

Lexington-Fayette Urban County Government Special Council Meeting

Lexington, Kentucky November 12, 2024

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in special session on November 12, 2024 at 6:01 p.m. Present were Vice Mayor Wu in the chair presiding, in the absence of Mayor Gorton, and the following members of the Council: Elliott Baxter, Fogle, LeGris, Lynch, Plomin, Reynolds, Sevigny, Sheehan, F. Brown and Ellinger. Absent were Council Members Gray, Monarrez, Worley, and J. Brown.

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At 6:05 p.m., Vice Mayor Wu opened the hearing.

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An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Mobile Home Park (M-1P) zone, for 16.541 net (16.754 gross) acres, for property located at 421 Price Road (a portion of). (Fayette MHC, LP; Council District 2) received second reading.

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Vice Mayor Wu swore in the witnesses, and reviewed the procedures and order of proceedings for the meeting.

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Traci Wade, Div. of Planning, gave a presentation on the recommendation of the Planning Commission and filed the following exhibits: (1) Legal Notice of Public Hearing; (2) Affidavit of Notices Mailed; (3) Copy of Planning Commission Final Report and Recommendation; (4) Copy of Records received at the Planning Commission Public Hearing; (5) Imagine Lexington 2045 Comprehensive Plan; (6) Copies of the Zoning Ordinance; (7) Land Subdivision Regulations and Planning Commission By-Laws; and, (8) Copy of Art. 10 of Zoning Ordinance; and (9) Copy of Staff Presentation.

Ms. Wade described the subject property and surrounding property, and the various uses that have been applied to it in the past. She displayed photographs and maps of the subject property and described its physical characteristics. Ms. Wade also

discussed the proposed development and the reasons for the Planning Staff's and the Planning Commission's recommendations.

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Nick Nicholson appeared as counsel for the Petitioner and filed the following exhibits: (1) Witness list; (2) Affidavit of Posting Signs; and (3) Copy of Presentation.

Mr. Nicholson introduced various representatives for the Petitioners; he talked about the requested zone change, displayed photographs of the subject property, and discussed the location and proposed uses, as well as historical uses that have applied.

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Bruce Simpson appeared as counsel for the Opposition (which consisted of community member from St. Martin's Village and others) and discussed the historical context, notification requirements, financial burdens, and neighboring residential community regarding the area in question.

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At 7:08 p.m., the meeting stood at recess.

At 7:15 p.m., the meeting reconvened with the same persons present.

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The following persons spoke in opposition: (1) Doyle Warren, Dist. 1; (2) Michelle Davis, Dist. 1; (3) Rosemary Owens, Dist. 2; (4) Ann Greene, Dist. 2; (5) Carol Leath, Dist. 1; (6) Andre Wilson, Dist. 1; (7) Reginald Thomas, Dist. 8; (8) Valerie Logan, Dist. 2; (9) Alva Mitchell Covington, Dist. 1; (10) Walter Gaffield, Dist. 10 (who filed Opposition Exhibit 1 – Speaking Notes) ; (11) Rolanda Woolfork, Dist. 2; (12) Keith Million, Dist. 1; (13) Tim Mitchell, Dist. 1; (14) Virgil Covington; Jr., Dist. 1; (15) Darryl Bond, Dist. 1; (16) D Headley, Dist. 3; (17) George A. Brown; Jr., Dist. 1; and (18) Leon Slatter, Dist. 1.

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At 8:21 p.m., the meeting stood at recess.

At 8:33 p.m., the meeting reconvened with the same persons present.

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Ms. Wade offered rebuttal comments.

Mr. Nicholson made rebuttal comments on behalf of the Petitioner.

Mr. Simpson made rebuttal and summation comments on behalf of the Opposition.

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Ms. Wade offered summation for the Staff.

Mr. Nicholson offered summation for the Petitioner

Mr. Simpson offered summation for the Opposition.

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Vice Mayor Wu opened the floor for questions from the Council Members.

Ms. Reynolds asked Ms. Wade a question regarding the number of mobile home parks currently in Lexington. Ms. Wade responded. Ms. Reynolds asked Mr. Nicholson about the financial requirements for being a resident, the standards of purchased homes in the new proposed development and density. Mr. Nicholson responded.

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Ms. Elliott Baxter inquired about the opposition's concerns and whether the voices were from within or from without the localized neighborhood. Ms. Wade responded. Ms. Elliott Baxter asked if other types of development had been considered in the plan and terms of leasing the land. Mr. Nicholson responded. She then asked about land buffers, to which Mr. Nicholson responded.

