic calming on Georgetown Road. Mr. Filiatreau stated that it would not be traffic calming per se, but it would provide a more clear indication of who has the right of way.

Mr. Nicol asked what kind of compromise the Planning Commission could come to solve all of these issues mentioned previously. Mr. Filiatreau stated that elimination of the left turn crossing at Innovation Drive would help alleviate the safety concerns. Mr. Nicol also asked if a right-in, right-out, with median controls would be an appropriate solution. Mr. Filiatreau stated that it could potentially, but given the other access points it's not ideal.

Applicant Comment – Mr. Carter stated that the traffic impact study commissioned by the applicant stated that this intersection would be safe. Additionally, Mr. Carter stated that there is currently a lot of unsignalized intersections on Citation Boulevard and there are no current issues because of that, and that according to the state of Kentucky, they met their requirements for urban intersection spacing.

Mr. Mark McIntosh, traffic engineer for the applicant, stated that there was good spacing around the site and that the City of Lexington and the Chamber of Commerce are spending \$400,000 to make improvements in this area that will help a lot.

Commission Questions – Mr. Owens asked Mr. McIntosh about the intersection at Innovation Drive. Mr. McIntosh stated that he thought that with a traffic signal there it would eventually work out.

Mr. Nicol asked if a right-in/right-out access could work across from Innovation Drive. Mr. Martin stated that it could, but the median controls would need to be extensive.

Mr. Wilson asked if the applicant had met with the community during this application. Mr. Carter stated that since it is a development plan, it is not required, but if it had been a zone change the adjoining neighborhood would have to be notified.

Applicant Comment – Mr. Carter stated that he was open to a compromise and that he would be ok with a right-in/right-out, and could eventually come back to the Planning Commission and ask for a full intersection if it became warranted.

Mr. Martin interrupted and stated he doubted that the State of Kentucky would approve a right-in/right-out without traffic controls.

Action – A motion was made by Mr. Nicol, seconded by Mr. J. Davis and carried 9-1 (Worth opposed) to approve PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) with the 14 conditions recommended by Staff, adding condition #15 to allow the applicant a right-in/right-out with median controls on Georgetown Road at Innovation Drive, and to anticipate that the applicant may return for a proposal for a light when warranted.

Action – A motion was made by Mr. Nicol, seconded by Mr. J. Davis and carried 8-2 (Pohl and Worth opposed) to approve the waiver for PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) accepting the Staff's two recommendations and removing Staff's third recommendation and adding a new recommendation to allow a right-in/right-out with median controls on Georgetown Road at Innovation Drive, stating that this would allow for an appropriate balance of commerce and safety.

- V. ZONING ITEMS** – The Zoning Committee met on August 1, 2024, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Larry Forester, Johnathon Davis, Robin Michler, Zach Davis, and William Wilson. Staff members present were Traci Wade, Autumn Goderwis, Daniel Crum, James Mills, Chris Taylor, Hal Baille, Boyd Sewe, Quinn Mulholland, Eve Miller, and SB Stroh; Keith Horn and Shaun Denney from the Commissioner of Planning and Preservation office.

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. **BEVERLY A. CHEWNING ZONING MAP AMENDMENT AND SPRINGURST SUBDIVISION UNIT 2, LOT A (DUTCH BROS COFFEE) DEVELOPMENT PLAN**

- a. **PLN-MAR-24-00011: BEVERLY A. CHEWNING** – a petition for a zone map amendment from a Single Family Residential (R-1C) to Highway Service Business (B-3), for 1.000 net (1.177 gross) acres for property located at 2090 Harrodsburg Road.

COMPREHENSIVE PLAN AND PROPOSED USE

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

The petitioner proposes the rezoning of the subject properties to the Highway Service Business (B-3) zone to establish a 950 square-foot drive through coffee shop use, as well as a 6,000 square-foot commercial use. The drive through coffee shop will be served by two drive through lanes, with a third lane providing access to the commercial space to the rear of the site. The applicant is proposing cross connectivity with the parking lot/access drive of the adjoining Baptist Health medical office to the north, as well as a roadway stub into the adjoining daycare use to the south.

