

1. WYNNDALE DEVELOPMENT, LLC ZONING MAP AMENDMENT & LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN ZONING DEVELOPMENT PLAN

- a. PLN-MAR-21-00003: WYNNDALE DEVELOPMENT, LLC (5/30/21)*- a petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 5.04 net and gross acres, from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3), for 0.18 net (0.38 gross) acre, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) for 0.64 net and gross acre, for property located at 1100 Armstrong Mill Road (a portion of).

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 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 applicant is seeking a zone change from the Single Family Residential (R-1C and R-1D) zones and the Townhouse Residential (R-1T) zone to the Planned Neighborhood Residential (R-3) zone for a portion of the property located at 1100 Armstrong Mill Road. The zone change application is seeking to construct four, three-story multi-family residential structures (a total of 96 dwelling units) and an accessory clubhouse.

The Zoning Committee Recommended: **Postponement** for the reasons provided by staff.

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

1. The applicant should provide greater information as to how they are meeting the following Goals and Objectives:
 - a. Theme A, Goal #3.b: Strive for positive & safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians & various modes of transportation.
 - b. Theme A, Goal #3.c: Minimize disruption of natural features when building new communities.
 2. The applicant should provide greater information as to how they are meeting the Armstrong Mill West Small Area Plan. They should provide greater information as to how they are meeting the following Goals:
 - a. SAP Goal #2: Connectivity and mobility
 - b. SAP Goal #3: Housing
 3. The zone change application does not completely address the development criteria for a zone change within the Enhanced Neighborhood Place Type, and the Medium-Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - c. B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
 - d. B-SU11-1 Green infrastructure should be implemented in new development.
 - e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - f. A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
 - g. A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
 - h. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
 - i. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
 - j. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
 - k. B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
 - l. B-PR7-3 Developments should improve the tree canopy.
- b. PLN-MJDP-21-00011: LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN (5/30/21)* - located at 1100 ARMSTRONG MILL RD., LEXINGTON, KY.
Project Contact: EA Partners (Council District 8)

Note: The purpose of this amendment is to rezone the property to R-3.

The Subdivision Committee Recommended: **Postponement**. There are concerns about conflicts with the FEMA floodplain, and floodplain setback.

1. Provided the Urban County Council rezones the property to the R-3 zone; 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.

* - Denotes date by which Commission must either approve or disapprove request.

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. Department of Environmental Quality's approval of environmentally sensitive areas.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Correct plan title.
9. Denote record plan information for property.
10. Denote 20' perimeter setback per Article 9 of the Zoning Ordinance.
11. Delineate area of existing tree canopy.
12. Clarify 25' setback notation and floodplain notation.
13. Discuss timing of sanitary sewer building conflict resolution.
14. Discuss resolution and timing of clubhouse floodplain conflict.
15. Discuss resolution and timing of 25' setback and building conflict.
16. Discuss improvements to Armstrong Mill Road.
17. Discuss potential trail location along creek/greenway.
18. Discuss Placebuilder criteria.
 - a. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - c. B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
 - d. B-SU11-1 Green infrastructure should be implemented in new development.
 - e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - f. A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
 - g. A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
 - h. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
 - i. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
 - j. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
 - k. B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
 - l. B-PR7-3 Developments should improve the tree canopy.

Staff Zoning Presentation: Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed several photographs of the subject property and aerial photos of the general area, noting that the application was submitted under the Enhanced Neighborhood Place-Type and Medium Density Development Type. The applicant proposes to develop a multi-family complex with four, three-story structures, with two- and three-bedroom units. The development is proposed to include a total of 96 units, at a residential density of 10 dwelling units per acre. Mr. Baillie noted that the density for the proposed development is somewhat low, but the property is constrained by a FEMA floodplain. He explained that the subject property is surrounded by single-family, townhouse, duplex, and multi-family development.

Referring to an aerial photograph of the property, Mr. Baillie noted its location at the confluence of the West Hickman Creek and a tributary. That confluence, and the extent of the floodplain, was an area of concern for staff, since the sole access for the property would be located very near the confluence. Based on those concerns, the applicant modified the plan to include modifications to the roadway system to bring it above the level of the 100-year floodplain. A multi-use trail is also proposed along the floodplain. Mr. Baillie noted the location of a large cellular phone tower on the property, which is proposed to remain.

Mr. Baillie stated that, based on additional information provided by the applicant and their updated development plan, staff was able to recommend approval, for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will grow successful neighborhoods (Theme A) by expanding housing choices by accommodating the demand for housing in Lexington responsibly, prioritizing a higher density development and allowing for a mix of housing types (Theme A, Goal #1.a.).
 - b. The proposed development also seeks to support infill and redevelopment (Theme A, Goal #2) by developing a residential land use on a parcel that is currently vacant, while also providing a well-designed neighborhood and community (Theme A., Goal #3) that integrates multi-family residential development within the established mixed-type housing area.
 - c. The proposed rezoning will achieve an effective and comprehensive transportation system (Theme D, Goal #1) by prioritizing a pedestrian-first design (Theme D, Goal #1.a.), by providing safe pedestrian access to Armstrong Mill Road and the shared-use trail.

