

ORDINANCE NO. 019 - 2026

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1B) ZONE TO A MIXED LOW DENSITY RESIDENTIAL (R-2) ZONE, FOR 3.267 NET (3.488 GROSS) ACRES FOR PROPERTY LOCATED AT 2914 CLAYS MILL ROAD. (DAILEY HOMES, LLC; COUNCIL DISTRICT 10).

WHEREAS, at a Public Hearing held on January 29, 2026, a petition for a zoning ordinance map amendment for property located at 2914 Clays Mill Road, from a Single Family Residential (R-1B) zone to a Mixed Low Density Residential (R-2) zone, for 3.267 net (3.488 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 8-1; and

WHEREAS, the Urban County Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

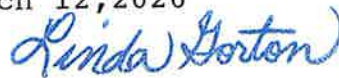
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 2914 Clays Mill Road, from a Single Family Residential (R-1B) zone to a Mixed Low Density Residential (R-2) zone, for 3.267 net (3.488 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 3 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: March 12, 2026



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: March 25, 2026-1t

Rec'd by _____
Date: _____

**RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY**

IN RE: PLN-MAR-25-00018: DAILEY HOMES, LLC – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Mixed Low Density Residential (R-2) zone for 3.267 net (3.488 gross) acres for property located at 2914 Clays Mill Road (Council District 10).

Having considered the above matter on January 29, 2026, at a Public Hearing, and having voted 8-1 that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend APPROVAL of this matter for the following reasons:

1. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals, Objectives and Policies for the following reasons:
 - a. The request will help meet an increase in the demand for housing and provide a variety of housing options (Theme A, Goal 1, Objective b).
 - b. The request provides increased residential density on an underutilized parcel (Theme A, Goal 2, Objectives a and d).
 - c. The extension of Loretta Drive and the creation of a new connection to Clays Mill Road provide connectivity and street continuity (Theme A, Goal 3, Objectives b, d and e).
 - d. The additional street connection would provide a second access point for both neighborhood residents and emergency services (Theme A, Goal 4, Objective c).
 - e. The proposed pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal 2, Objective d; Theme D, Goal 1, Objective a).

2. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Policies of the Imagine Lexington 2045 Comprehensive Plan, for the following reasons:
 - a. The introduction of compact townhomes within the area provides additional housing choice at a higher density than currently exists within the area (Design Policy #8; Density Policy #4).
 - b. The request provides a pedestrian-friendly street pattern (Design Policy #5).
 - c. The proposal calls for the continuation of an existing stub street, and promotes a grid-type street network (Design Policy #13).

3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases residential density in a compact development (A-DN2-1; B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it creates multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways (D-CO4-2) and connects an existing stub street (A-DS13-1).
 - c. The request several criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and minimizes impact on adjacent development through the use of buffering elements (B-PR3-1).
 - d. The proposal meets the criteria for Site Design, as the development improves pedestrian connectivity in the area (C-LI8-1), and provides for programmed open space (D-PL4-1).

- e. The plan meets the criteria for Building Form, as it scaled to respect the context of neighboring structures (A-DS4-2) and minimizes significant contrasts in scale, massing and design (A-DN2-2).

4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00065: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 13th day of February, 2026.



Secretary, Jim Duncan

ZACH DAVIS
CHAIR

KRS 100.211(7) requires that the Council take action on this request by April 29, 2026.

Note: The corollary development plan PLN-MJDP-25-00065: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) and waiver PLN-WAV-25-00007: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) were approved by the Planning Commission on January 29, 2026, and the preliminary development plan was certified on February 12, 2026.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Charlotte McCoy, attorney for the applicant.**

OBJECTORS

- Eileen Lindsey
- John Rollins, 2116 Clays Mill Road
- Taylor Dunn
- Bob Sturdivant, President of the Pasadena Neighborhood Association
- William Burke, 2917 Jason Court

OBJECTIONS

- Stated that this development would add to the dangers of Clays Mill Road.
- Stated that there are four schools on Clays Mill Road and expressed concern with how the geotechnical report was executed.
- Asked the Planning Commission to postpone the project and expressed concerns about environmental impacts, traffic, and density.
- Stated that on a three-mile stretch of Clays Mill Road, there are 11 schools and three daycares, which impacts traffic and children's safety.
- Stated that he had a problem with the size and scope of the proposed project.