The Zoning Committee Recommended: **Approval.**

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

1. The proposed Highway Service Business (AKA Corridor Business)(B-3) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives for the following reasons:
 - a. The proposal will redevelop underutilized land within the Urban Service Boundary, and will intensify the lot coverage of the property from 5% to 15% (Theme A, Goal #2.a.).
 - b. The commercial character of the proposed development matches the character of this portion of the Harrodsburg Road corridor, while keeping the scale of the operations compatible with adjoining single-family residential development (Theme A, Goal #2.b).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. At the proposed scale, the proposal is sensitive to both the adjoining commercial and single-family residential contexts (Theme A, Design Policy #4).
 - b. The retail component of the use expands opportunities for neighborhood level commercial areas (Theme A, Design Policy #12).
 - c. The proposal incorporates permeable paving within its parking areas to help mitigate the impact of its vehicular use areas. (Theme B, Sustainability Policy #4).
 - d. The proposal creates connectivity and opportunities for shared parking with the adjoining commercial development to the east (Theme C, Prosperity Policy #10).
3. The justification and corollary Preliminary 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 the request provides for pedestrian connections to the retail and coffee shop uses from the Springhurst neighborhood (A-DN3-1), and increases the density and intensity of the use of the property (D-CO-3).
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, includes sidewalk connections to transit (A-DS-1-2), and provides vehicular and pedestrian connectivity to the adjoining commercial uses (A-DS10-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as the development does not impact environmentally sensitive areas (B-PR2-1), utilizes permeable paving to mitigate the impact of their vehicular use areas (B-SU401) and increases the tree canopy present on site (B-RE1-1).
 - d. The request meets the requirements for Site Design, as it is not over-parked (CPS10-2), and provides for new connectivity and cross-access with the adjoining commercial development to the east (CII8- 1).
 - e. The request meets the criteria for Building Form, as the request is at an appropriate scale to surrounding structures and would allow for greater utilization of the parcel in the future (A-DS4-2), and provides a compatible transition from the adjoining neighborhood to the corridor (A-EQ5-1; A-DN2-1).
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions shall apply:
 - A. *The following uses shall be prohibited:*

1. *Miniature golf or putting courses.*
 2. *Banquet Facilities.*
 3. *Establishments and lots for the display and sale of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.*
 4. *Nightclubs.*
 5. *Automobile and vehicle refueling stations, excluding electric vehicle (EV) charging facilities.*
 6. *Carnivals, special events, festivals, and concerts.*
 7. *Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.*
 8. *Outdoor athletic facilities.*
 9. *Amusement parks, fairgrounds, or horse racing tracks.*
 10. *Outdoor theaters.*
 11. *Outdoor recreational facilities.*
 12. *Passenger transportation terminals.*
 13. *Mining of non-metallic minerals.*
 14. *The above- or below-ground storage of any flammable material in gaseous form, including compressed natural gas.*
 15. *Circuses.*
 16. *Ecotourism activities.*
 - B. *Any building for eating and drinking establishments, drive in restaurants, commissaries, micro- breweries, micro distilleries, or wineries shall be located at least twenty-five (25) feet from any adjacent existing single-family residential zone.*
 - C. *A landscape buffer of at least fifteen (15) feet in width shall be provided along the boundary of the adjacent-existing single-family residential zone, with plantings as specified by Article 18-3(a) (1)2, along with a solid fence of a minimum of six (6) feet in height.*
 - D. *Outdoor lighting shall be shielded and directed away from the adjacent existing single family residential zone. No outdoor lighting located within twenty-five (25) feet from the adjacent- existing single-family residential zone shall exceed fifteen (15) feet in height.*
 - E. *Exterior amplification systems shall be directed away from the adjacent-existing single-family residential zone. Exterior amplification systems shall use modern noise reduction technology to the maximum extent feasible. No exterior amplification systems shall create a nuisance to the adjacent-existing single-family residential zone.*
- These conditions are appropriate and necessary in order to ensure compatibility with the adjoining single-family residential uses within the Springhurst Neighborhood.*
5. This recommendation is made subject to approval and certification of PLN-MJDP-24-00042: Springhurst Subdivision, Unit 2, Lot A (Dutch Brothers Coffee), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

- b. PLN-MJDP-24-00042: SPRINGURST SUBDIVISION, UNIT 2, LOT A (DUTCH BROS COFFEE) (9/1/24)***
- located at 2090 Harrodsburg Road.

Council District: 10
Project Contact: Vision Engineering

Note: The purpose of this plan is to depict retail development of the property in support of the requested zone change from a Single Family Residential (R-1C) zone to a Highway Service Business (B-3) zone.

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

1. Provided the Urban County Council approves the zone change to B-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Discuss turn lane on Harrodsburg Road.

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

8. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a Single Family Residential (R-1C) zone to Highway Service Business (B-3) zone, for 1.000 net (1.177 gross) acres for property located at 2090 Harrodsburg Road. Mr. Crum indicated that the applicant is seeking to rezone the property to establish a drive-through coffee shop, as well as a retail use. Mr. Crum stated that the applicant opined that their site is located within the Corridor Place-Type and the Low Density Non-Residential/ Mixed Use Development-Type and indicated that while due to the recently approved UGM ZOTA, the B-3 zone was not a recommended zone for the Corridor Place Type, but the applicant was balancing the needs of the corridor with the needs of the neighborhood.

