

**MINUTES OF REGULAR MEETING
OLDHAM COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, May 24, 2022**

At 9:00 a.m., local time on the above date, this meeting of the Oldham County Planning and Zoning Commission, hereinafter called the Commission, was called to order in the courtroom of the Oldham County Fiscal Court at 100 W Jefferson St, La Grange, 40031 by Chairman Kevin Jeffries.

Other Commission members present were:

Laura Bohne	Sam Finney	Katie Nasser
Iva Davis	Sue Ann Jones	Greg King
Ed Hafling	Berry Hampton	Suzy Walser
Bob Klingenfus		

Commissioners Thomas Elder, John Falvey, William Douglas and Brandon Smith were absent.

Others present and sworn in were Planning and Development Services Director Jim Urban, Assistant Director Amy Alvey and County Engineer Jim Silliman. Attorney John Carter was present for the meeting and Senior Planner Tom McIntyre was the Secretary for the meeting.

Approval of Minutes –

Motion was made by Commissioner Hafling and seconded by Commissioner Bohne to approve the April 26, 2022 minutes with the following corrections:

Corrections:

- Page 1: Remove “Motion passed by unanimous vote.” where Chairman Jeffries called for a 5-minute recess as a vote did not occur.
- Page 2: Remove “Motion passed by unanimous vote.” where Chairman Jeffries called the meeting back into session as a vote did not occur.

Senior Planner Tom McIntyre called and read Docket PZ-22-014 & 015:

DOCKET PZ-22-014 – Application has been filed by Clayton Properties Group, Inc. for the approval of a Zoning Map Amendment on approximately 109.4 acres. The property is located at 5601 & 55621 South Highway 1694 (Schuler Lane), Prospect. The proposed change is from AG-1 Agricultural/Residential District to R-2 Residential District. (Continued from April 26, 2022)

DOCKET PZ-22-015 – Application has been filed by Clayton Properties Group, Inc. for the approval of a Preliminary Subdivision Plan for 187 lots on approximately 109.4 acres to be known as Sanctuary Falls Phase 2. The property is located at 5601 & 5621 South Highway 1694 (Schuler Lane), Prospect. The proposed zoning is R-2 Residential District. (Continued from April 26, 2022)

1. Introduction of the application by staff and questions by the Commission:

Assistant Director, Amy Alvey presented the following:

- Summary of the application.
- Case History (see Exhibit A, Staff Report dated, April 26, 2022).
- Site history.
- Aerial Photos of the site.
- Photos of property.

Michael Williams, Director of Pupil Personnel, Oldham County Board of Education, 6165 Hwy 146, Crestwood, was present and sworn in prior to presenting the following:

- Proposal would net 35 building permits per year.
- Serving schools would be Goshen Elementary, North Oldham Middle School, and North Oldham High School.
- All serving schools have adequate capacity.

County Engineer, Jim Silliman, presented the following:

- Applicant shall obtain the appropriate permits including but not limited to the Oldham County Stormwater and Erosion Control permit, Kentucky Division of Water KYR10 permit and the Army Corp of Engineers 401 & 404 permits.
- Stormwater detention and construction plans shall be designed in accordance with Oldham County post construction runoff ordinance.
- Stormwater connection behind Lots 39 & 40 shows acute angles which may allow water outside of the ditch therefore would like to see it piped with catch basins.
- Plans shall be designed in accordance with ASHTO geometric highway designs and can use the supplemental low volume roads design guidelines as discussed with the applicant's engineers in the past.
- Staff did receive a revised Traffic Study dated April 5, 2022 along with three supplemental memos. It is understood that all intersections addressed in the traffic study fall under jurisdiction of the Kentucky Transportation Cabinet or Metro Louisville Government. Both agencies have been contacted to ensure concurrence on the improvements as planned.

(2) Presentation by the applicant or representative and others in support of the application:

Attorney John Talbott, 1000 N. Hurstbourne Parkway, Louisville was present and spoke on behalf of the applicant:

Attorney Talbott presented the following:

- Zoning map amendment from AG-1 Agricultural/Residential District to R-2 Residential District along with development plan comprised of 109 acres detailing a 187-lot subdivision.
- The proposed use of the property falls in line with what the Future Land Use Map has projected.
- Multiple neighborhood meetings have been held to ensure all parties are on the same page as minor adjustments have been made (revised roadway, grass median provided, open space relocated and revised lot configuration) between the subdivision plan shown on July 15, 2021, and the current proposal.
- Was scheduled to be heard at the April 2022 public hearing, however an objection was raised as the Traffic Engineer, Ms. Diane Zimmerman, was not available to be cross-examined therefore all parties agreed to be continued to the next hearing.
- Phase 2 entrance will be a mirror image of the Phase 1 entrance that is under construction.
- Will widen Schuler Lane to 22 feet, adding an 8 foot multi-use path, enhanced landscaping, four board horse fence in addition to two \$125,000 traffic bonds to assist with traffic issues in the area.