- Michael Harmon, 588 Cecil Way
 - Carolyn Elliot, 2929 Neal Drive
 - Harry Byrd, Ashley Way
 - Tim Beirise, 2904 Jason Court
 - Phillip Tincher, 2916 Neal Drive
 - Whitney Payne, 627 Cecil Way
 - Kristen Vicini, 525 Ashley Way
 - Michael Burrell, 2905 Loretta Drive
- Stated his opposition to opening up Loretta Drive and taking away his quiet neighborhood.
 - Told the Commission that they had been misled, and that there are no similar homes in the area.
 - Stated that he believes that the narrow road would impede trash and emergency service vehicles.
 - Stated his opposition to the proposed density.
 - Stated that the scale and scope of the proposal are out of character for the neighborhood.
 - Stated her desire to see a recently performed traffic study of the development area.
 - Stated her concerns about traffic safety and commuting on Clays Mill Road.
 - Stated his concerns about the requested waiver and the precedent it could set for future projects.

VOTES WERE AS FOLLOWS:

AYES: (8) Barksdale, J. Davis, Z. Davis, Forester, Owens, Wilson, Michler, and Worth

NAYS: (1) M. Davis

ABSENT: (2) Penn and Nicol

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-25-00018** carried.

Enclosures: Application
 Justification
 Supplemental Justification
 Legal Description
 Notification Map
 Development Snapshot
 Staff Report
 Supplemental Staff Report
 Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: Jimmy Ball, 1082 Wellington Way, Ste 220, Lexington, KY 40514
Owner(s): CARNES DIANE A TRUSTEE 2914 CLAYS MILL RD LEXINGTON KY 40503
Attorney: Charlotte McCoy, 250 W Main St., Lexington, KY 40507

2. ADDRESS OF APPLICANT'S PROPERTY

2914 CLAYS MILL RD LEXINGTON KY 40503

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
R-1B	Single Family Residential	R-2	Single Family Residential (attached)	3.267	3.488

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 0 Unit(s)

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



Lexington-Fayette Urban Count Planning Commission

RE: Request for Zone Change and Variance for 2914 Clays Mill Rd

Dear Members of the Planning Commission,

On behalf of Dailey Homes, LLC (the "Applicant"), this letter is submitted in support of the application for zone change and variance for 2914 Clays Mill Road, Lexington, Kentucky (the "Property"). The Property is currently zoned as Single-Family Residential (R-1B) and the Applicant is requesting the zone be changed to Mixed Low Density Residential (R-2) to allow for the placement of townhouses on the Property. Applicant is also requesting a variance to permit a local street intersection with a decrease in the minimum intersection spacing between streets to 123 ft. on Clays Mill Road.

The Property consists of 3.267 net (3.488 gross) acres, is situated on Clays Mill Road, and has current has one house on it with a detached garage. The surrounding properties are designated as R-1B, R-1C and R-1D zones on which single-family homes are located. Applicant's proposal is for a residential townhouse development that would contain 41 townhouses with common area and walking paths and new streets and sidewalks that extend neighborhood streets, as has been depicted on the preliminary development plan submitted with their application.

AGREEMENT WITH COMPREHENSIVE PLAN

Applicant's requested zone change is in agreement with the Comprehensive Plan. It will allow for additional and varied residential housing within the urban service area through the redevelopment of an underutilized parcel. The requested zone change for a low density residential use is complementary to the surrounding residential neighboring properties. Further the proposed development will extend existing streets and sidewalks and allow for better vehicular and pedestrian connectivity in the area. It is exactly the type of infill redevelopment use that the Comprehensive Plan seeks to encourage.

THEME A: GROWING & SUSTAINING SUCCESSFUL NEIGHBORHOODS

This project meets the goals and objections of Comprehensive Plan Theme A: Growing & Sustaining Successful Neighborhoods. This townhouse development expands housing choices by adding a new housing type to an established residential area (Theme A, Goal 1, Objective b). It redevelops an underutilized parcel to increases residential density (Theme A, Goal 2, Objective a and d). The development includes common area green space and walking paths (Theme A, Goal 3, Objective c). New streets and sidewalks will connect to existing streets and be situated in a manner that allows connection to neighboring parcels in the future which will strengthen the road system, mean better connections for emergency services and more multi-model options (Theme A, Goal 3, Objective b, d and e; Theme A, Goal 4, Objective c).