Mr. Crum noted the existing home on the property, the adjacent single family homes, daycare center, the office building for Baptist Health, and showcased photographs of Harrodsburg Road and the property's proximity to the corridor. Mr. Crum displayed the associated development plan, pointing out the two stacking drive-through lanes, an access point from Harrodsburg Road with right in/ right out median, as well as connectivity to the adjoining office and retail development. Mr. Crum indicated that the adjoining daycare would not be connected, but that if the site were to be redeveloped, could be at some point in the future. Additionally, Mr. Crum displayed the proposed building for the retail-use, indicating that the applicant wanted to increase the utilization of the property beyond the coffee shop.

Mr. Crum indicated that in conversations between the applicant and the neighborhood, concerns with stormwater and the use of the structure were raised, but Mr. Crum indicated that those questions would be better resolved at the final development plan stage. Mr. Crum stated that the applicant had proposed additional zoning restrictions since the committee meetings, and indicated that automobile service stations as well as automobile and truck repair had been added to the list of 17 prohibited uses.

Mr. Crum concluded by stating that Staff was recommending approval of this application, with the updated Staff findings and could answer any questions for the Planning Commission.

Commission Questions – Mr. Michler asked if Staff felt that the continued approval of drive-throughs on the corridor are in compliance with the Comprehensive Plans call for more walkable communities. Mr. Crum indicated that this application was put forth before the changes to the B-3 zone. Within the B-3 zone Staff always tried to find the right balance of connections, walkability, and the allowance of the by-right permitted uses. with the drive-through being at the front of the site, Staff thought they found the right balance between increasing utilization along the corridor, and protecting the adjoining neighborhood.

Mr. Owens noted that the neighbors had concerns about the possibility of an apartment building being built in the back and asked if that was even a possibility. Mr. Crum responded by stating that Staff had seen those comments and did not think that such condition would be appropriate at this time.

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location and characteristics of the subject property. Mr. Martin highlighted the entrance, the drive-through lanes, and the lane that extends to the back of the property. Mr. Martin noted the connections to the adjoining property and stated that this practice is to help keep traffic off of arterial roadways and encourage internal circulation. Mr. Martin also addressed the neighbor's concerns about stormwater and indicated that there would be a culvert there and it would not dam or block the water. Regarding the revised conditions distributed to the Planning Commission, Staff now recommends that Note #13 be deleted completely.

Mr. Martin indicated that Staff had concerns about Note #13 on the revised plan about getting approval from Staff and the Department of Law, but the Department of Law instructed Staff to delete that note because it was not relevant to the development.

Mr. Martin concluded stating that Staff was recommending approval of this application, with the updated Staff findings and could answer any questions for the Planning Commission.

Applicant Presentation – Mr. Branden Gross, attorney for the applicant, began by stating that he was amicable to the deletion of condition #13 and only put it there in case there were complications with the new

adoption of the UGM ZOTA. Mr. Gross introduced the Chewing family and noted that their parents owned the house and had been a part of this community for a long time.

Mr. Gross addressed Mr. Owen's previous questions and stated that they added the maximum height conditional zoning restrictions to help alleviate the concerns of the neighbors about a large apartment building being built. Additionally, Mr. Gross indicated that the applicant was okay with prohibiting residential uses on this site.

Mr. Gross stated that a lot of the revised conditions and restrictions are in direct response to concerns from the neighborhood including no loud music after 8 P.M and an eight foot fence as a boundary along all residential zones. Additionally, Mr. Gross indicated that the neighborhood wanted the grassy area near the daycare to stay green and to not allow connections from the daycare, and Mr. Gross stated they were okay with that request.

Mr. Gross concluded by stating that they have addressed Staff and the neighborhood concerns and he could answer any questions for the Planning Commission.

Public Comment – Marcus Rugger, Springhurst Drive, stated that as a cyclist and resident, he questions the compatibility of the curb cuts and worries about the increased number of vehicles.

Patti Meyer, stated she was very concerned about traffic safety, and presented a letter from a number of neighbors.

Graydon McGrannahan, Springhurst Drive, stated he was a proponent for sprucing up the neighborhood, but had concerns about the adverse impact on traffic for those who use Springhurst Drive.

Joey Martin, Springhurst Drive, stated that he supported the Chewnings, this application, and the conditions, and thought it would be nice to walk from his house to get a cup of coffee.

Tee Bergman, president of the Mitchell Avenue Neighborhood Association, had questions about the final development plan process, but stated that the neighborhood appreciated the support from the Chewnings and the Planning Commission.

Applicant Rebuttal – Mr. Gross stated that this site was not big enough to warrant a traffic study, but stated that they did a traffic analysis that showed the site would capture traffic that is already on Harrodsburg Road. Mr. Gross also stated that he was familiar with the traffic created by the Starbucks on Harrodsburg Road but this site would have more stacking and the Starbucks was poorly designed. Mr. Gross concluded by stating the neighborhood had been wonderful to work with and that they would accept the Staff conditions.