- During Phase 1 hearing the applicant agreed to add a left turn lane from Schuler Lane onto KY 1694.
- Discussed levels of service for Schuler Lane eastbound at KY 1694 for both Phase I and II (between October 2019 to January 2022).
- Provided letter from Beth Stuber, Metro Louisville Transportation Engineering Supervisor, stating they along with KYTC don't see the need for a left turn lane from southbound Schuler Lane to eastbound KY 1694.
- Have donated land for a ball field to St. Mary's Academy in exchange for 1/10 of an acre along Schuler Lane for ROW as additional radius is required.
- Discussed the level of service improvement (2027) of the proposed traffic signals at Stone School Road and Worthington Lane.
- Briefly touched on annual tax benefits to Oldham County if the proposal is approved.
- Binding elements and agreements are consistent with what was approved in Phase I.

Joe Pusateri, 16218 Shelbyville Road, Louisville was present and sworn in prior to stating the following:

- Façade of the residences will be predominately brick and stone with some siding accents.
- All residences will have full basements.
- Minimum two-car garages that will be side entry.
- Have upgraded to dimensional shingles on all homes.
- Because Elite Built Homes is the builder of all the residences, they are able to have a master landscape plan so the homes flow together.
- Street trees will be planted approximately every 50 feet as to create a boulevard/shade tree effect.
- All clients will be required to go through the Design Center which Elite uses to create color schemes for the proposed homes in order to avoid non-desirable products.
- All lots will be 100% sodded as opposed to seed and straw as this option takes years for the desirable outcome to be achieved.

Gene Gottbrath, 5501 Schuler Lane, Prospect was present and sworn in prior to stating the following:

- Out of all of the developers interested in the Fischer Farm Elite Built Homes was the most receptive. Impressed with the character and integrity of the company.
- Does not see the need for a left turn lane on Schuler Lane.

Sueanna Leslie, 11612 Hidden Creek Road, Prospect was present and sworn in prior to stating the following:

- Representing the Hidden Creek HOA as their President and an adjoining property owner.
- Elite Built Homes worked with Hidden Creek in 2019 to leave a 30 foot vegetation buffer between the subdivisions and make sure it extended the full length, not just the portion in Oldham County.
- Elite Built Homes also agreed to make AT&T fiber available to the residents of Hidden Creek.

Chairman Jeffries called a 10-minute recess at 10:04 AM.

Chairman Jeffries called the meeting back into session at 10:14 AM.

Attorney Talbott stated that he was presented a technical report by the Attorney Baxter, opposition attorney, during the break and has not had the opportunity to review the document and asked for it to be stricken from the record and not be considered at the hearing.

County Attorney John Carter advised the Commission that they could allow time to the applicant and their traffic engineer to review the document.

Attorney Baxter stated that the expert present is not here to speak on prior traffic study but to speak about safety of the intersection. The Traffic Impact Study Final Report dated October 28, 2019 that was given to the applicant and the Commission will be used when asking Ms. Zimmerman questions later on in the hearing.

County Attorney Carter stated the hearing can move forward.

(3) Testimony and questions by those opposing the application:

Attorney Berry Baxter, 117 W. Main Street, LaGrange was present and spoke on behalf of Norton Commons:

Attorney Baxter stated the following:

- Provided an expert witness (Mr. Ken Agent) regarding safety concerns related to the intersection of Schuler Lane and KY Highway 1694 along with supporting materials (Opposition Exhibit A) .