THEME B: PROTECTING THE ENVIRONMENT

This project meets the goals and objectives of Comprehensive Plan Theme B: Protecting the Environment. The project design allows for the preservation of most of the existing trees on the site, includes green lawns and common open space (Theme B, Goal 3, Objectives b and f). Stormwater management will be compliant with LFUCG regulations. (Theme B, Goal 1, Objective f). The new streets will include sidewalks, improving connections between new and existing development (Theme, Goal 2, Objective d).

THEME D: IMPROVING A DESIRABLE COMMUNITY

This project meets the goals and objectives of Comprehensive Plan Theme D: Improving a Desirable Community. The new streets and sidewalks expand the transportation network and increase connectivity within the new and existing neighborhood (Theme D, Goal 1, Objective a).

THEME E: MAINTAINING A BALANCE BETWEEN PLANNING FOR URBAN USES AND SAFEGUARDING RURAL LAND

This project meets the goals and objective of Comprehensive Plan Theme E: Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land. The Property is an underutilize parcel within the Urban Service Area that will be development to increase housing along a major arterial way. Providing increased and more diverse housing options within the urban area, decreases pressure to place housing in rural areas (Theme E, Goal 1, Objectives a, b, d, e, and f; Theme E, Goal 3, Objectives b).

PLACEBUILDER AND DEVELOPMENT DESIGN CRITERIA

This proposed project fits within the Enhanced Neighborhood place-type and within the Low Density Residential (LDM) development type. We are requesting an R-2 zone (mixed low density residential) which is consistent with this place-type and development type. The Applicant has proposed a well-designed development that furthers the design policies set forth in the Comprehensive Plan. Enclosed with this letter is a chart of the design criteria for the selected place-type and development type, which is color coded to reflect how the project addresses the design criteria: Items highlighted in yellow are addressed in this letter; items highlighted in green are represented graphically on the proposed preliminary development plan; and items highlighted in orange are not applicable.

LAND USE

A-DN2-1 Infill residential should aim to increase density. The proposed development will increase density from less than 1 unit per net acres to 12.55 unites per next acre, with townhouses that are compatible to the single-family homes in the area.

A-DN4-1 Provide new compact single-family housing types. The proposed development of townhouses is a compact single-family housing type.

B-SU3-1 Development should provide compact and/or mixed use development. The proposed development of townhouses is a compact single-family housing type and the new streets and sidewalks extend multi-model options.

D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application. Applicant is in process of planning a meeting with neighbors.

E-ST8-2 Development should provide community oriented places and services. The proposed development includes common area and walking paths.

TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

A-DS1-2 Accessible pedestrian linkages to transit should be provided. Sidewalks and walking paths are included in the development plans.

A-DS4-1 A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided. Proposed streets and sidewalks connect with streets and sidewalks of existing neighborhoods.

A-DS5-2 Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape. Townhouse design will have vertical elements.

ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

B-PR10-1 Development should avoid over lighting and upward directed lighting. Development will comply with applicable provisions of the lighting ordinance.

B-SU4-1 Development should minimize and/or mitigate impervious surfaces. Development has minimal driveway space on each lot.

B-SU11-1 Development should incorporate low impact landscaping and native plant species. Development will comply with all applicable planning ordinances.

SITE DESIGN

A-DS9-1 Development should provide active and engaging amenities within neighborhood focused open spaces. The proposed development includes common area and walking paths.

A-DS9-2 Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities. The proposed development includes green common space with walking paths.

