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August 7, 2023

Mr. Larry Forester, Chairman  
and Members of the Lexington-Fayette Urban County Planning Commission  
200 East Main Street  
Lexington, KY 40507

Re: Proposed zone change for 2833 and 2853 Liberty Road

Dear Chairman Forester and Members of the Planning Commission:

This letter is written on behalf of Liberty Park Development, LLC, which is filing a zone change application and development plan for the property at 2833 and 2853 Liberty Road. The property consists of approximately 2.7 net acres and is currently zoned Wholesale and Warehouse Business (B-4). We are requesting a zone change to the Planned Neighborhood (R-3) zone in order to allow the continuation of a single-family attached townhome development on the adjoining parcel which was approved March 23, 2023 by the Urban County Council.

## **DESCRIPTION OF PROJECT**

The applicant, Liberty Park Development, LLC, is the same entity which received a zone change earlier this year for the next-door property at 2819 Liberty Road. That zone change approved a development consisting of single-family attached townhomes which will be available to sell to working families in Lexington.

As a result of discussions which started regarding sewer availability, the applicant has purchased the Subject Property. The Subject Property was rezoned to B-4 for a veterinary clinic and kennel in 2018. That project was never constructed.

Rezoning this property will allow a continuation of the project which was approved earlier this year which will increase the amount of housing available for sale to working families.

The Brighton Trail will remain as the focal point of the property, and the development will continue to give its residents access to the trail. In addition, Liberty Park is adjacent to Brighton Trail. Our residents will have direct access to Brighton Trail and Liberty Park and will have easy access to the trails to Liberty Elementary School and to other destinations in the Hamburg Area.

## **GOALS AND OBJECTIVES OF THE 2045 COMPREHENSIVE PLAN**

This proposal is in agreement with the Goals and Objectives of the 2045 Comprehensive Plan. This development will supply housing for sale to working families, which will provide an additional option to residents in this area. We are close to apartment complexes on the northeast side of Liberty Road, and single-family detached homes on the southwest side of Liberty Road (Cadentown). Our project will supply an option for attached single-family housing for individual sale, thus complying with the objectives of Theme A, Goal 1, Expand Housing Choices, and Objective A.1.b., accommodating the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types.

This project develops a tract which has been vacant for many years, supporting Goal A.2., to support infill and redevelopment throughout the Urban Service Area as strategic component of growth. It complies with Objective A.2.a. and A.2.b., by allowing infill development of this parcel in a single-family attached development which will be compatible with the surrounding land uses.

The development is also in agreement with Goal A.3., which calls for the provision of well-designed neighborhoods and communities. Objective A.3.b. calls for positive and safe social interaction in neighborhoods, including neighborhoods that are connected for pedestrians and various modes of transportation. The Brighton Trail, Liberty Trail and Liberty Park are adjacent to this property and provide that opportunity for social interaction. In addition, the development of this long-vacant tract will minimize the disruption of natural features (Objective A.3.c.). The presence of the Brighton Trail and Liberty Trail will provide safe routes for pedestrians and bicyclists to other community facilities including Liberty Park and Liberty Elementary in accord with Objectives A.3.e. and A.4.a. By providing housing for sale to working families, the proposal will support Goal A.5., to provide equitable development and to rectify Lexington's segregation caused by historic planning practices and policies. The development will help reduce Lexington-Fayette County's carbon footprint by fully utilizing the multi-modal options on the Brighton Trail and Liberty Trail (Objective B.2.d.).

This project complies with Theme D, Improving a Desirable Community. It accommodates a pedestrian design, and it accommodates the needs of bicycle traffic, as well as automotive traffic on Liberty Road (Objective D.1.a.). It includes bicycles and walkways, as called for in Objective D.1.b.

Finally, the proposal complies with Theme E, Urban and Rural Balance. It assists in upholding the Urban Service Area concept by assisting in redevelopment of an underutilized corridor (Objective E.1.d.) and by maximizing development on vacant land within the Urban Service Area and enhancing urban form (Objective E.1.e.). Also, by developing this vacant parcel, it assists in maintaining the Urban Service Area Concept (Goal E.1.).

## **POLICIES**

Our proposal successfully addresses the policies of the 2018 Comprehensive Plan.

Pertaining to the Design Policies under Theme A, Growing Successful Neighborhoods, this development provides a design which moves both vehicles and pedestrians in a context-sensitive manner (Policy 1). Liberty Road is fully constructed to ensure that police and fire service times and access are excellent (Policy 2). The development will transition from lower density residential across Liberty Road, to the higher density apartments to the east, thus being sensitive to the surrounding context (Policy 4). The development will provide pedestrian connections and will be walkable (Policy 5). Much of the parking will be in garages and the project is designed so that parking areas are not the primary visual component of the neighborhood (Policy 7). As mentioned above, townhomes for sale individually to working families will provide another housing choice in this neighborhood (Policy 5). The project is within walking distance of greenspace including Liberty Park and the Brighton Trail, which will be the focal point of the neighborhood (Policies 9 and 10).