Action – A motion was made by Mr. Owens, seconded by Mr. J. Davis and carried 10-0 to approve PLN-MAR-24-00011: BEVERLY A. CHEWNING for reasons provided by Staff, adding a conditional zoning restriction to not allow residential units on the site.

Action – A motion was made by Mr. Owens, seconded by Ms. Barksdale and carried 10-0 to approve PLN-MJDP-24-00042: SPRINGURST SUBDIVISION UNIT 2, LOT A (DUTCH BROS COFFEE) for reasons provided by Staff, deleting Condition #8 and deleting Note #13 from the plan.

2. FAYETTE MHC, LP ZONING MAP AMENDMENT AND SUBURBAN POINTE PARK EXPANSION DEVELOPMENT PLAN

- a. **PLN-MAR-24-00010: FAYETTE MHC, LP** – a petition for a zone map amendment from an Single Family Residential (R-1D) to Mobile Home Park (M-1P), for 16.541 net (16.754) gross acres for property located at 421 Price Road (a portion of).

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.

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

This petitioner is proposing to expand the Suburban Pointe mobile home park. The proposal includes an additional 52 mobile home rental lots, which are able to accommodate up to 4-bedroom mobile homes. The proposal will bring the overall park to a total of 601 sites, for an overall density of approximately 6.6 dwelling units per acre. The applicant is proposing several new amenities, including a dog park, basketball court, and other open community green space. The existing barn on the property is proposed to be retained as a facilities/ maintenance building, and the existing farm pond re-purposed as a detention basin.

The applicant is proposing to serve the site with a private road system that will provide roadway and sidewalk connections to existing stub streets at Tibbs Lane, Dominican Drive, and St. Martin's Avenue.

The Zoning Committee Recommended: **Approval.**

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

1. The proposed Mobile Home Park (M-1P) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will increase the overall density of the site, which previously contained one single- family residence (Theme A, Goal #1.b).
 - b. The proposal provides housing that addresses demand from low and medium income individuals (Theme a, Goal #5.e).
 - c. The request provides for additional greenspace and new community recreational amenities (Theme A Goal#3.d).
 - d. The request provides vehicular and pedestrian connections to existing stub streets, increasing circulation options within the neighborhood and providing a safer pedestrian experience (Theme A, Goal #3.b, Theme A Goal #4.c, Theme D, Goal #1.b).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The internal circulation network promotes a pedestrian friendly street pattern design (Theme A, Design Policy #1 and #5).
 - b. The proposed roadway connections will make travel in the St. Martins Village neighborhood more efficient and provide improved emergency response times (Theme A, Design Policies #2 and #13).
 - c. The expansion of the existing mobile home park increases density in a manner that is consistent with the low-density residential character of the area (Theme A, Density Policy #2). F
 - d. The request provides housing opportunities for lower and medium income individuals (Theme A, Equity Policy #4).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases density by increasing the number of dwelling units on the parcel, (A-DN2-1), and creates a safer, more accessible neighborhood through the expansion of pedestrian facilities and the connection to existing stub streets (C-LI7-1).
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as the proposed development connects existing stub streets (A-DS-13-1) to create additional connectivity for the subject property, as well as the adjoining neighborhood. The proposal provides for accessible connections to the nearby transit stop (A-DS1-2), and creates a dedicated pedestrian network that creates new connections to the local park and educational centers (A-DS10-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as the development does not impact environmentally sensitive areas (B-PR2-1).
 - d. The request meets the requirements for Site Design, as the request provides an increase in the neighborhood oriented recreational space and amenities (A-DS9-1, D-PL4-1), and provides connections to existing stub streets (C-LI8-1).
 - e. The request meets the criteria for Building Form, as the proposed development utilizes sidewalks and landscaping to provide a development that creates a pedestrian-friendly atmosphere (A- DS5-3).
4. This recommendation is made subject to approval and certification of PLN-MJDP 24-00043: SUBURBAN POINTE PARK EXPANSION prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

b. PLN-MJDP-24-00043: SUBURBAN POINTE PARK EXPANSION (9/1/24)* – located at 421 PRICE ROAD, LEXINGTON, KY

Council District: 2

Project Contact: Viox & Viox

Note: The purpose of this plan is to depict a mobile home park expansion in support of the requested zone change from a Single Family Residential (R-1D) zone to a Mobile Home Park (M-1P) zone.

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

1. Provided the Urban County Council approves the zone change to M-1P; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Clarify metes and bounds of property area to be rezoned.
8. Denote Floor Area Ratio (FAR) and lot coverage per Article 21 requirements.
9. Denote minimum landscaping and screening buffer dimension of 10 feet.
10. Discuss removal of most or all of maintenance structure.
11. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from an Single Family Residential (R-1D) to Mobile Home Park (M-1P), for 16.541 net (16.754) gross acres for property located at 421 Price Road. Mr. Crum stated that the applicant is seeking to expand an existing mobile home park using the Enhanced Neighborhood Place-Type and the Low Density Residential Development Type. Mr. Crum indicated that Staff thought the choice in Place-Type and Development Type were appropriate in this location.