BUILDING FORM

A-DS5-3 Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere. The proposed development will have townhouses that are oriented toward and close to the street and sidewalks

VARIANCE REQUEST

Applicant is requesting a variance to permit a local street intersection on a minor arterial and decrease in the minimum intersection spacing to 123 ft. (Article 8-8(q)(2)(c)). This project involves the redevelopment of an existing parcel located on Clays Mill Road in area that was developed decades ago. The stretch of Clays Mill on which the Property is located is relatively flat with good sight distance. This stretch includes many driveways and local street intersections in proximities that are less than 250 ft., including a church and day care located just to the south that do not meet spacing requirements with one being just 31 ft. from Galata Dr. and the other having two entrances which are both within 107 ft. of Waco Rd. The speed limit on Clays Mill

Road where the Property is located is 35 MPH. Drivers expect to encounter driveways and intersections in this area. The addition of a new local street intersection for this project will not cause undue safety or traffic issues as it is consistent with the existing design of the roadway and neighborhood and low speed limit of the affected minor arterial.

The addition of the new local street intersection will further the goals and objectives of the Comprehensive Plan, by improving Lexington's transportation network and improving connectivity to existing neighborhood streets and sidewalks. It will allow for a second connection to Lorretta Dr. allowing additional options for traffic flow through existing streets. It also provides for the extension of Loretta Dr. all the way to the property boundary of another underutilized large residential lot so as to permit ease of connection for future developments.

Strict application of the regulation would cause the Applicant exceptional hardship in the development of this Property by limiting the site design to an more inefficient traffic design that is not in keeping with the existing nature of the street design in the area and diminishing opportunities to incorporate the design policies of the Comprehensive Plan.

Granting this variance will not adversely affect the public health, safety or welfare, will not impair the purposes, basic objectives, or intent of the regulations, and will not impair the desirable general development of the neighborhood and the community as contemplated by the Comprehensive Plan.

CONCLUSION

The Applicant's proposal for a zone change and variance for a new townhouse development is in agreement with the Comprehensive Plan and furthers its Goals and Policies.

Thank you for your time and consideration.

Sincerely,

January 23, 2026

Charlotte Turner McCoy
(859) 226-2258
cmccoy@stites.com

Lexington-Fayette Urban Count Planning Commission
101 E. Vine Street, 7th Floor
Lexington, Kentucky 40507

Dear :Lexington-Fayette Urban County Planning Commission

RE: Supplement to Request for Zone Change and Variance for 2914 Clays Mill Road
(PLN-MAR-25-00018; PLN-MJDP-25-00065; PLN-WAV-25-00007)

Dear Members of the Planning Commission,

On behalf of Dailey Homes, LLC (the "Applicant"), this letter is provided to supplement the letter dated October 6, 2025 submitted in support of the application requesting a zone change for 2914 Clays Mill Road, Lexington, Kentucky (the "Property") to Mixed Low Density Residential (R-2) to allow for the development of townhouses on the Property.

NEIGHBORHOOD OUTREACH

Applicant hosted a neighborhood meeting to discuss the proposed zone change and development on Thursday, November 13, 2025, at the Clays Mill Cares Day Care & Preschool located not far from the Property at 3000 Clays Mill Road, Lexington, Kentucky 40503 at 6:30 p.m. in the evening. Approximately 30-40 neighbors and interested persons attended the meeting. Present on behalf of the Applicant were Jimmy Ball, as representative of the Applicant, Mark McCain with Vision Engineering, the project engineer, and myself as counsel to the Applicant. Mr. Jeremy Young, Senior Planner with LFUCG, was also present at the meeting.

Mr. Ball presented an overview of the proposed zone change and development and opened the floor to questions. The meeting lasted approximately two hours, with neighbors asking many questions and providing many comments about both the development and the zone change process. Applicant appreciated Mr. Young's attendance at the meeting, as he was able to help answer questions about the process.

Applicant has additionally spoken with several neighbors who reached out to ask questions outside of the neighborhood meeting.

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Page 2

PRIOR TREE REMOVAL AND TREE REPLACEMENT

Questions have been asked about the removal of trees from the Property. The tree removal occurred prior to the Applicant's involvement with the Property and prior to the first time Applicant viewed the Property. It is Applicant's understanding that trees were cleared in some areas of the Property before Taylormade Real Estate, LLC (the current Property owner) purchased the Property as part of Taylormade's due diligence investigation of the Property. Taylormade had discussions with multiple developers about ideas for development of the Property prior to coming to an agreement to sell the Property to Applicant. Applicant did not arrange for or have any control over the prior removal of the trees, however Applicant understands the concerns expressed and has added new tree plantings to the preliminary development plans.