Ken Agent, 3265 Blenheim Way, Lexington was present and sworn in prior to stating the following:

- Graduated from University of Kentucky in 1971 and has been a practicing Civil Engineer for over 50+ years specializing in Traffic and Safety Engineering.
- Discussed safety circuit ride where he and his constituents go before different Fiscal Courts and talk to safety regarding road signage and county roads.
- There is an opportunity to redesign this intersection to make it safer which should take top priority.
- Crash history data was found which doesn't show any crash history as Schuler Lane is a low volume road but will change in the future as the volume increases.
- KY Highway 1694 is classified as a major collector with the most recent ADT (average daily trips) over 3,000.
- Objective is to have intersections at 90 degree angles. The subject intersection is currently at about 50 degrees. The regulations state the intersection should be oriented at no less than 75 degrees. The plans as submitted do not change the orientation. This intersection needs to be at a different orientation and this is the opportunity to do it.
- Provided AASHTO standards relating to at-grade intersections (Chapter 9). The subject intersection is at an acute angle which can cause line of sight and turning radius issues.
- School buses heading west on KY 1694 will have to swing left, encroaching into the opposite lane of travel, then come back making an extra wide right turn to make the acute turning radius workable which can be alleviated by making a 90 degree intersection.
- The cross-section of the intersection has been changed from 12 foot lanes, 14 foot left turn lane and 4 foot shoulders which is the standard for a major collector street. The new plan shows 10 foot lanes, 12 foot left turn lane and very thin shoulders. Does not understand why the existing cross-section isn't continued as seen throughout major intersections of Norton Commons.
- From a strictly safety standpoint a left turn lane should be placed on Schuler Lane.
- In conclusion the Planning Commission has the duty to install a left turn lane, the orientation of the intersection should not be left as is (acute angle), the cross-section at the approach should reflect the existing cross-section as seen throughout the major Norton Commons intersection and ensure the street grade allows for the appropriate line of sight.

Attorney Baxter begins cross-examining Diane Zimmerman, 12803 High Meadows Pike, Prospect with supporting materials (Opposition Exhibit B),:

- Ms. Zimmerman states:
 - Is a licensed professional engineer in the State of Kentucky specializing in Traffic Engineering.
- Attorney Baxter asked Ms. Zimmerman if she is relied on to perform traffic studies within the State of Kentucky.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman if the design engineers take her information provided and utilize it in making the design or roadway improvements.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman that when performing her work she has employees/persons go out on-site to physically count vehicles in a particular location and use that information to forecast what the traffic will be.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman that the forecasts are based upon your training and experience which are your personal estimates as to whether a car will take a left or right out of a particular intersection.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman if a Traffic Study was conducted in 2019 for Sanctuary Falls Section I.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman before the study dated December 2019 was submitted a prior study was conducted dated October 2019.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman on page 13 of the October 2019 study a chart is shown with the entitlements of Norton Commons in current completion as of October 1, 2019.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman after this study was conducted do you recall having a conversation with David Tomes of Norton Commons with the concern that these numbers were low.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman if her report states that in the build out year of 2024 the estimated build out will be 50% of the remaining housing units and retail need to be built.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman if 10% of the external trips will exit onto Schuler Lane and 10% would go south towards KY Highway 22 off of KY Highway 1694.
 - Ms. Zimmerman corrected Mr. Baxter not exiting onto Schuler Lane but exit to KY Highway 1694 and proceed north toward Schuler Lane.
 - Ms. Zimmerman clarifies that 20% of the remaining 50% of the build out would exit to KY Highway 1694 and 80% would go to Chamberlin Lane.
- Attorney Baxter asked Ms. Zimmerman if she submitted a Traffic Study dated December 12, 2019 to the Planning Commission.
 - Ms. Zimmerman responds “correct”.
- Attorney. Baxter asked Ms. Zimmerman if she provided the updated entitlement numbers provided by David Tomes in the Traffic Study.
 - Ms. Zimmerman responds “correct”.
- Attorney. Baxter asked Ms. Zimmerman if her opinion changed between Traffic Studies.
 - Ms. Zimmerman responds “correct”.

- Attorney Baxter asked Ms. Zimmerman that she submitted her initial Traffic Study dated January 27, 2022 and revised it April 5, 2022 which showed the incorrect Norton Commons entitlement chart.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman if she submitted multiple memos to the Oldham County Engineer Jim Silliman.
 - Ms. Zimmerman responds “correct”.
- Attorney Baxter asked Ms. Zimmerman if her memo indicated that a turn lane should be placed at St. Bernadette Avenue and if the developer has plans to build said turn lane.
- Attorney Baxter asked Ms. Zimmerman if she is using incorrect numbers for Norton Commons at full build which are the numbers from the original Traffic Study therefore all of the conclusions that have been made are incorrect.
 - Ms. Zimmerman responds “it would be technically incorrect”.

Attorney Baxter stated the following:

- Discussed the lawsuit filed against Oldham County Planning and Development Services by Robert L. McAuliffe and Meadowlake Farms concerning the roadways in the portion of Norton Commons that falls in Oldham County.