In regards to public engagement, Mr. Crum stated that the applicant initially postponed to further engage with the neighborhood. Mr. Crum noted that Staff attended a meeting between the applicant and the neighborhood and indicated that the neighborhood's main concerns stemmed from the new connections proposed on the site, traffic, and the character of the neighborhood. Mr. Crum gave a brief history of the area, noting that development of St. Martin's Village and the mobile home park began in the 1950's, and has been expanded and developed piecemeal, with streets extending and eventually being stubbed into the subject property. Mr. Crum showcased photographs of the streets and homes in St. Martins Village and stated that the applicant's proposed lots are about the same size as the lots in St. Martin's Village.

Mr. Crum presented parts of the development plan that showcased layout, various amenities, and street connections proposed by the applicant and stated that the development was connecting a residential low density development with another low density residential development. Mr. Crum displayed pictures of the plats from 1955, 1963, and 1964 that depicted streets were stubbed to allow for further development and connection in the future. Furthermore, Mr. Crum indicated that connecting of stub streets is required by the Land Subdivision Regulations and ultimately benefits the community's health, safety and welfare.

Mr. Crum concluded by stating that Staff was recommending approval of this application, with the updated Staff findings and could answer any questions for the Planning Commission.

Commission Questions – Mr. Wilson asked if the nearest transit stop was along Florence Avenue and how did Staff measure the 200 foot distance noted in the Staff presentation started. Mr. Crum indicated that the nearest transit stop was on Florence Avenue and the measurement would come from the start of the proposed intersection.

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location and characteristics of the subject property. Mr. Martin stated that the stub streets have dictated the layout of the development and that the existing pond on the site will be drained and converted into a dry detention basin.

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Mr. Martin indicated that the applicant is proposing 52 dwelling units and the mobile home park zone has a required a minimum lot size of 4,000 square feet, but in this development are showing 5,000 square feet.

Mr. Martin further asserted Mr. Crum's point of connections and mentioned the importance of connections for emergency vehicles, sanitation, and even up to the pizza delivery person. He opined that "connections make it easier for everyone". Additionally, Mr. Martin pointed out the proposed maintenance area and barn and noted that its status will need to be resolved at the time of the final development plan.

Mr. Martin indicated there were the standard signoff conditions and gave a brief explanation of public vs private streets, and indicated that private streets must be built to the same standards as public streets, but would not have to be decided on until the time of the final development plan.

Mr. Martin concluded by stating that Staff was recommending approval of this application, with the updated Staff findings and could answer any questions for the Planning Commission. Additionally, Mr. Martin pointed out Mr. Ed Holmes in the audience and stated he was a dear old friend and jokingly said they both started in this business at the same time.

Applicant Presentation – Mr. Nick Nicholson, attorney for the applicant, stated that they are in complete agreement with Staff recommendations, but wanted to give a little extra context, and then let the neighborhood speak. Mr. Nicholson began by stating that the applicant had purchased this vacant parcel in early 2022. He indicated there is already a sewer pump station that would need to put offline and replaced with a gravity system between two other facilities. Mr. Nicholson noted that this will alleviate a lot of the sewer/pump station issues that have occurred in this area over the past few years.

Mr. Nicholson continued, stating this application was an opportunity to bring some much needed affordable housing into Lexington without having to deal with a lot of the issues that plague affordable housing projects. Mr. Nicholson indicated that Flagship, the applicant, consistently received local, state, and nation awards for their over 12,000 homes and just one year after taking over a park in Lexington, received an award for an outstanding community. Mr. Nicholson continued, showcasing a litany of awards that the applicant had won and indicating these were outstanding communities. Mr. Nicholson made a point of stating that these are not the trailers or mobile home parks from the 1980's that most people think of and displayed photos of similar amenities and community centers that will be on the site. Mr. Nicholson presented a table of the Suburban Pointe model units and compared it to rental prices around Lexington. He stated that these were affordable and provided the opportunity for home ownership.

Mr. Nicholson stated that the biggest point of contention from the neighborhood was the connection of stub streets and stated that like Mr. Crum stated in his presentation, the Comprehensive Plan calls for connectivity. Mr. Nicholson that he had indicated to the neighborhood, that the proposal does not need to connect and if that's what the neighborhood wants, he will commit to not connect the stub streets.

Mr. Nicholson concluded by stating he agrees with Staff's recommendations, and could answer any questions for the Planning Commission.

Commission Questions – Mr. Wilson asked for clarification on who owns the land and who owns the dwelling? Mr. Nicholson stated that the land is owned by the company and the dwelling unit is owned by the home owner.

