

**B. DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner’s report(s) (30 minute maximum)
- Citizen Comments
  - (a) Proponents (10 minute maximum OR 3 minutes each)
  - (b) Objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
  - (a) Petitioner’s comments (5 minute maximum)
  - (b) Citizen objectors (5 minute maximum)
  - (c) Staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

1. **Final Subdivision Plans**

Staff Comments – Mr. Martin reminded the Commission members that, during the Subdivision Committee, the following four plans were heard together, as they are all related. The members decided to do the same for this meeting.

- a. PLN-FRP-22-00013: WARRENTON WOODS SUBDIVISION UNIT 1-A (AMD) (08/31/22)\* - located at 961-977 WARRENTON CIRCLE, LEXINGTON, KY  
Council District: 5  
Project Contact: CAM Surveying Inc.

Note: The purpose of this amendment is to dedicate private streets to public streets.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer’s acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer’s approval of street cross-sections and access.
3. Addressing Office’s approval of street names and addresses.
4. Bike & Pedestrian Planner’s approval of bike trails and pedestrian facilities.
5. Addition of utility and street light easements, as required by the utility companies and the Urban County Traffic Engineer.
6. Addition of dashed property line for lots 6,7,8,9, and 10.
7. Addition of listing of private utilities.
8. Addition of site statistics for zoning and acreage of street.
9. Revise Planning Commission’s certification.
10. Denote ordinance number in purpose of plat.
11. Discuss Urban County Engineer’s certification and owner’s certification.
12. Denote who is responsible for the maintenance of island in the street.
13. Discuss note #4 about “1’ sidewalk easement at the front of the property”.
14. Provide the Planning Commission approves the requested waiver to Article 6-8(a) for street geometrics.

- b. PLN-FRP-22-00015: WARRENTON WOODS SUBDIVISION UNIT 1-B (AMD) (08/31/22)\* - located at 3192 & 3200 PEPPERHILL ROAD; 3104, 3105, 3109, and 3112 WARRENWOOD WYND; 1404 & 1405 MEGANWOOD CIRCLE  
Council District: 5  
Project Contact: CAM Surveying, Inc.

Note: The purpose of this amendment is to dedicate private streets to public streets.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer’s acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer’s approval of street cross-sections and access.

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

3. Addressing Office’s approval of street names and addresses.
4. Bike & Pedestrian Planner’s approval of bike trails and pedestrian facilities.
5. Addition of utility and street light easements, as required by the utility companies and the Urban County Traffic Engineer.
6. Correct street addresses.
7. Correct building line setbacks on lot 35, per plat B-629.
8. Correct building line setbacks on lot 39, per plat B-694.
9. Correct property boundaries on lot 36, per plat B-645.
10. Addition of listing of private utilities.
11. Addition of site statistics for zoning and acreage of street.
12. Denote adjacent property boundaries with dashed lines.
13. Delete notes #10 and #11 as they do not pertain to this plan.
14. Revise Planning Commission’s certification.
15. Denote Ordinance number in purpose of plat.
16. Discuss Urban County Engineer’s certification and owner’s certification.
17. Denote who is responsible for the maintenance of island on the street.
18. Discuss note #4 about “1’ sidewalk easement at the front of the property”.
19. Provide the Planning Commission approves the requested waiver to Article 6-8(a) for street geometrics.

- c. PLN-FRP-22-00017: WARRENTON WOODS SUBDIVISION UNIT 1-C (AMD) (08/31/22)\* - located at 3201-3213 HOBCEW LANE, 3121 WARRENWOOD WYND, 3200-3213 HONEYHILL LANE, LEXINGTON, KY Council District: 5  
Project Contact: CAM Surveying, Inc.

Note: The purpose of this amendment is to dedicate private streets to public streets.

The Subdivision Committee and Staff Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Addressing Office’s approval of street names and addresses.
4. Bike & Pedestrian Planner’s approval of bike trails and pedestrian facilities.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Correct boundaries on lot 8, per plat M-760.
7. Addition of listing of private utilities.
8. Addition of site statistics for zoning and acreage of street.
9. Delete notes #10 and #11, as they do not pertain to this plan.
10. Revise Planning Commission’s certification.
11. Denote ordinance number in purpose of plat.
12. Discuss Urban County Engineer’s certification and owner’s certification.
13. Denote who is responsible for maintenance of island in the streets.
14. Discuss note #4 about “1’ sidewalk easement at the front of the property”.
15. Provide the Planning Commission approves the requested waiver to Article 6-8(a) for street geometrics.

- d. PLN-FRP-22-00018: WARRENTON WOODS SUBDIVISION UNIT 1-D (AMD) (08/31/22)\* - located at 3116- 3157 WARRENWOOD WYND, LEXINGTON, KY  
Council District: 5  
Project Contact: CAM Surveying, Inc.

Note: The purpose of this amendment is to dedicate private streets to public streets.

The Subdivision Committee Recommended: **Approval**, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.

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3. Addressing Office's approval of street names and addresses.
4. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Depict street frontage with dash line in front of lots 32, 33, and 34.
7. Denote adjacent property boundaries with dash lines.
8. Correct building line setback on lot 33, per plat H-548.
9. Correct property boundaries on lots 33 and 34, per plat B-645.
10. Addition of listing of private utilities.
11. Addition of site statistics- zoning and acreage of street.
12. Delete notes #10 and #11, as they do not pertain to this plan.
13. Revise Planning Commission's certification.
14. Denote Ordinance number in purpose of plat.
15. Discuss Urban County Engineer's certification and owner's certification.
16. Denote who is responsible for the maintenance of island on the street.
17. Discuss note #4 about "1' sidewalk easement at the front of the property".
18. Provide the Planning Commission approves the requested waiver to Article 6-8(a) for street geometrics.