- d. The proposed rezoning allows for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that area connected for pedestrians and various modes of transportation (Theme A, Goal #3.b) by providing and a safe and more accessible link to the proposed enhanced pedestrian infrastructure and improving the safety of the access drive to Armstrong Mill Road.
 - e. The proposed rezoning addresses the goal of absorbing vacant and underutilized land within the Urban Service Area (Theme E, Goal #1.a), and accommodating the demand for housing in Lexington responsibly, prioritizing a higher-density housing type.
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that allows increased residential options, provides for safe pedestrian mobility and provides amenities for both residents and the surrounding community. IN addition, the development will meet the Multi-Family Design Guidelines.
 - b. The proposed rezoning includes safe facilities for the potential users of the site by enhancing the pedestrian facilities to Armstrong Mill Road and the shared-use trail. The proposed development is also providing safe and clear access to the building. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it minimized the impact on the floodplain, while adding needed density to the Urban Service Area.
 3. The proposed rezoning is in agreement with the Armstrong Mill West Small Area Plan, for the following reasons:
 - a. The proposed development will improve circulation of users by focusing on improved connectivity, alternative transportation infrastructure, and increased safety of streets (SAP Goal #2).
 - b. The proposed development will improve neighborhood safety and security, (SAP Goal #1) by reducing vacant land, increasing the lighting of the area, and “providing eyes on the street.”
 - c. The proposed rezoning will maintain the character of the neighborhood form and enhance areas in need of improvement (SAP Goal #4), by redeveloping a large vacant lot.
 4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00011: LFUCG, Millcreek Subdivision, Unit 3 & Jonestown, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission’s approval.

Staff Development Plan Presentation: Mr. Martin directed the Commission’s attention to the development plan, and briefly explained the proposed request. He explained, with regard to the significant floodplain and the proposed trail system, that the staff would like to reserve the right to work with the applicant at the time of the Final Development Plan in order to develop the best layout for that important piece of pedestrian infrastructure.

Mr. Martin stated that the Subdivision Committee recommended postponement of this plan, due to numerous concerns about the proposed development. Since that time, the applicant submitted a revised plan that addressed many of the concerns. Mr. Martin said that the staff was now recommending approval, subject to the following revised conditions:

1. Provided the Urban County Council rezones the property to R-3; 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. Department of Environmental Quality’s approval of environmentally sensitive areas.
7. United States Postal Service Office’s approval of kiosk locations or easement.
- ~~8. Correct plan title.~~
- ~~9. Denote record plan information for property.~~
- ~~10. Denote 20’ perimeter setback per Article 9 of the Zoning Ordinance.~~
- ~~11. Delineate area of existing tree canopy.~~
- ~~12. Clarify 25’ setback notation and floodplain notation.~~
- ~~13. Discuss timing of sanitary sewer building conflict resolution.~~
- ~~14. Discuss resolution and timing of clubhouse floodplain conflict.~~
- ~~15. Discuss resolution and timing of 25’ setback and building conflict.~~
- ~~8.16. Discuss Denote: Improvements to Armstrong Mill Road shall be determined at the time of the Final Development Plan.~~
- ~~9.17. Discuss Denote: Potential trail location and construction along creek/greenway shall be determined at the time of the Final Development Plan.~~
- ~~10.18. Discuss Placebuilder criteria.~~
 - a. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
 - c. B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
 - d. B-SU11-1 Green infrastructure should be implemented in new development.

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- e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- f. A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
- g. A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
- h. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
- i. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
- j. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- k. B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
- l. B-PR7-3 Developments should improve the tree canopy.

Commission Questions: Ms. Plumlee asked if there was only one access to the subject property. Mr. Martin answered affirmatively, noting that the single access heightened staff's concerns about the proximity to the floodplain.

Applicant Presentation: Bruce Simpson, attorney, stated that the subject property was challenging. During the two years that the existing church remained vacant, no other congregations expressed an interest in locating there, likely due to the poor condition of the building. The property is constrained by the expense of removing the church, as well as the existing cell tower and the floodplain.

Mr. Simpson stated that the applicant is in agreement with the staff's recommendation and the revised conditions, with the exception of condition #9 as it relates to the shared-use trail. He explained that the applicant is willing to work with LFUCG to construct the trail, but they will need additional funding to provide that community amenity.

Citizen Comments: Julian Campbell, South Gainesway Neighborhood Association, stated that the neighbors had not received notification of any of the changes that had been made to the plan, so he did not believe it was fair for the application to go forward. Ms. Wade stated that the notification requirement is one notice letter, to be sent to property owners within 500 feet of the subject property, as well as the closest neighborhood associations. Once that notice goes out, there are no requirements to provide additional notice unless the applicant postpones. Ms. Wade noted that the revised plan is very similar to what was originally submitted, with the exception of shifting some square footage and removing a proposed clubhouse that was wholly within the floodplain.

