

AN ORDINANCE CHANGING THE ZONE 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 (JLG LAND CO.; COUNCIL DISTRICT 10).

WHEREAS, at a Public Hearing held on January 24, 2019, a petition for a zoning ordinance map amendment for property located at 375 Pasadena Drive from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.885 net (1.021 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 7-1; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 375 Pasadena Drive from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone, for 0.885 net (1.021 gross) acres being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: March 21, 2019


MAYOR

ATTEST:

A handwritten signature in black ink, appearing to read "Allan", written over a horizontal line.

CLERK OF URBAN COUNTY COUNCIL

Published: March 28, 2019-1t

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The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Fayette County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from R-1C to R-1T
For
375 Pasadena Drive
Lexington, Fayette County, KY**

Beginning at a found Mag-Nail with washer stamped "WITT LS 2187", the southeast corner of Lot 20, Block C of the Open Gate Estates as depicted in Plat Cabinet D, Slide 388 of the Fayette County Clerk's records, being 30.00 feet from the centerline and on the northern Right-of-Way line of Pasadena Drive; thence with the line of said Lot 20 and the line of Lot 185, Unit 5, Section 2 of the Hill 'N Dale Subdivision as depicted in Plat Cabinet D, Slide 76, severing the existing R-1C Zone for one (1) call:

1. North 22° 25' 21" East 389.81 feet to a set 5/8" rebar with cap stamped "VISION PLS 3674" (set rebar), the northeast corner of said Lot 185, being 30.00 feet from the centerline and on southern Right-of-Way of Hill 'N Dale Road; thence severing said Right-of-Way and continuing R-1C Zone severance for one (1) call:
2. North 24° 35' 57" East 30.00 feet to a point on the centerline of said Hill 'N Dale Road; thence with said centerline and continuing R-1C Zone severance for one (1) call:
3. South 65° 24' 03" East 98.61 feet; thence leaving said centerline and continuing R-1C Zone severance for one (1) call:
4. South 24° 35' 57" West 30.00 feet to a set rebar, a corner to the parcel conveyed to Roxie and Vernon Harris in Deed Book 3277, Page 258; thence with the line of Harris and continuing with R-1C Zone severance for one (1) call:
5. South 22° 21' 02" West 390.61 feet to a set rebar 30.00 feet from the centerline and on the northern Right-of-Way line of said Pasadena Drive; thence severing said Right-of-Way and continuing with R-1C Zone severance for one (1) call:
6. South 25° 03' 08" West 30.00 feet to a point on the centerline of said Pasadena Drive; thence with said centerline and continuing with R-1C Zone severance for one (1) call:
7. North 64° 56' 52" West 99.13 feet; thence leaving said centerline and continuing R-1 Zone severance for one (1) call:
8. North 25° 03' 08" East 30.00 feet to the Point of Beginning containing 1.021 Acres Gross and 0.885 Acres Net.

This being the same parcel conveyed to JLG Land Co., LLC in Deed Book 2206, Page 121 and being Lot 9 as depicted of the Rollie Bishop Carroll, Sr. Property as depicted in Plat Cabinet M, Slide 178, both of the Fayette County Clerk's records and, being one-half of the adjacent Rights of Way of Pasadena Drive and Hill 'N Dale Road.

Rec'd by KA

Date: 2/8/19

RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: **PLN- MAR-18-00021: JLG LAND CO.** - 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. (Council District 10)

Having considered the above matter on **January 24, 2019**, at a Public Hearing, and having voted **7-1** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter 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 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.

ATTEST: This 8th day of February, 2019.


Secretary, Jim Duncan

WILLIAM WILSON
CHAIR

Note: The corollary development plan, **PLN- MJDP-18-00084: ROLLIE BISHOP CARROLL, SR. PROPERTY** was approved by the Planning Commission on January 24, 2019 and certified on February 7, 2019.

K.R.S. 100.211(7) requires that the Council take action on this request by April 24, 2019.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Matt Carter, engineer.**

OBJECTORS

- Gail Lightner, 279 Clearview Drive

- Jeff Schwab, 2445 Eastway Drive

- Jessica Bartley Jaramillo, 214 Hill N Dale Road
- Vance Bartley, 214 Hill N Dale Road
- John Meurer, 2596 Millbrook Drive

- Debbie Meurer, 2596 Millbrook Drive

- Chrispin Gabriel, 277 Hill N Dale Road

OBJECTIONS

- Submitted petition and stated that they are in agreement with the applicant, but would like to be notified of future development plan phases.
- Concerned about the proposed connectivity on to Eastway Drive and the increased traffic.
- Concerned about the increased traffic.

