

1. JLG LAND CO. ZONING MAP AMENDMENT & ROLLIE BISHOP CARROLL, SR. PROPERTY ZONING DEVELOPMENT PLAN

- a. PLN-MAR-18-00021: JLG LAND CO. (1/24/19)*- a petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.885 net (1.021 gross) acres, for property located at 375 Pasadena Drive.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The Plan's mission statement notes that 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. In addition, the Plan encourages a mix of uses, housing types and/or residential densities; development in a compatible, compact and contiguous manner; and provision of land for a diverse workforce.

The petitioner proposes to rezone the property to a Townhouse Residential (R-1T) zone in order to construct seven townhouses, for a residential density of 7.9 dwelling units per acre.

The Zoning Committee recommended Approval.

The Staff Recommends: Approval, for the following reasons:

1. The Townhouse Residential (R-1T) zone is in agreement with the 2013 Comprehensive Plan and the adopted Goals and Objectives of the 2018 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of both the 2013 and 2018 Comprehensive Plans prioritize a mix of housing types and densities (Theme A, Goal #1), and recommend supporting infill and redevelopment (Theme A, Goal #1.b. and Goal #2, and Theme E, Goal #1).
 - b. The Comprehensive Plan also encourages maximizing development on vacant land within the Urban Service Area and promoting the use of underutilized land in a way that enhances the existing urban form (Theme E, Goal #1.b.)
 - c. The proposed zone will allow for a slight increase in density, which may allow for a dwelling unit that is more affordable and complements the existing pattern of development pattern within the area, including those properties along Sun Seeker Court, Long Leaf Place and Broadleaf Lane. This proposed development will be compatible with the existing variety of housing, which will respect the context and design features of the area (Theme A, Goal #3.a.), and continue to diversify the variety of dwelling unit types within the immediate area.
 - d. The corollary development plan provides street connections to complete the network between Hill N Dale Road and Pasadena Drive. This will provide direct pedestrian access to Pasadena Drive in support of Theme D, Goal #1.a. This objective recommends support for the Complete Streets concept, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles
 2. This recommendation is made subject to the approval and certification of PLN-MJDP-18-00084: Rollie Bishop Carroll, Sr. 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.
- b. PLN- MJDP-18-00084: ROLLIE BISHOP CARROLL, SR. PROPERTY (1/24/19)* - located at 375 Pasadena Drive.

The Subdivision Committee Recommended: Postponement. There were some questions regarding the access and access easement.

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

1. Provided the Urban County Council rezones the property R-1T 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 parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Adjust buildings to meet Articles 8-10(h) and 8-10(o)(1) for front yard setback.
7. Denote 10' front building setback on face of plan.
8. Discuss proposed access to Pasadena Drive.
9. Discuss proposed access easement/private access road.

Staff Zoning Presentation – Mr. Baillie presented the staff report and recommendations for the zone change. He displayed photographs of the subject properties and aerial photographs of the general area. He said the applicant is seeking to change the zone to utilize a piece of vacant land between Pasadena Drive and Hill N Dale Road. He added that the applicant is proposing to construct seven townhomes along the eastern edge of the site with a proposed access easement extending through the property

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from Hill N Dale Road and terminating in the property, with no vehicular connection to Pasadena Drive.. He distributed to the Planning Commission revised staff findings as follows:

The Staff Recommends: Approval, for the following reason:

1. The Townhouse Residential (R-1T) zone is in agreement with the 2013 Comprehensive Plan and the adopted Goals and Objectives of the 2018 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of both the 2013 and 2018 Comprehensive Plans prioritize a mix of housing types and densities (Theme A, Goal #1), and recommend supporting infill and redevelopment (Theme A, Goal #1.b. and Goal #2, and Theme E, Goal #1).
 - b. The Comprehensive Plan also encourages maximizing development on vacant land within the Urban Service Area and promoting the use of underutilized land in a way that enhances the existing urban form (Theme E, Goal #1.b.)
 - c. The proposed zone will allow for a slight increase in density, which may allow for a dwelling unit that is more affordable and complements the existing pattern of development pattern within the area, including those properties along Sun Seeker Court, Long Leaf Place and Broadleaf Lane. This proposed development will be compatible with the existing variety of housing, which will respect the context and design features of the area (Theme A, Goal #3.a.), and continue to diversify the variety of dwelling unit types within the immediate area.
 - d. **The corollary development plan will provide direct pedestrian access to Pasadena Drive in support of Theme D, Goal #1.a. This objective recommends support for the Complete Streets concept, prioritizing a pedestrian-first design.**
2. This recommendation is made subject to the approval and certification of PLN-MJDP-18-00084; Rollie Bishop Carroll, Sr. 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.

Mr. Baillie said that the applicant opines that the rezoning of the subject property to the Townhouse Residential (R-1T) zone aligns with other land uses in this area and is in conformance with the 2013 Comprehensive Plan, as well as the adopted Goals and Objectives of the 2018 Comprehensive Plan. The petitioner indicates that the rezoning of the site will accommodate the demand for housing in Lexington responsibly, prioritizing higher-density and a mixture of housing types, and supports infill and redevelopment throughout the Urban Service Area. He said the applicant contends that the development of the site will allow for greater pedestrian connectivity from Pasadena Drive to Stone Road, as well as a connection between Pasadena Drive and Hill N Dale Road. The connection between Pasadena Drive and Hill N Dale Road provides a connection that allows for a greater emphasis on pedestrian flow between neighborhoods. The staff agrees with the applicant's justification and finds that the rezoning is in agreement with the Comprehensive Plan.

Development Plan Presentation – Mr. Martin presented a rendering of the revised preliminary development plan associated with the zone change. He reiterated to the Planning Commission that a Final Development and Subdivision Plan will need to be approved by the Planning Commission before any development will take place on this property. He said the applicant is proposing an access easement towards Pasadena Drive. He depicted on the plan the location of the townhouses, with a detention area in between them. He said that the subject property is severely impacted by utility easements, which will need to be addressed on the final development plan.

Mr. Martin said that there was concern with the extension to Pasadena Drive. He said that citizens, Planning staff, the Division of Traffic Engineering and the Division of Fire and Emergency Services were all concerned with this intersection functioning with the offset of Stone Road and the possibility of multiple stop signs. He said that in the future Eastway Drive will extend through to intersect with Pasadena Drive, which will provide a better connection for the neighborhood, but will require a waiver. He added that Sun Seeker Court's access to Pasadena Drive will be closed once Hill N Dale Road is extended to connect with it.

Mr. Martin said that the applicant will need to submit a Final Development and a Preliminary Subdivision Plan for approval of the access easement, because it isn't a public street. He said that the regulations require the Planning Commission to grant them approval to utilize an access easement in lieu of a public street. He said that at that time the Planning Commission could add conditions on that access easement, which the staff mostly recommends that they get built to public standards. He said that the Division of Fire and Emergency Services wants a turnaround area available so that they can serve this neighborhood. He said that the staff is recommending approval of this plan. With the work that has continued on conditions #8 and #9, they could be changed as follows:

8. Resolve Discuss proposed access to Pasadena Drive.
9. Resolve Discuss proposed access easement/private access road and the time of Final Development Plan or Preliminary Subdivision Plan.

Applicant Presentation – Mr. Matt Carter, representing the petitioner, said that they agree with the 2013 Comprehensive Plan and the 2018 Comprehensive Plan's Goals and Objectives. He said the site does support infill and redevelopment. It is currently vacant. He said that they are requesting seven townhomes units of individual lots. The site is heavily impacted with utility easements, which encumber approximately 40% of the property. He said that the main concern with this development has been the connection between Pasadena Drive and Hill N Dale Road. He said that they have met with the staff and the neighbors

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regarding the connection at Stone Road. They have agreed to make Hill N Dale Road their only vehicular access point and will seek to make it a private access road. He added that there is pedestrian connectivity depicted between Pasadena Drive and Hill N Dale Road.