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Mr. Sevigny asked about the Urban Growth Management Plan and whether this was considered "worker housing." Ms. Wade responded. He then inquired about other zoning options. Ms. Wade responded. He asked about differing development options, such as townhomes, and inquired about density. Ms. Wade responded.

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Ms. Fogle asked Mr. Nicholson about the Petitioner's engagement with the surrounding community. Mr. Nicholson responded. She then asked if the community was involved with the purchase of the land in question and the quantity of neighborhood meetings, to which Mr. Nicholson responded. She then noted that many people present were from other neighborhoods offering their support in opposition. Mr. Nicholson responded.

Vice Mayor Wu called Point of Order.

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Ms. Lynch asked about the requirements or existence of a traffic study. Ms. Wade responded. Ms. Lynch directed her question to Mr. Nicholson. Mr. Nicholson responded. She then asked about buffers, and if any examples were readily available. Mr. Nicholson responded.

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Ms. Plomin asked Mr. Simpson about his experience with this case, compared to others. Mr. Simpson responded.

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Vice Mayor Wu asked Ms. Wade some clarifying questions regarding the requested zone. Ms. Wade responded. Vice Mayor Wu asked about the existence and guidance of the MP-1 zone in the comprehensive plan. Ms. Wade responded. Vice Mayor asked why this specific zone was chosen and if other options were considered. Mr. Nicholson responded. Vice Mayor Wu asked about density, target consumer for occupancy and potential rent increases. Mr. Nicholson responded. He then asked about the cost of moving a mobile home to and from the property, and any consequences for falling behind payments. Mr. Nicholson responded. Vice Mayor Wu asked Mr. Simpson if he'd support a different zone. Mr. Simpson responded.

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Ms. Fogle asked about limitations of ownership, occupancy, or subletting a mobile home on the property. Mr. Nicholson responded. Ms. Fogle asked about onsite management. Mr. Nicholson responded.

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Ms. Elliott Baxter asked Ms. Wade about the termination of roads and the probability of connection in the future. Ms. Wade responded.

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Mr. Sevigny asked about the general guidelines for road connections. Ms. Wade responded.

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Ms. Sheehan asked about the amended Findings from the Planning Commission. Ms. Wade responded.

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At 9:36 p.m., Vice Mayor Wu closed the hearing.

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Ms. Fogle spoke about the importance of preserving the history of the community.

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Ms. Plomin stated she would oppose the zone change.

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Mr. Sevigny spoke about the historical redlining that created this community and stated he would oppose the zone change.

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Ms. Reynolds spoke of her internal conflict with this proposed change as it weighed affordable housing against historical context but also stated she would oppose the zone change.

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Ms. Lynch thanked those who came to the hearing this evening and stated she too would oppose the change.

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Vice Mayor Wu shared his struggle with this hearing as it pertained to affordable housing but also an historic neighborhood. He voiced his opposition to the zone change.

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Ms. Elliott Baxter stated she would not support the zone change.

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At 9:58 p.m., the meeting stood at recess.

At 10:10 p.m., the meeting reconvened with the same persons present.

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Upon motion by Ms. Lynch, seconded by Ms. Elliott Baxter, the Council voted to disapprove the Findings of Fact, as follows, by the following vote.

Aye: Elliott Baxter, Fogle, LeGris, Lynch, Plomin, -----10
Reynolds, Sevigny, Sheehan, Wu, Ellinger

Nay: F. Brown -----1

1. The proposed zone change is not in compliance with the Imagine Lexington 2045 Comprehensive Plan because it does not respect the context and design features of areas surrounding the development project, specifically the single-family residential zone for the St. Martins Village neighborhood. Theme A, Goal 2, Objective B.
2. The Proposed zone change does not accommodate the demand for housing in Lexington because it does not prioritize higher density than what the existing zone allows, without a mixture of housing types. Theme A, Goal 1, Objective B.
3. The proposed Mobile Home Park (M-1P) zone does not provide a mix of housing types that is context sensitive to the St. Martins Village community or its historical significance. Theme A, Goal 2, Objective B.
4. The existing zone remains appropriate.

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Upon motion by Ms. Elliott Baxter, seconded by Ms. Plomin and approved by majority vote (Mr. F. Brown voted No), the rules were suspended and the ordinance received second reading.

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Upon motion by Ms. Fogle, and seconded by Ms. Sheehan, the ordinance failed by the following vote:

Aye: F. Brown -----1

Nay: Elliott Baxter, Fogle, LeGris, Lynch, Plomin, -----10
Reynolds, Sevigny, Sheehan, Wu, Ellinger

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Vice Mayor Wu thanked the participants for their involvement.

The meeting adjourned at 10:17 p.m.

Clerk of the Urban County Council

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