- Concerned for the safety of children.
- Concerned about the increased traffic, and believes that the subject property should be a single family home.
- Concerned with the increased traffic, overflow parking on the street, stormwater run-off, and the property values of their homes.
- Concerned for the safety of children.

VOTES WERE AS FOLLOWS:

AYES: (7) Berkley, Forester, Mundy, Nicol, Owens, Pohl, and Wilson

NAYS: (1) Plumlee

ABSENT: (3) Bell, Brewer, and Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-18-00021** carried.

Enclosures: Application
Plat
Staff Report
Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: JLG LAND CO, 50 THOMAS LN, VERSAILLES, KY 40383
Owner(s): JLG LAND CO 50 THOMAS LN, VERSAILLES, KY 40383
Attorney:

2. ADDRESS OF APPLICANT'S PROPERTY

375 PASADENA DR, LEXINGTON, KY

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing		Requested		Acreage	
		Use	Zoning	Use	Net	Gross
R-1C		Vacant	R-1T	Townhome	0.885	1.021

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



Letter of Justification

Respectfully, please allow this letter to help serve in a zone change request from a current, non-conforming land use R1-C zone to a R1-T zone for 0.885 net acres (1.021 gross acres) at 375 Pasadena Drive.

The subject property is near the Pasadena Drive and Stone Road intersection in southwest Lexington-Fayette County between Nicholasville Road (US 27) and Clays Mille Road. The property lies on the north side of Pasadena Drive and approximately 750 feet west of the CSX / Norfolk Southern rail line and Pasadena Drive railroad bridge overpass.

The property has been recommended as a residential single-family zone since the 2007 Lexington-Fayette County Comprehensive Plan and possibly earlier. Four (4) residential developments in the area and eastward direction have been constructed between the proposed site and the CSX / Norfolk Southern rail line since the mid-2000's.

An Eastway Drive 600 foot street extension has twelve (12) R1-C single-family homes, thirty (30) R1-E zoned residential homes have been constructed on Sun Seeker Court with frontage along the railroad and single family homes, townhomes have been built on Long Leaf Place (R-3 zone) and Broadleaf Lane (R1-T zoning).

A planned residential development aligns with other land uses in this area and is in conformance with the 2018 Imagine Lexington Comprehensive Plan Goals and Objectives approved November 16, 2017 by the Urban County Council and as outlined:

Theme A (Growing Successful Neighborhoods) – Goal 1 expand housing choices, accommodate housing demand responsibly, prioritizing higher-density and housing types mixture.

Theme A – Goal 2(a) and (b) supports infill / redevelopment and represents the context / design of surrounding and planned property and ensures compatibility.

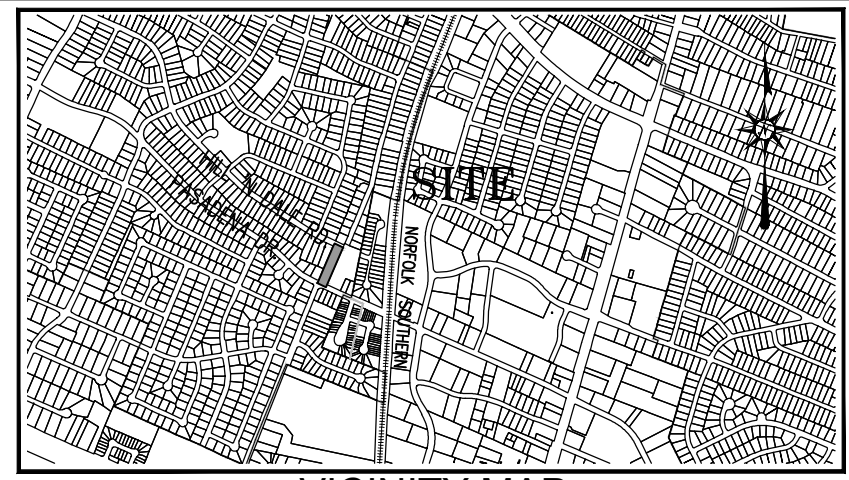
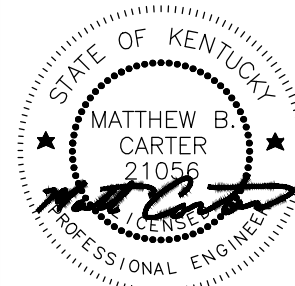
Theme A – Goal 3: The planned townhome development on approximately one (1) acre allows a mixed housing type, provides an additional step toward future pedestrian connectivity from Pasadena Drive / Stone Road to Hill N Dale Road / Eastway Drive. Effort will made to maintain as much of the existing tree canopy as possible during construction and trees will planted as required within the R1-T zone and new development.