Attorney Talbott placed an objection on the record regarding the aforementioned lawsuit.

Attorney Baxter stated that Mr. Fischer is the owner of the subject property which makes him relevant to the application. Mr. Fischer also has a sworn statement, in a public forum, stating his concerns of Highway 1694 and is relevant to this application.

Attorney Talbott stated he has not had the opportunity to review the lawsuit along with the expert report and it is improper to have testimony by Mr. Baxter on the lawsuit as well as cross examining his clients on a 2-year old report.

County Attorney Carter stated the Commission can consider the information presented for what it is worth and move forward with the hearing.

Attorney Baxter continued:

- Stated that on the YouTube video from the December 2019 hearing Mr. Pusateri stated if any further development occurred that they would put in a traffic light at Schuler and Highway 1694 (via a transcript of the video provided by Attorney Baxter)

Chairman Jeffries asked County Attorney Carter if the Commission could consider the transcript provided by Attorney Baxter because it was not done by an official court reporter?

County Attorney Carter responded the video could be played to verify the information. Attorney Baxter withdrew the transcript.

Attorney Baxter continued:

- Presented exhibits from the December 2019 Planning Commission hearing and July 2021 TRC which outlined committed turning lanes by applicant. (Opposition Exhibit C)
- The improvements to the roadway by Norton Commons such as road width, turning lanes and shoulders is not being carried forward, as previously committed to by the applicant, and roadway safety concerns are not being addressed by the applicant.

- The increased traffic on Schuler Lane and safety of the intersection at Highway 1694 has not been addressed for regular traffic and not to mention school bus traffic.
- The flawed traffic study only indicates that there will be 10 AM peak hour trips turning left from Schuler Lane to go north which doesn't seem accurate.
- Provided the design standards of intersections in Oldham County, Louisville Metro and testimony from Mr. Agent on KYTC design standards of which the intersection of Schuler Lane and Highway 1694 doesn't meet and doesn't understand why KYTC approved the road plan.
- All of the road design decisions were based off a flawed traffic study and based off that perspective this is not an appropriate request to rezone and subdivide the property based off the faulty information.

(4) Questioning of the applicant and those opposed to the application by the Commission:

Attorney Talbott responded to questions from the Commission:

- The bond amount is \$125,000 for each traffic signal.

Mr. Pusateri responded to questions from the Commission:

- The bond is good for 10 years from the time of record plat which was December 2021 and is at the discretion of KYTC of when they will be installed.
- The bond amount is \$125,000 per light but agreed to spend up to \$150,000 per light to cover inflation or additional cost at the time of installation.
- Dark Sky lighting with conditions means that the lighting at the doors is not Dark Sky but are "Dark Sky friendly" because LG&E was unable to provide that.

Attorney Talbott stated they have not had adequate time to review and analyze reports presented by the Opposition and asked for a continuance. The continuance would also allow time to prepare cross-examination of the Oppositions expert witness and would like to go on record to reserve time for that as well as time to cross-examine Ms. Zimmerman.

Attorney Talbott responded to Chairman Jeffries that due to scheduling conflicts of other hearings he asks a date of continuance not be set today but allow himself, Attorney Baxter and staff work out date and if need be possibly have a special meeting to move the project forward.

Chairman Jeffries called a 10-minute recess at 11:17 AM.

Chairman Jeffries called the meeting back into session at 11:27 AM.

Chairman Jeffries stated after consulting with Attorney Carter, Vice Chairman King and staff we are going to allow the Commissioners to continue to ask questions about anything but traffic. After those questions are complete then I will allow the continuance to a date to be determined by both counsels. When the hearing resumes only traffic discussion will be allowed. Chairman Jefferies asked for concurrence from both counsels.

Attorney Talbott asked for clarification that he would be allowed to cross-examine the oppositions expert witness as well as cross-examine Dianne Zimmerman and road design would be included in the broad "traffic only" discussion. Chairman Jeffries agreed.

Attorney Baxter stated he is in agreement as well.

Questioning continued by the Commission:

Attorney Talbott responded to questions from the Commission:

- The mixed use path is an 8-foot wide, asphalt path.
- The mixed use path begins at Section 1 and will continue through Section 2 and end at St. Marys.

Mr. Pusateri responded to questions from the Commission:

- The mixed use path has been installed in Phase 1.

There being no further questions Chairman Jeffries announced that the docket would be continued to a date agreed upon by both counsels and staff.