Mr. Carter said that during this process they met three times with the neighborhood. During which they had then agreed to create a screening on the west property line, through either a six-foot high hedge or a solid wood fence. He said that the applicant agrees with the staff's recommendations and the revised conditions presented by the staff.

Citizen Comment – Gail Lightner, 279 Clearview Drive. She stated that she is the President of the Hill N Dale Neighborhood Association. She submitted to the record additional signatures to the petition that was submitted to the staff, which makes the total 192 signatures. She said that they are in agreement with the applicant and would like to be notified of future development plan phases.

Jeff Schwab, 2445 Eastway Drive, is concerned about the proposed connectivity on to Eastway Drive and the increased traffic. He believes that a traffic signal will be needed at Eastway Drive and Southland Drive.

Jessica Bartley Jaramillo, 214 Hill N Dale Road, said that this area acts like a cul-de-sac. She advocated the concrete barriers on Pasadena Drive and Hill N Dale Road. She said that she is opposed to this zone change because of the increased traffic. She displayed photos of the area with children playing in the road and the concrete barriers.

Vance Bartley, 214 Hill N Dale Road, is also opposed to this zone change. He said that he uses the dead end portion of Hill N Dale Road as a play area. He is concerned for the safety of children.

John Meurer, 2596 Millbrook Drive, is concerned about the increased traffic, and believes that the subject property should be a single family home. He wants the Planning Commission to disapprove this zone change and not allow the connection of the streets.

Debbie Meurer, 2596 Millbrook Drive, is concerned with the increased traffic, overflow parking on the street, stormwater runoff, and the property values of their homes. She is not in agreement with the Hill N Dale Neighborhood Association recommendation to allow access to Hill N Dale Road. She believes that the neighbors should have a part of the decision of the location of the entrance to the townhomes.

Chrispin Gabriel, 277 Hill N Dale Road, believes that this is an opportunity for the property to make a profit. He believes that traffic connectivity is not the best for this neighborhood. He is concerned about the safety of the children.

Applicant Rebuttal – Mr. Carter said that he appreciates the neighbors' concerns and they did address two of the major concerns. He said that they had withdrawn the connection to Pasadena Drive and screening of the properties on the west side of the subject property. He added that seven units will not produce much traffic and not be a noticeable impact to the neighborhood.

Citizen Rebuttal – Ally Rossi, 249 Hill N Dale, is concerned about the stormwater drainage in the area and asked if this issue has been addressed.

Mr. Carter responded to Ms. Rossi's concern that stormwater drainage has been discussed and there are requirements that need to be met and will be in more detail on the final development plan. He said that there is currently a drainage structure on that north end of the property.

Mr. Wilson asked Mr. Carter if they intend to meet with the neighbors prior to submitting the final development plan. Mr. Carter said that they would meet with the neighbors one month before submitting the final development plan.

Staff Rebuttal – There was no rebuttal at this time.

Commission Discussion – Mr. Berkley thanked the community for expressing their concerns and said that they will be notified of any upcoming development plan process. He added that the community is moving towards infill and redevelopment which includes increasing density.

Zoning Action – A motion was made by Mr. Berkley, seconded by Ms. Mundy, and carried 7-1 (Plumlee opposed; Bell, Brewer and Penn absent) to approve PLN-MAR-18-00021: JLG LAND CO., for the reasons provided by the staff.

Development Plan Action – A motion was made Mr. Berkley, seconded by Ms. Mundy, to approve PLN-MJDP-18-00084: ROLLIE BISHOP CARROLL, SR. PROPERTY, with the revised conditions provided by the staff, as follows:

8. Resolve Discuss proposed access to Pasadena Drive.
9. Resolve Discuss proposed access easement/private access road and the time of Final Development Plan or Preliminary Subdivision Plan.

Ms. Wade said that the staff would like the applicant to denote on the development plan that notice be provided to the neighborhood association at the time of final development plan is filed. Mr. Carter agreed to do so.