Theme D (Improving a Desirable Community) with a pedestrian first design. Sidewalks can be included along the Pasadena Drive and Hill N Dale Road right-of-way and provide another property piece in this area to provide a future pedestrian connection. A possible 363 Pasadena Drive development as a residential property, adjacent 2.16 acre property to the proposed site, subject property is the final piece in providing improved pedestrian connectivity.

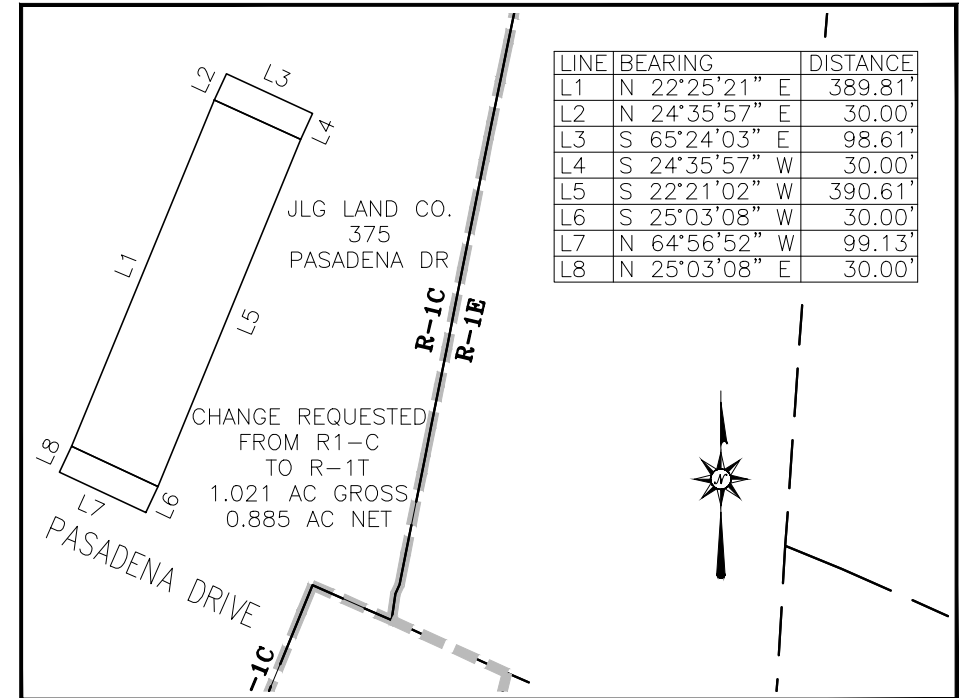
We appreciate the review and help in the planning process, zone change request.



NOTIFICATION MAP
SCALE: 1"=200'



VICINITY MAP
SCALE: 1" = 2000'



PROPERTY INFORMATION MAP
SCALE: 1" = 200'

LINE	BEARING	DISTANCE
L1	N 22°25'21" E	389.81'
L2	N 24°35'57" E	30.00'
L3	S 65°24'03" E	98.61'
L4	S 24°35'57" W	30.00'
L5	S 22°21'02" W	390.61'
L6	S 25°03'08" W	30.00'
L7	N 64°56'52" W	99.13'
L8	N 25°03'08" E	30.00'

ZOMAR TITLE: 375 PASADENA DRIVE			ACREAGE	
PROPERTY ADDRESS / EXISTING OWNER:	FROM	TO	GROSS	NET
375 PASADENA DRIVE	R-1C	R-1T	1.021	0.885
TOTAL			1.021	0.885
DATE FILED OR AMENDED: OCTOBER 9, 2018				
APPLICANT NAME / ADDRESS:				
JLG LAND CO., LLC				
50 THOMAS LANE				
VERSAILLES, KY 40383				
APPLICATION PREPARED BY: VISION ENGINEERING, LLC				

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT

PLN-MAR-18-00021: JLG LAND CO.

DESCRIPTION

Zone Change: From: Single Family Residential (R-1C) zone
To: Townhouse Residential (R-1T) zone

Acreage: 0.885 net (1.021 gross) acres

Location: 375 Pasadena Drive

EXISTING ZONING & LAND USE

<u>Properties</u>	<u>Zoning</u>	<u>Existing Land Use</u>
Subject Property	R-1C	Vacant
To North	R-1C	Residential
To East	R-1C	Residential
To South	R-1C	Residential
To West	R-1C	Residential

URBAN SERVICES REPORT

Roads – Pasadena Drive is a two-lane collector street that connects Nicholasville Road to Harrodsburg Road. Pasadena Drive currently accommodates approximately 8,800 daily vehicle trips (DVT) in the immediate vicinity of the site. The subject property has frontage on the north side of the Pasadena Drive, as well as along the south side of Hill N Dale Road, which is a local street. Hill N Dale Road stubs into the adjacent property located to the east of the subject property. There is a potential future connection between Hill N Dale Road, Eastway Drive, and Sun Seeker Court once 363 Pasadena Drive is redeveloped.