Mr. Campbell stated that the neighbors' primary concern was the traffic on Armstrong Mill Road. He opined that a traffic light or some type of control device might have been needed near the access to the subject property. Mr. Campbell asked the staff to consider revisiting the Armstrong Mill West Small Area Plan, to keep it current and make it more effective for the area.

Staff Comments: Mr. Parker stated, with regard to Mr. Campbell's comments, that an access location at the bottom of a hill can be a challenge. He said that he was not aware of any improvement plans at this time, but he does believe that Armstrong Mill Road has adequate capacity to support the proposed development. Ms. Wade added that state roadway improvements are proposed, including a portion of the trail. Mr. Baillie noted that the trail on the subject property was proposed as part of the Greenway Master Plan and Lexington Bike and Pedestrian Master Plan. The state project is proposing a shared-use trail, and potential widening of the bridge on Armstrong Mill Road.

Commission Questions: Ms. Barksdale asked if there were any plans to assist those making left-hand turns in the area. Mr. Baillie explained that residential developments typically generate less traffic, adding that there might be the potential for lighting changes along Armstrong Mill Road that could provide breaks in the traffic and make left turns easier. Mr. Baillie noted that the Planning staff also believes that the carrying capacity is sufficient for the proposed development.

Zoning Action: A motion was made by Mr. Penn, seconded by Mr. Wilson, and carried 8-0 (de Movellan, Meyer, and Nicol absent), to approve PLN-MAR-21-00003: WYNNDALE DEVELOPMENT, LLC for the reasons provided by staff.

Development Plan Action: A motion was made by Mr. Penn, seconded by Mr. Wilson and carried 8-0 (de Movellan, Meyer, and Nicol absent) to approve PLN-MJDP-21-00011: LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN PLN-MJDP-21-00011: LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN, subject to the 10 conditions as listed in the revised staff recommendation.

VI. COMMISSION ITEMS

- A. AMENDMENT TO ADOPTED MEETING & FILING SCHEDULE – A motion was made by Ms. Plumlee, seconded by Mr. Wilson, and carried 8-0 (de Movellan, Meyer, and Nicol absent) to amend the adoption Meeting & Filing Schedule in order to add a work session to the regularly scheduled May 27, 2021, public hearing for Zoning Items.

VII. STAFF ITEMS

- A. ARTICLE 4-5(b) IMPROVEMENT PLAN PROGRESS REPORT - When the project engineer has completed approximately fifty percent (50%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how stormwater, sanitary sewer and environmental conditions imposed by

the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient meeting. The report is for information only, and no action by the Commission shall be taken; however, there shall be no issuance of the Notice To Proceed, as outlined in section 4-5(d), until the Planning Commission meeting is complete.

1. PLN-FRP-19-00046: DENTON FARM, INC., UNIT 4-E – located at 3752 BRANHAM PARK, LEXINGTON, KY.
Council District 7
Project Contact: John Hill
2. PLN-FRP-21-00010: BLACKFORD PROPERTY, PHASE 3, UNIT 1-Q & UNIT 1-P, SECTION 3 (LOTS 46 & 47) (7/4/21)*
- located at 3385 BLACKFORD PARKWAY (A PORTION OF) AND 3221 BAY SPRINGS PARK (A PORTION OF), LEXINGTON, KY.
Council District 12
Project Contact: EA Partners, PLC
3. PLN-FRP-21-00011: BLACKFORD PROPERTY, PHASE 3, UNIT 1-R (7/4/21)* - located at 3385 BLACKFORD PARKWAY (A PORTION OF) & 3221 BAY SPRINGS PARK (A PORTION OF), LEXINGTON, KY.
Council District 12
Project Contact: EA Partners, PLC
4. PLN-FRP-21-00018: COOPER PROPERTY (COPE, MITCHELL & COOPER PROPERTY) "WALDORF WAY" (8/1/21)* - located at 1370 DEER HAVEN LN., LEXINGTON, KY.
Council District 12
Project Contact: EA Partners, PLC

Staff Presentation: Ms. Wade directed the Commission’s attention to the Improvement Plan Progress Reports, noting that no Commission action was needed, and those reports are information only.

VIII. AUDIENCE ITEMS – No such items were presented.

IX. NEXT MEETING DATES

Imagine Nicholasville Road Corridor Plan Public Hearing, Thursday, 1:30 p.m., Video Teleconference	May 20, 2021
Technical Committee, Wednesday, 8:30 a.m., Video Teleconference	May 26, 2021
Zoning Items Public Hearing , Thursday, 1:30 p.m., Video Teleconference	May 27, 2021
Subdivision Committee, Thursday, 8:30 a.m., Video Teleconference	June 3, 2021
Zoning Committee, Thursday, 1:30 p.m., Video Teleconference	June 3, 2021
Subdivision Items Public Meeting , Thursday, 1:30 p.m., Video Teleconference	June 10, 2021

X. ADJOURNMENT

5/27/2021
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