Mr. Nicol asked if the connections are not made, where would the hammerheads be located on this property. Mr. Nicholson stated that the areas of connection with the stub streets would be the best locations.

Ms. Worth asked if Suburban Pointe would be selling the units exclusively or if people can bring in their own units. Mr. Nicholson indicated that it was going to be a mix of both. Additionally, Ms. Worth asked if these units would have to meet the standards set forth by the applicant, and Mr. Nicholson indicated that they would. Finally, Ms. Worth asked if affordable housing was referring to the idea that the dwelling units are "affordable" or if it's affordable under the federal government definition. Mr. Nicholson indicated that it was under the former.

Mr. Pohl asked if Mr. Nicholson knew the lot sizes of the development on Waverly Drive. Mr. Nicholson stated he did not have those numbers.

Ms. Barksdale asked for a breakdown on the price of renting the land and what the mortgage would be. Mr. Nicholson indicated that the rent for the land was \$450 and it was \$850- \$900 for the mortgage.

Public Comment – Bruce Simpson, attorney representing St. Martin's Village Neighborhood Association. Mr. Simpson stated that St. Martin's Village was founded in 1955 because African Americans in Lexington were not allowed to live anywhere else due to segregation. In spite of segregation and Jim Crow laws, St. Martin's Village has thrived over multiple generations.

Mr. Simpson stated that there were not currently a lot of tools in the Comprehensive Plan to protect traditionally black neighborhoods in Lexington like St. Martin's Village and preserve them from developments like the application in front of the Planning Commission.

Mr. Simpson argued that this development was incompatible with this historic neighborhood, the connections are not wanted by the members of that neighborhood, due to the amount of traffic these connections would bring, and that the neighborhood was not properly notified by the applicant until after it had been brought to the Committees. Additionally, Mr. Simpson took issue that the Mobile Home Park zone was not a recommended zone in the Enhanced Neighborhood Place-Type.

Mr. Simpson concluded by arguing that this plan was not in compliance with the Comprehensive Plan and the Planning Commission should protect St. Martin's Village and deny this application.

Ed Holmes, Planner with EHI Consulting, stated that not connecting streets could be a strategic choice to preserve the character of the neighborhood. He emphasized the social justice component of planning and the importance of listening to the community about how this project may impact the neighborhood.

Valerie Logan, 944 Waverly Drive, stated she was speaking on behalf of her mother and father who were one of the original members of the neighborhood. Ms. Logan stated that the neighborhood was not consulted about this project, they do not want it here, and it is not a good idea.

Anne Greene, Erie Road, stated they have been here for 60 years and are against this development because it will bring in too much noise and traffic. She stated that did not want the stub streets connected.

Virgil Covington Jr, 118 Bold Bidder Court, stated that these roads have always been closed, and if the applicant does not need the connections, that he does not want the connections. He concluded by requesting that the Commission allow them be the village that they have always been.

Artie Greene, 948 Waverly Drive, stated that this was a community they were trying to protect and that he was against connecting the stub streets.

Alva Covington, stated that her parents moved to St. Martin's Village when she was three years old and they have been thriving ever since. She stated that the neighborhood had not been contacted about the connections and the traffic it would bring, and that she was against the application because of the connections.

Michelle Davis, President of the St. Martin's Village Neighborhood Association, 940 DePorres Avenue, stated that she has raised three generations of her family in her home and that the neighborhood was like a second family to her. She stated that the stub streets needed to stay closed due to increased traffic and safety concerns.

Enoch Elliot, 935 Effie Road, stated that his family moved to the neighborhood in 1956 where they safely rode their bicycles on the neighborhood streets. He stated that he did not want any connections and would want some kind of barrier to protect those streets.

Scottie Greene, 368 Scottsdale Circle, stated that her family moved to St. Martin's Village when she was very young and the streets were closed then and were safe, she stated that she did not want to see streets open and to keep St. Martin's Village safe.

George Brown, State Representative for the 77th district, stated that he did not want the development because of the history of the neighborhood and that this was putting lipstick on a pig.

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Jacques Wigginton, 442 Elm Street, commended Mr. Nicholson for staying true to his word at the neighborhood meeting and not asking for the connections like he said he would. He stated that he wished for a postponement so that a waiver could be adopted and the streets not to be connected.

Tina Brooks Warren, 912 DePorres Avenue, stated she could not even imagine that many units going into that property and is against the proposal.

Patty Draus, 608 Allen Court, stated that she was concerned that this proposal would have a negative impact on the climate and discussed issues cooling and heating mobile homes, including the high cost. Additionally, she asked what happens to a person if they default on their payments.

Tammy Bright, 960 DePorres Avenue, asked the Planning Commission to be considerate of St. Martin's Village culture and people and that she was against the development.