Curb/Gutter/Sidewalks – Curb, gutters, and sidewalks are provided along Pasadena Drive. While curb and gutters are provided along Hill N Dale Road, sidewalk improvements will be required in order to meet local street standards.

Storm Sewers – The subject property is located within the upper reaches of the Wolf Run watershed. Stormwater improvements do not exist on the subject property, but are required by the Division of Engineering’s Stormwater Manual at the time of development. No FEMA floodplain or major flooding problems exist on the site or in the immediate area.

Sanitary Sewers – The subject property is located in the Wolf Run sewershed, which is served by the Town Branch Wastewater Treatment Plant, located on Lisle Industrial Avenue. The treatment plant is located four miles to the northwest. Sanitary sewer capacity will need to be verified prior to certification of a final development plan for the proposed change of land use at this location.

Refuse – The Urban County Government serves this portion of the Urban Service Area with refuse collection on Mondays.

Police – The nearest police station is located at the East Sector Roll Call Center on Centre Parkway, about 3.5 miles to the southeast of the subject property.

Fire/Ambulance – The nearest fire station (#12) is located approximately one mile northwest of the subject property, at the intersection of Southland Drive and Cherrybark Drive.

Utilities – Natural gas, telephone service, internet, electric, water, streetlights, and cable television are all available to the areas surrounding the subject property. All can easily be extended to serve the proposed development.

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.

CASE REVIEW

The petitioner has requested a zone change from a Single Family Residential (R-1C) zone to a Townhouse Residential (R-1T) zone for approximately one acre of property, located along Pasadena Drive, across from the intersection of Pasadena Drive and Stone Road. The subject property is currently vacant and extends between Pasadena Drive and Hill N Dale Road.

The subject property is bounded on all sides by Single Family Residential (R-1C) zoning all of which is developed, except the adjacent parcel to the east. Townhomes have been constructed to the southeast of the property along Long Leaf Place and Broadleaf Lane located within a Townhouse Residential (R-1T) zone and a Planned Residential Neighborhood (R-3) zone. Additionally, the single family homes to the east of the subject property along Sun Seeker Court are in a Single Family Residential (R-1E) zone, and were constructed at a similar density to the proposed townhome development.

The petitioner proposes to rezone the property to a Townhouse Residential (R-1T) zone that utilizes a vacant piece of land situated between Pasadena Drive and Hill N Dale Road. The corollary development plan depicts seven units along the eastern edge of the property, with a proposed access easement extending through the property on the western edge, connecting Hill N Dale Road and Pasadena Drive. The townhomes are proposed to front on the connecting roadway, and will incorporate sidewalks on the townhouse side of the roadway.

The subject property was last rezoned during the 1969 zone map update to the existing R-1C zone. In 1967 the property was recommended for a future land use of Low Density Residential, which suggested housing at a density of 0-5 dwelling units per acre. During the update of the 2001 Comprehensive Plan, the future land use recommendation was changed in this area to recommend a Medium Density Residential land use, defined as residential units at a range of 5-10 dwelling units per net acre. Through the modification of the land use recommendation in 2001, the zoning of remnant pieces, as well as some of the larger lots along the Norfolk Southern Railroad property have been rezoned to allow for greater density and flexibility in dwelling type. The subject property represents one of those remaining remnant parcels with potential for development at a higher density than the existing zoning allows.

The petitioner 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 (Theme A, Goal #1), and supports infill and redevelopment throughout the Urban Service Area (Theme A, Goal #1.b. and #2). Although a townhome development exists to the southeast of the subject property, the proposed townhomes will continue to diversify the variety of dwelling units within this portion of the Urban Service Area. Furthermore, the applicant contends that the development of the site will allow for greater vehicular and pedestrian connectivity from Pasadena Drive to Stone Road, as well as a connection between Pasadena Drive and Hill N Dale Road (Theme A, Goal #3 and Theme D). The connection between Pasadena Drive and Hill N Dale Road provides a long awaited

connection that allows for a greater emphasis on Complete Streets and will allow for greater vehicular and pedestrian flow between neighborhoods. The staff agrees with the applicant's justification and finds that the rezoning is in agreement with the Comprehensive Plan

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 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.

REVISED RECOMMENDATION FOR CONDITIONAL ZONING RESTRICTION

PLN-MAR-18-00021: JLG LAND CO.

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.

HBB/TLW/DW

1/2/2019. 1/24/2019 Revised CZ

Planning Services/Staff Reports/ Revised Recommendations/2019/PLN-MAR-18-00021 Revised Cond Zoning.doc

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

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

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

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

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.