Motion made by Commissioner King and seconded by Commissioner Hafling to continue Docket PZ-22-014 & 015 as noted. Motion carried by unanimous voice vote.

Recess was called at 11:35 AM for lunch. The meeting will reconvene at 1:00 PM

Chairman Jeffries called the meeting back to order at 1:00 PM.

Senior Planner Tom McIntyre called and read Docket PZ-22-018 & 019:

DOCKET PZ-22-018 – Application has been filed by Flats at Twenty, LLC for the approval of a Zoning Map Amendment on approximately 3.84 acres. The property is located at the 1700 Block of Commerce Parkway, LaGrange. The proposed change is from R-2A Residential District to R-4 Residential District.

DOCKET PZ-22-019 – Application has been filed by Flats at Twenty, LLC for the approval of a Development Plan (216 Apartments) on approximately 15.3 acres to be known as The Flats at Twenty. The property is located at the 1700 Block of Commerce Parkway, LaGrange. The proposed zoning is R-4 Residential District.

1. Introduction of the application by staff and questions by the Commission:

Assistant Director, Amy Alvey presented the following:

- Summary of the application.
- Case History (see Exhibit A, Staff Report dated, May 24, 2022).
- Site history.
- Aerial Photos of the site.
- Photos of property.

County Engineer, Jim Silliman, presented the following:

- Applicant shall be required to obtain the appropriate permits which are not limited to the Oldham County Stormwater Management and Erosion Control permit, Division of Water KYR10 permit, Army Corp of Engineers 401 & 404 permits.
- Stormwater design and construction plans must be in accordance with the Oldham County Post Construction Site Runoff ordinance.
- Have the applicant confirm that the roads will be private and not city maintained.

- Based on the Traffic Impact study, which shows a left turn lane warranted in 2035, the applicant will be proposing a binding element reflecting this data.
- A 6" inch water main and 12' water easement shown terminating on the property at a point unknown. Wants to make sure this does not complicate any modifications within the drainage basin easement.

Michael Williams, Director of Pupil Personnel, Oldham County Board of Education, 6165 Hwy 146, Crestwood, was present and sworn in prior to presenting the following:

- Proposal would net 36 students.
- Serving schools would be Centerfield, Oldham County Middle School, and Oldham County High School.
- An agreement is in place in which the developer will allow the Oldham County School District to stub into the sewers so when the district develops the adjacent property they will be able to connect to the sewers.

(2) Presentation by the applicant or representative and others in support of the application:

Attorney Josh Clubb, 117 W. Main Street, LaGrange was present and spoke on behalf of the applicant:

Attorney Clubb presented the following:

- Luxury apartment complex to be known as Flats at Twenty in honor of the proposed exit 20 on Interstate 71.
- Over 100 years of development experience between the four partners. They started in building single-family residences but have transitioned into multi-family developments.
- The applicants are currently developing and constructing the Crestwood Commons Apartments in Crestwood and anticipate the proposed development to reflect the same quality.
- The proposal will be owner managed, will have 24 hour on-site management and maintenance, all units will be 2 or three bedrooms, will include park-like outdoor amenities, quality landscaping and will be constructed of brick with engineering siding on porches and breezeways.
- The units will have balconies and screen-in porches, large walk-in closets, 3rd floor vaulted ceilings, fully furnished kitchen, washer & dryer connections and high-speed internet. All first-floor units will be handicap accessible.
- Property amenities include brick garages with openers, dog parks, playgrounds, basketball and pickleball courts, picnic area, grilling area, pet washing station, EV charging stations, ride sharing station with public restroom along with 24-7 camera monitoring.
- Clubhouse amenities will include a swimming pool, fitness center, laundry facility, community gathering room, internet café, tanning room, package service and business center.
- Purposeful measures will be taken to preserve the existing landscape. In addition to this conservation of trees, shrubs and flowering plants, with diverse colors, will be planted in large quantities. Flats at Twenty landscape plan will exceed the county norm.
- Specified which portion of the property the applicant is proposing to rezone (3.84 of the 15.3 acres).
- With the proposed 216 front doors/rooftops, commercial development will be more likely along Commerce Parkway which will add to the economic base of Oldham County.
- The applicant has proposed a binding element which states the applicant shall place the sum of \$75,000.00 in an escrow account at a place designated by the City of LaGrange to be used at a later date for improvements to Commerce Parkway between Allen Lane and Parker Drive. Should the city not utilize said funds prior to December 31, 2035, said sum shall be returned to the applicant. (Applicant Exhibit A)

(3) Questioning of the applicant and those in support of the application by the Commission:

Attorney Clubb responded to questions by the Commission:

- The three story buildings do not have elevators.
- Two bed/two bath units will rent for \$1,400.
- Three bed/two bath units will rent for \$1,700.
- Individual garages will be an additional fee.