GEOTECHNICAL STUDY

More information was requested about the potential existence of a sink hole on the Property and its impact on the proposed development. The concern was raised due to the Property's appearance on the Kentucky Geological Survey online topographic map service. Applicant arranged for additional geotechnical testing of the Property to be performed. The results of the testing and US Geological Survey review show no evidence of a sink hole on the Property. The report has been submitted to Planning Staff for review.

TRAFFIC ANALYSIS

Many of the comments at the neighborhood meeting were focused on the effect the development will have on traffic. Applicant listened to the concerns expressed and engaged Vision Engineering to complete a traffic impact analysis of the planned development. The results of the analysis show it will not cause a significant increase in traffic, estimating that the townhouse development will result in a 1.4% increase in new traffic in the AM peak and a 1.6% increase in traffic during the PM peak hour on Clays Mill Road. As part of the analysis, the traffic report compared trip generation between single family residential lots and townhomes. Townhomes were estimated to generate one (1) additional entry trips and six (6) more exiting movements in the AM morning peak hour. No additional trips were estimated in the PM afternoon peak hour with townhomes in comparison with single family homes. The report has been submitted to LFUCG Division of Traffic Engineering for review.

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CONCLUSION

The above supplemental information provides additional support for Applicant's proposal and the conclusion that the proposed zone change and variance are in agreement with the Comprehensive Plan and further its Goals and Policies.

Thank you for your time and consideration.

Very truly yours,

STITES & HARBISON PLLC



Charlotte Turner McCoy

CTM

The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Fayette County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from R-1B to R-2
For
2914 Clays Mill Road
Lexington, KY 40503**

Beginning at the northeast corner of the Consolidation Minor Subdivision Plat of Rebecca Zoe Harmon of record at Plat Cabinet R, Slide 199 of the Fayette County Clerk's records, and being on the southern right of way line of Clays Mill Road as conveyed to Lexington-Fayette County Urban County Government in Deed Book 2187, Page 735; thence severing said right of way for three (3) calls:

N 65°44'49" W a distance of 40.01 feet to a point on the centerline of said Clays Mill Road; thence with centerline;

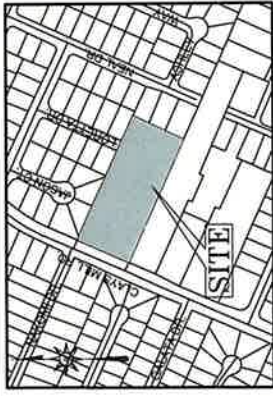
N 23°20'10" E a distance of 240.37 feet; thence severing right of way;

S 65°55'05" E a distance of 40.00 feet to the northwest corner of Ridgeview Estates, Unit 1 Final Plat, of record at Plat Cabinet B, Slide 626; thence with the line of said Ridgeview Estates-Unit 1 for one (1) call:

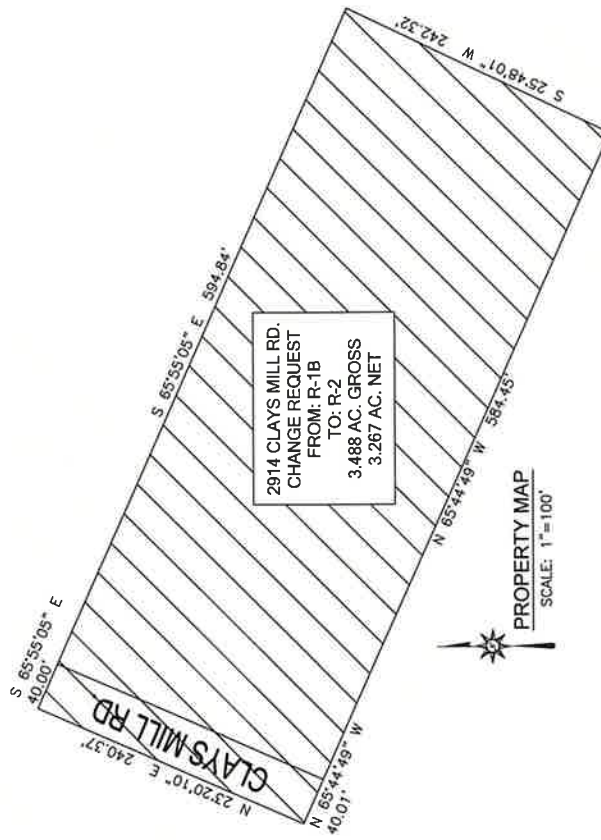
S 65°55'05" E a distance of 594.84 feet to the northeast corner of Lot 11 of Ridgeview Estates, Unit 2 Final Plat, of record at Plat Cabinet B, Slide 710; Thence with the line of Ridgeview Estates-Unit 2 for one call:

S 25°48'01" W 242.32 feet to point on the line of said Rebecca Zoe Harmon Consolidation Minor Plat; thence with said Rebecca Zoe Harmon; thence with the line of Harmon for one (1) call:

N 65°44'49" W 584.45 feet to the Point of Beginning containing 3.488 Acres Gross and 3.267 Acres Net.



VICINITY MAP
SCALE: N.T.S.



2914 CLAYS MILL RD.
CHANGE REQUEST
FROM: R-1B
TO: R-2
3.488 AC. GROSS
3.267 AC. NET

PROPERTY MAP
SCALE: 1"=100'



NOTIFICATION MAP
SCALE: 1"= 200'

TITLE: CARNES PROPERTY	FROM TO	GROSS	NET
PROPERTY ADDRESS: 2914 CLAYS MILL ROAD	R-1B	3.488 AC.	3.267 AC.
APPLICANT:	TOTAL	3.488 AC.	3.267 AC.



PREPARED BY: VISION ENGINEERING, LLC
DATE FILED: OCTOBER 6, 2025

DAILEY HOMES, LLC (PLN-MAR-25-00018)

2914 CLAYS MILL ROAD

Rezone property to construct 41 townhouse units.

Applicant

DAILEY HOMES, LLC
1082 WELLINGTON WAY
LEXINGTON, KY 40513
ATTORNEY: cmccoy@stites.com

Owner

TAYLORMADE REAL ESTATE, LLC
250 E. SHORT STREET
LEXINGTON, KY 40507

Application Details

Acreage:

3.267 net (3.488 gross) acres

Current Zoning:

Single-Family Residential (R-1B)

Proposed Zoning:

Mixed Low Density Residential (R-2)

Place Type/Development Type:

Enhanced Neighborhood/Low Density Residential

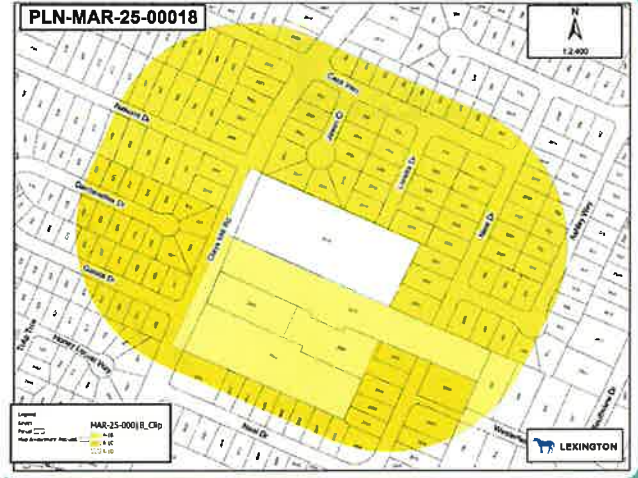
For more information about the Enhanced Neighborhood Place-type see Imagine Lexington page 269. For more information on the Low Density Residential Development Type see page 270.

Description:

The applicant is seeking to rezone the subject property in order to construct 41 single-family townhouse units, for a residential density of approximately 12 units per acre.

Public Engagement

The applicant has not indicated that public outreach or engagement has occurred at this time.



Status

- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-25-00018: DAILEY HOMES, LLC

DESCRIPTION OF ZONE CHANGE

Zone Change:	From: Single Family Residential (R-1B) Zone To: Mixed Low Density Residential (R-2) Zone
Acreage:	3.267 net (3.488 gross) acres
Location:	2914 Clays Mill Road



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-1B	Residential
To North	R-1C	Residential
To East	R-1C	Residential
To South	R-1C	Residential
To West	R-1C/R-1D	Residential

URBAN SERVICE REPORT

Roads - Clays Mill Road is a three-lane major arterial road that connects Harrodsburg Road (US 68) to Brannon Road in Jessamine County. A multi-year enhancement project was recently completed which widened motorized travel lanes, added a center turn lane and added sidewalks and bike lanes to most of Clays Mill Road. Loretta Drive is a stub street providing access to the northern portion of this property. This request proposes to extend Loretta Drive to the southern boundary of the subject property as well as creating a new road connecting Loretta Drive to Clays Mill Road.