Barbara Carsby, 977 St Martin Avenue, stated that connections had no benefits to the neighborhood, and she as concerned about the potential crime that could come with the mobile home park.

Rolanda Woolfork, 730 Chiles Avenue, stated she had concerns about the ducks that go to the pond that is going to be drained because the kids in the neighborhood love them. Additionally, stated she had concerns with a memorial tree that is on the property that will be lost. Lastly, she stated she was concerned about issues the potential residents could have with a mobile home expansion.

Odessa Pope Wells, 424 Tibbs Lane, stated that opening the street would be dangerous and that she did not want this development to happen.

Walt Gaffield, 2001 Bamboo Drive, stated that he stood with the St. Martin's Village Neighborhood Association and was against this zone change because it is inconsistent with the Goals and Objective of the Comprehensive Plan.

Rosemary Owens, 973 Waverly Drive, stated that she has been in the neighborhood for 52 years and she opposes the zone change.

Juanita Greene, Erie Road, stated that it did not make sense to open those connections and it would be dangerous.

Doyle Warren, 912 DePorres Avenue, stated that this application will disrupt "The Village" and strongly opposed this zone change.

Charles Tuck, former resident of St. Martin's Village, stated that he was against connecting the stub streets and thanked the founding members of the neighborhood for "continuing to carry the torch."

Amy Clark, 628 Kastle Road, stated she was in opposition because there is not a compelling reason for the zone change, and because homes would not last long. She called for improvements on Price Road.

Applicant Rebuttal – Mr. Nicholson stated that from the beginning, he had heard from the neighborhood about their concerns with the potential connections and that he agreed with a lot of what Mr. Simpson said in his presentation, particularly, the comment on conditioning connectivity, and stated that he was okay with the Planning Commission putting a condition on the plan to terminate the stub streets and not have them connected. The other details can be ironed out at the time of the final development plan, but at this moment the Planning Commission could do that condition today.

Mr. Nicholson stated that he thought that this plan was in compliance with the Comprehensive Plan and the dire need for affordable housing. Mr. Nicholson argued that simply stating that the M-1P zone is not a recommended zone in the Enhanced Neighborhood Place-Type is not a good enough justification to disapprove this application.

Mr. Nicholson concluded by asking the Planning Commission to approve this zone change and he was willing to document anything to ensure the connections do not happen.

Public Rebuttal – Mr. Simpson reiterated his previous contention that this application was not in compliance with the Comprehensive Plan and that the M-1P zone was not a recommended zone in the Enhanced Neighborhood Place-Type. Mr. Simpson continued by stating he wished the applicant had requested a waiver at the Subdivision Committee so that the lack of connections could have been discussed earlier.

Mr. Simpson argued that all African American neighborhoods like St. Martin's Village need protection and the Planning Commission had to make a decision if this was the right thing to do for this neighborhood. Mr. Simpson asked for the Planning Commission to disapprove this zone change and to protect St. Martin's Village.

Staff Rebuttal – Mr. Crum began by stating that while Mr. Simpson was correct about the M-1P zone not being a recommended zone in the Enhanced Neighborhood Place-Type, but neither are any of the single-family residential zones including the current zoning of the neighborhood. The Place-Type does not preclude an applicant from using those zones, it just helps set the conversation on what is appropriate at any location. Mr. Crum stated that Staff found that this property, adjacent to an existing M-1P zone, would be compatible with the area.

Mr. Crum presented a map of Price Road and argued that proposed connections would allow St. Martin's Village to improve the travel out west in the neighborhood, but does not improve travel in the same direction for the current mobile home park residents because they already have access to collectors streets and Price Road. Mr. Crum stated that the Comprehensive Plan is looking for ways to provide much needed housing regardless of income, class, race, and creed. Mr. Crum stated that The Comprehensive Plan aims to address the impact of racism, red lining, and other discriminatory practices that led to the creation of St. Martin's Village, and you cannot solve a history of exclusion and separation by doubling down on it. These connections make sense and will improve the connectivity for the neighborhood in a way that will not negatively impact St. Martin's Village.

Commission Comments and Questions – Ms. Barksdale asked Mr. Simpson if the biggest concern was connectivity and not the zoning. Mr. Simpson stated that the zone and the connections were the neighborhood's main concerns.

Ms. Barksdale asked if these were single family homes instead of the mobile homes, would the neighborhood have the same objections with connectivity. Mr. Simpson stated that they would still be a major concern. Ms. Barksdale said you cannot generate generational wealth from a mobile home because you do not own the land it is on.

Mr. Nicol commented that this is a difficult decision and that St. Martin's Village has had some of the best representation that he has ever seen. Additionally, Mr. Nicol stated that he thought the R-1D zone was probably the best zone here, but if the property were developed in conformance with the R-1D zone, you would almost certainly need the connections there. Mr. Nicol stated that this was probably the only development plan that the Planning Commission could see that would allow the stub streets to remain.