Staff Presentation – Ms. Gallt presented the subdivision plans, and explained that they would be heard by the Planning Commission, and then, if approved, would go on to the Urban County Council for final approval. She pointed out that all of the cul-de-sacs had islands that the homeowner's association had agreed to continue to maintain. She noted that the discussion condition could be changed to resolve on all four plans, due to the waiver, which Mr. Martin would present.

Mr. Martin presented the waiver for the plans. He explained the CAO policy of dedicating a private street to be public right-of-way, and that part of that requirement is review by the Planning Commission before it moves on to the Council. Mr. Martin gave some history of the subdivision, and pointed out some of the details of the streets. He noted that staff has recommended that a sidewalk should be constructed on one side of the streets. He pointed out that staff was recommending approval of the waiver because it would be difficult to completely rebuild the streets. Mr. Martin also said that the staff wanted to denote that the islands would continue to be maintained by the homeowner's association, and also explained that any maintenance of stormwater management features would also be the responsibility of the homeowner's association.

Commission Questions – Mr. Nicol asked if the sidewalks that were going to be required would be five feet wide. Mr. Martin answered in the affirmative. He pointed out that one of the concerns of the neighborhood was that this would be a disruption of the existing landscape, but that the sidewalks can be moved to go around trees, and that the 50 foot front yard setbacks on the lots would be sufficient to accommodate these sidewalks.

Mr. de Movellan asked if the curved curb was on the down-hill side of the topography, so that water could drain properly. Mr. Martin replied that he did not know for sure, but mentioned that the engineers were not concerned when they looked at it.

Mr. Penn asked on which side of the street the sidewalks would go. Mr. Martin stated that it would be up to the homeowner's association.

Mr. de Movellan asked if they would be able to cross over with the sidewalk, and Mr. Martin deferred that question to traffic engineering, but would come down to the submission of the plans.

Mr. Michler asked why the proposal is requiring the removal of parking on one side when that is space that could be dedicated to the sidewalk space. He asked why the sidewalk would be necessary if there were no parked cars on one side. Mr. Martin answered that because they would be public streets, they must have the sidewalk access, and that it is not specific to traffic volumes.

Mr. Penn asked if the fire department decided which side of the streets would become the no parking side, and Mr. Martin replied that it was typically the side where the fire hydrants were.

Applicant Representation - Gary Roland, CAM Surveying, and Trudi Tibbs, homeowner's association, were present to represent the application. Mr. Roland stated that they had no problem with the clean-up conditions, but had very little time to look at the waiver request. He said that there would have to be considerable grading done to accommodate the sidewalk, but they would be limited due to the slopes of each street and cause topography change in some of the yards. He is not aware of any storm run-off issues in the area. He is concerned that anything done to the existing topography could lead to potential stormwater issues. He is also concerned about the sidewalk only being on one side, because it will take quite a bit of time and resources to make the final location decision.

Ms. Worth asked if there were stormwater problems being funneled down to other areas. Ms. Tibbs said there were none that she was aware of.

Ms. Tibbs said that there have been no safety issues not having sidewalks because they are quiet streets. She pointed out other areas that had become public streets recently that have not been required to have sidewalks on every street.

Mr. Penn asked Ms. Tibbs why they are going forward with the request now. She replied that it there was neighborhood vote to become city streets in 2004. She stated that the neighborhood association assumed that they were already city streets since that time. When she found out they were not city streets, they decided to go forward with the plan.

Mr. Nicol asked what was the perceived benefit of dedicating the streets to be public. Ms. Tibbs said that they wanted the streets to be maintained the same as city streets.

Mr. Michler asked if the city permitted home owners associations to hire help for snow removal on public streets. Ms. Wade said the city did allow it.

Staff Comments – Mr. Michler said that he was not compelled to vote for the required sidewalk due to the quiet nature of the streets.

Mr. Nicol said that he felt that sidewalks were valuable connectors, and that they should be approved wherever possible for the neighborhood and the community.

Mr. de Movellan said that it should be a question of the streets being public with sidewalks or keeping the streets private.

Mr. Penn said that he does not like to see people walking in the streets. He also stated that he believed that if you want the city to maintain the streets, you need to have the sidewalks.

Action – Mr. Nicol made a motion, seconded by Mr. de Movellan, and carried 7-0, to approve PLN-FRP-22-00013: WARRENTON WOODS SUBDIVISION UNIT 1-A (AMD), PLN-FRP-22-00015: WARRENTON WOODS SUBDIVISION UNIT 1-B (AMD), PLN-FRP-22-00017: WARRENTON WOODS SUBDIVISION UNIT 1-C (AMD), and PLN-FRP-22-00018: WARRENTON WOODS SUBDIVISION UNIT 1-D (AMD), changing the sidewalk conditions from discuss to resolve, including the waiver recommendation and conditions as proposed by the staff.

## 2. Development Plans

- a. PLN-MJDP-22-00034: VALLEY PARK (DE ROODE STREET APARTMENTS) (08/31/22)\* - located at 850 DE ROODE STREET, LEXINGTON, KY  
Council District: 11  
Project Contact: Vision Engineering

Note: The purpose of this plan is to add parking, and revise open space and adjacent building footprint.

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