Steven Edwards was present and sworn in prior to responding to questions by the Commission:

- The EV Charging stations will be located near the clubhouse and are built and maintained by the utility company which is KU/LG&E.
- Credit card payment method is typically how the electric cars purchase the charge.
- Two EV charging ports are proposed for this development.
- The ride share/restroom out building will be placed in the ROW and will be gifted to the City of LaGrange. This facility will also act as a school bus stop. All maintenance responsibilities will fall to the City of LaGrange.

Attorney Clubb responded to questions by the Commission:

- First floor units will be handicap accessible where units on the second and third floors will not be.
- 2% of the first floor units will be handicap accessible upon completion of the project. The remaining first floor units will be convertible to handicap units if the need shall arise.
- The garages will be handicap accessible as well.

(4) Testimony and questions by those opposing the application: None

(5) Questioning of the applicant and those opposed to the application by the Commission: None

(6) Rebuttal evidence and Cross Examination by the Applicant: None

(7) Rebuttal evidence and Cross Examination by the Opposition: None

(8) Final statement of the Opposition: None

(9) Final statement of the Applicant:

Attorney Clubb stated the following in final statement:

- Applicant had sought and achieved common ground with the surrounding residents to make them comfortable with the proposed development.
- This rezoning and development plan application will be for Class A apartments.
- Additional binding elements make this proposal more agreeable.

END OF PUBLIC HEARING

Jim Urban summarized the application for Docket PZ-22-018 & 019.

FINDINGS AND DECISIONS PZ-22-018

Flats at Twenty

Zoning Map Amendment R-2A to R-4

Recommendation to the City of LaGrange

1700 Block of Commerce Parkway, LaGrange

Motion was made by Commissioner King and seconded by Commissioner Hafling to recommend approval of a Zoning Map Amendment to the City of LaGrange based on testimony and evidence

presented that the proposal is consistent with the goals and objectives of the Comprehensive Plan & Subdivision Regulations and the changes in the general vicinity support the recommendation.

The vote was as follows:

YES: Commissioners Bohne, Davis, Hafling, Klingenfus, Finney, Jones, Hampton, Nasser, King and Walser.

NO: None

ABSTAIN: None

ABSENT: Commissioners Elder, Falvey, Douglas and Smith.

Motion passed on a vote of 10-0.

**FINDINGS AND DECISIONS PZ-22-019
Flats at Twenty
Development Plan (216 Apartments)
1700 Block of Commerce Parkway, LaGrange**

Motion was made by Commissioner Bohne and seconded by Commissioner Finney to approve a Development Plan based on testimony and evidence presented which complies with multiple goals and objectives of the Comprehensive Plan, Zoning Ordinance and Subdivision Regulations.

Binding Elements:

1. There shall be no changes to the plan without review by the Oldham County Planning Commission and Engineer's Office.
2. Applicant is required to submit a landscape plan and lighting plan for full review and approval by staff.
3. The preliminary plan must comply with all established federal, state, and county ordinances and requirements at the time of construction plan approval.
4. The applicant shall place the sum of \$75,000.00 in an escrow account at a place designated by the City of LaGrange to be used at a later date for improvements to Commerce Parkway between Allen Lane and Parker Drive. Should the city not utilize said funds prior to December 31, 2035, said sum shall be returned to the applicant.
5. All streets and parking areas shall remain private.
6. The applicant shall provide a sanitary sewer stub connection to the Oldham County Board of Education property.

The vote was as follows:

YES: Commissioners Bohne, Davis, Hafling, Klingenfus, Finney, Jones, Hampton, Nasser, King and Walser.

NO: None

ABSTAIN: None

ABSENT: Commissioners Elder, Falvey, Douglas and Smith.

Motion passed on a vote of 10-0.

There being no further business, the Planning Commission meeting adjourned at 1:48 p.m.

The next regular meeting will be Tuesday, June 28, 2022, at 9:00 a.m. and will be held in the courtroom of the Oldham County Fiscal Court at 100 W Jefferson Street, La Grange, 40031.

Approved:

Kevin Jeffries, Chairman

Respectfully Submitted:

Tom McIntyre, Senior Planner