As to the density policies under Theme A, Growing Successful Neighborhoods, this is an infill lot on a long-overlooked parcel which will increase density with a context-sensitive design (Policy 2). It provides a compact single-family housing type (Policy 6).

As to the equity policies under Theme A, the provision of housing available for purchase for working families helps meet the demand for housing across all income levels, as called for in Policy 1.

## **ENGAGEMENT**

Jeff Morgan of Liberty Park Development, LLC had meetings and discussions with the Cadentown Association for the prior zone change. That engagement will continue for this zone change.

## **PLACE-TYPE, DEVELOPMENT TYPE AND REQUESTED ZONE**

This proposal fits within the Enhanced Neighborhood Place-type, and within the Low-Density Residential (LR) development type. We are requesting the Planned Neighborhood Residential (R-3) zone which is a recommended zone for this place-type and development type.

## **DEVELOPMENT CRITERIA**

Here is a discussion of the criteria that were not specifically addressed on the development plan, or which need further discussion:

- A-DS5-3 and A-DS10-1. The focal point of this development is the adjacent Brighton Trail. The buildings are oriented to provide a visual and pedestrian connection with the trail.
- A-DN2-1, A-DN6-1 and B-PR9-1. By utilizing attached single-family residential uses, this development acts as a transition between the single-family detached uses in Cadentown to the southwest side of Liberty Road, and the higher-density apartment uses on the northeast side of Liberty Road. This provides new compact

single-family housing types and will minimize to the greatest extent possible disturbance to the existing topography. There are no environmentally sensitive areas on the property.

- C-LI6-2. This development is designed to provide residential units for sale to working families. The smaller size of the units will preclude use of accessory dwelling units.
- C-LI7-1. This development will provide safe access to community facilities by utilizing the Brighton and Liberty trails to separate pedestrian and bicycle traffic from the automotive traffic on Liberty Road. There is nearby access to schools, employment, business, shopping and entertainment in the Man-O-War and Hamburg area, in addition to the nearby Liberty Elementary School.
- C-PS10-3. Most parking will be provided in garages and driveways. A few guest parking spaces are also provided. This development is not over-parked.
- D-PL7-1. As mentioned above, Jeff Morgan of Liberty Park Development, LLC will continue his discussions with the Cadentown neighborhood.
- E-GR9-1. The applicant intends to construct two-and three-bedroom units. Many have a flex room on the first floor which can serve as a home office or as a bedroom. Most customers have chosen to use that space as an office.
- E-GR9-4. This proposal will intensify underutilized properties and develop this property which is vacant and has been a gap within the neighborhood.
- A-DS1-1, A-DS1-2 and A-DS5-1. LexTran does not currently serve this portion of Liberty Road. The nearest available connections are to Pink Pigeon Parkway and Man-O-War Boulevard, both of which are easily accessible by vehicle, and can be accessed through the Brighton Trail. Thus, there are pedestrian linkages to the nearest available mass transit. The Brighton Trail and Liberty Trail provide separation of vehicles from pedestrian and bicycle travel.
- A-DS4-1 and A-DS10-2. As mentioned above, the Brighton Trail and nearby Liberty Trail are the focal points of this development. These trails interconnect with adjacent neighborhoods and school.
- B-CO1-1 and B-CO2-1. The trail system and Liberty Road have been constructed by the city and state and provide safe rights-of-way for traffic and pedestrian and bicycle traffic and separate the two uses.
- D-CO-2-2. This development connects directly to the Brighton Trail and Liberty Trail which are both generally accessible to those with disabilities.

- D-SP1-3. There is existing multi-modal transportation infrastructure to the nearby Liberty Elementary, including sidewalks, the shared use trails mentioned above and roadways that are adequate to handle the vehicular traffic.
- A-DS4-3. The use of this property for attached single-family units will utilize the existing landscape to the greatest extent possible.
- A-EQ7-3. The open space on the subject property will be private. We will provide our residents with connections to public open spaces and trails.
- B-PR7-1. We have connections to adjacent greenways, trees and the stream corridor on the Liberty Trail.
- E-GR3-1 and E-GR3-2. As mentioned above, visual and physical connections will be made to the Brighton Trail. The Brighton Trail itself is the focal point of this development and provides a unique opportunity for the residents to enjoy the benefits of the trail system.

## CONCLUSION

Our proposal will allow development of a long-vacant parcel with attached single-family housing as a unified development with the property at 2819 Liberty Road. The orientation to the Brighton Trail will make this an attractive addition to this portion of the community.

Thank you for your consideration of this zone change request.

Sincerely,



Richard V. Murphy  
Attorney for Liberty Park Development, LLC

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