

Lexington- Fayette Urban County Government Special Council Meeting

Lexington, Kentucky August 18, 2015

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in special session on August 18, 2015 at 6:05 P.M. Present were Vice-Mayor Kay in the chair presiding, in the absence of Mayor Gray, and the following members of the council: Council Members Evans, Farmer, Gibbs, Kay, Lamb, Moloney, Mossotti, Scutchfield, Stinnett, Bledsoe, F. Brown, and J. Brown. Absent were Council Members Henson and Akers. The 12th District Council seat was vacant at the time of the meeting.

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An Ordinance changing the zone from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone, for 1.3385 net (1.3829 gross) acres, for property located at 3900 Boston Rd. (Boston Rd., LLC; Council District 9) was given second reading.

Mr. Kay swore in the witnesses and reviewed the procedures for the hearing. He stated both sides had agreed to twenty minute time limits on presentations. He reviewed the order of the hearing.

Mr. Bill Sallee, Div. of Planning, gave his presentation and filed the following exhibits: (1) Legal Notice of Hearing to be Held; (2) Affidavit of Notices Mailed; (3) MAR 2015-5: Boston Road LLC Recommendation of the Urban County Planning Commission; (4) 2013 Comprehensive Plan Goals and Objectives; (5) 1983 Land Subdivision Regulations Amended through July 2013; (6) 1983 Zoning Ordinance as amended through May 2015; (7) Photographs of the Subject Area; (8) Aerial Photograph of the Subject Area; (9) ZDP 2015-25: Preliminary Development Plan Map; and (10) MAR 2015-15: Map of Subject Area.

Mr. Bruce Simpson, Stoll Keenon Ogden, made his presentation on behalf of the Applicant and filed the following exhibits: (1) Witness List; 2) Affidavit of Signs Posted; (3) Exhibit Book containing the following: (a) Staff Report on Petition for Zone Map Amendment MAR 2015-15: Boston Road, LLC, (b) Map of Existing Zones and Proposed Zoning; (c) Report of S. Mark McCain, Landscape Architect, regarding site Landscape Analysis; (d) Report of ECSI regarding Preliminary Construction Cost; and (e) Comparison of Two New Single Family House Sizes with Existing House Sizes in the Neighborhood.

The following citizens spoke against the zone change (1) Ms. Donna Kwon, Willow Oak Circle; and (2) Ms. Stephanie Follensbee, Mill Ridge Road.

Mr. Sallee made additional comments on behalf of the Div. of Planning regarding notices mailed.

Mr. Simpson made additional comments on behalf of the Applicant regarding neighborhood concerns.

There were no further comments from the staff, applicant or opposition.

Mr. Farmer asked questions regarding ingress and parking in the development area. Mr. Sallee responded regarding parking availability and restrictions. Mr. Simpson also responded regarding the views of the lake available from the development, and where fencing would be erected.

Mr. Stinnett asked questions of Mr. Simpson regarding stormwater plans for the development area, pricing for the homes, and access roads to the development.

Ms. Evans asked questions of Mr. Simpson regarding ingress to the development. She also asked about access to wildlife areas for current homeowners.

Ms. Lamb asked questions of Mr. Simpson regarding sanitary and storm sewer improvements to the properties. Mr. Fred Eastridge, Engineer for Applicant, also responded to questions regarding the storm basin. Mr. Simpson answered additional questions about the existing pond area. Mr. Eastridge responded to questions regarding traffic ingress and egress.

Ms. Mossotti spoke about the existing pond area. She asked questions of Mr. Simpson and Mr. Eastridge regarding the pond and development design.

Mr. J. Brown asked about price point for single-family homes. Mr. Brian Wood, Applicant and Developer, was unable to speak about final price, but spoke about the qualifications for the houses. He stated the price of townhouses would start at \$140,000.

Mr. Kay declared the public hearing closed at 7:11 P.M.

Ms. Mossotti made a motion, seconded by Mr. Farmer, to adopt the following Findings of Fact from the Planning Commission in Support of Approval of the zone change request:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2007 Comprehensive Plan, for the following reasons:

- a. The Goals and Objectives recommend growing successful neighborhoods through expanded housing choices that address the market needs for all residents (Theme A, Goal #1, Obj. b.). The petitioner proposes a townhouse style development of 25 dwelling units, which creates a variety of housing types in the immediate area that complement the existing neighborhood.
 - b. The Goals and Objectives encourage infill development throughout the Urban Service Area as a strategic component of growth for our community (Theme A, Goal #2). The petitioner proposes to increase the density of this parcel, as compared to the surrounding area, to 9.38 dwelling units per net acre.
 - c. The Goals and Objectives recommend identifying areas of opportunity for infill development that respects the area's context and design features (Theme A, Goal #2, Obj. a.). By completing the Mill Ridge Road subdivision with two single-family residences, the applicants is respecting the existing character and ensuring that there will be minimal disruption to the established adjoining neighborhood.
2. The proposed Planned Neighborhood Residential (R-3) zone is also more appropriate than the existing Professional Office (P-1) zone at this location, because the existing P-1 zoning is disconnected from other professional office development in the vicinity, while the R-3 zoning is compatible with the remainder of the property, and the adjacent land to the west and southeast of the subject property. Allowing the parcel to be in one zoning category will also permit a more consistent development for this location. The slightly higher density development along Boston Road, which is a collector street, will be an appropriate transition between the existing lower density single family residences and the business zoning to the north.
 3. The recommendation is made subject to approval and certification of ZDP 2015-25: Ted R. Osborn & Thomas Wood Property/Millpond, Unit 1-B, Section 2A (FKA Willow Oak) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

The motion was approved by the following vote:

Aye: Evans, Farmer, Gibbs, Kay, Lamb,
 Moloney, Mossotti, Scutchfield, Stinnett, Bledsoe,
 F. Brown, J. Brown-----12

Nay: -----0
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Upon motion of Ms. Mossotti, seconded by Mr. Farmer, the ordinance was

approved by the following vote:

Aye: Evans, Farmer, Gibbs, Kay, Lamb,
 Moloney, Mossotti, Scutchfield, Stinnett, Bledsoe,
 F. Brown, J. Brown-----12

Nay: -----0
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The meeting adjourned by order of the chair at 7:14 P.M.

Clerk of the Urban County Council