Ms. Worth stated that she saw St. Martin's Village as a historic neighborhood and the Comprehensive Plan and the Planning Commission has made a promise to protect those neighborhoods. She stated she is okay with not connecting these streets in order to protect St. Martin's Village.

Mr. Wilson stated that he agreed with what has been said by the Planning Commission and as someone who lived near St. Martin's Village, and rode his bicycle on those streets when they were building the houses, he knows the history and the people of the neighborhood. He stated he was committed to preserving the community and mirrored Mr. Nicol's point that if it was a single family community, connections may be required by law.

Mr. Owens stated that he has heard St. Martin's Village loud and clear, and that he thought there was a plan and that we would see if it comes to fruition.

Mr. Johnathon Davis stated that at a minimum he was against the connections, but could be convinced that the expansion of the mobile home park itself was not needed as well.

Mr. Pohl commended the community for their presentations, but noted a missed opportunity because it could have been a huge asset and allowed the community to grow. He hears and honors the pushback on that notion. Additionally, Mr. Pohl stated that in previous instances of neighborhood objection to connectivity, and traffic generation it is almost always unfounded.

Mr. Wilson stated he is going to try to balance the comments that have been said by the community and he explained that he was going to recommend that the stub streets be closed at the time of the final development plan, the zone change be approved, and ensure that the connections are denied.

Action – A motion was made by Mr. Wilson, seconded by Mr. Owens and carried 7-1 (Michler opposed) (Forester and Z. Davis absent) to approve PLN-MAR-24-00010: FAYETTE MHC, LP for the following reasons:

1. The proposed Mobile Home Park (M-1P) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will increase the overall density of the site, which previously contained one single-family residence (Theme A, Goal #1.b).
 - b. The proposal provides housing that addresses demand from low and medium income individuals (Theme a, Goal #5.e).
 - c. The request provides for additional greenspace and new community recreational amenities (Theme A Goal#3.d).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The internal circulation network promotes a pedestrian friendly street pattern design (Theme A, Design Policy #1 and #5).
 - b. The expansion of the existing mobile home park increases density in a manner that is consistent with the low-density residential character of the area (Theme A, Density Policy #2). F
 - c. The request provides housing opportunities for lower and medium income individuals (Theme A, Equity Policy #4).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases density by increasing the number of dwelling units on the parcel, (A-DN2-1), and creates a safer, more accessible neighborhood through the expansion of pedestrian facilities and the connection to existing stub
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as the proposed development connects existing stub streets (A-DS-13-1) to create additional connectivity for the subject property, as well as the adjoining neighborhood. The proposal provides for accessible connections to the nearby transit stop (A-DS1-2), and creates a dedicated pedestrian network that creates new connections to the local park and educational centers (A-DS10-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as the development does not impact environmentally sensitive areas (B-PR2-1).
 - d. The request meets the requirements for Site Design, as the request provides an increase in the neighborhood oriented recreational space and amenities (A-DS9-1, D-PL4-1).
 - d. The request meets the criteria for Building Form, as the proposed development utilizes sidewalks and landscaping to provide a development that creates a pedestrian-friendly atmosphere (A- DS5-3).

4. This recommendation is made subject to approval and certification of PLN-MJDP 24-00043: SUBURBAN POINTE PARK EXPANSION prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Action – A motion was made by Mr. Wilson, seconded by Mr. J. Davis and carried 8-0 (Forester and Z. Davis absent) to approve PLN-MJDP-24-00043: SUBURBAN POINTE PARK EXPANSION with the 10 conditions provided by Staff, adding an 11th condition to denote the appropriate termination of three stub streets at the time of the final development plan.

C. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS

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

VII. STAFF ITEMS – The staff will report at the meeting.

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

IX. MEETING DATES FOR August and September 2024

Technical Committee, Wednesday, 8:30 a.m., in Council Chambers	August 28, 2024
Work Session, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building	August 29, 2024
Subdivision Committee, Thursday, 8:30 a.m., in 3 rd Floor Conf Room, Phoenix Building	September 5, 2024
Zoning Committee, Thursday, 1:30 p.m., in 3 rd Floor Conf Room, Phoenix Building	September 5, 2024
Subdivision Items Public Hearing , Thursday, 1:30 p.m. in Council Chambers, 2 nd Floor, Gov’t Center.....	September 12, 2024
Work Session, Thursday, 1:30 p.m., in 3rd Floor Conf Room, Phoenix Building	September 19, 2024
Technical Committee, Wednesday, 8:30 a.m., in Council Chambers	September 25, 2024
Zoning Items Public Hearing , Thursday, 1:30 p.m., in Council Chambers, 2nd Floor, Gov’t Center.....	September 26, 2024

Larry Forester, Chair

Robin Michler, Secretary

TW/DC/RS-10/8/24