Curb/Gutter/Sidewalks - Clays Mill Road was improved with curb, gutter and sidewalks within the past two years . All local streets are required to install the same at the time of development.

Utilities - All utilities, including natural gas, electric, water, phone, cable television, and internet are available in the area, and are available to serve the proposed development.

Storm Sewers - The subject property is located within the South Elkhorn watershed. The developer will be required to address stormwater management on the subject property in compliance with the Engineering Stormwater Manual. There are no known flooding issues on the subject property.

Sanitary Sewers - The property located in the South Elkhorn sewershed and is served by the West Hickman Wastewater Treatment Plan located approximately 8 miles southeast of the site.

Refuse - The Urban County Government serves this portion of the Urban Service Area with refuse collection on Mondays.

Police -The nearest police station is located about 4½ miles northeast of the subject property on East Main Street.

Fire/Ambulance - The property is situated approximately 1.5 miles from Fire Station #12 on Southland Drive and approximately 1.8 miles from both Fire Stations #15 and #20 located on Shilito Park Road and Arrowhead Drive respectively.

Transit - There is no LexTran service available within close proximity of the subject property.

Parks - Hill N Dale Park is located approximately one mile to the northeast of the subject property.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property in order to construct 41 single-family townhouse units, for a residential density of approximately 12 units per acre.

PLACE-TYPE

ENHANCED
NEIGHBORHOOD

An existing residential area to be enhanced with additional amenities, housing types, and neighborhood-serving retail, services, and employment options. Development should be context-sensitive to surrounding areas and should add to the sense of place. Incorporating multimodal connections is crucial to neighborhood success and viability.

DEVELOPMENT TYPE

LOW DENSITY RESIDENTIAL

Primary Land Use, Building Form, & Design

A mix of attached and detached single familyhomes, of varying formats, and low density multi-family dwelling units. Homogeneous neighborhoods that do not include a mix of housing types should be avoided. Low density residential is only appropriate as a component of “Enhanced Neighborhoods” and “New Complete Neighborhoods”, and should be supplemented by a variety of uses and housing options to create sustainable places.

Transit Infrastructure & Connectivity

Multimodal network connections, including connected streets, are required to keep an efficient transportation network that provides viable options for all users.

Quality of life Components

These developments should include intentional open space designed to fit the needs of area residents, and be in walking distance of nearby neighborhood-serving commercial/employment uses.

PROPOSED ZONING



The intent of this zone is to provide for a mix of low density residential development and supporting uses. This zone should be located in areas of the community where services and facilities are/will be adequate to serve the anticipated population. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan. This zone may be used for zero-lot-line houses, patio houses, and other compact housing types.

PROPOSED USE



The applicant is proposing the rezoning of the subject property to construct 41 single-family townhouse units. Additionally, the applicant proposes to extend Loretta Drive to the adjacent property line and provide a new access point on Clays Mill Road to increase connectivity for residents.

APPLICANT & COMMUNITY ENGAGEMENT



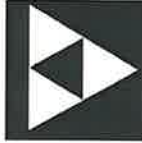
The applicant has not provided any information regarding efforts at public engagement.

PROPERTY & ZONING HISTORY



The subject property was originally zoned Single Family Residential (R-1B) prior to the comprehensive rezoning of the city and county in 1969. Since that time many of the properties in the area have been rezoned to allow for denser development, the subject property has remained in the R-1B zone.

COMPREHENSIVE PLAN COMPLIANCE



The 2045 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.

GOALS, OBJECTIVES & POLICIES

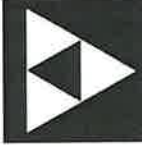
The applicant opines that they are in agreement with the adopted Goals, Objectives and Policies of the 2045 Comprehensive Plan. The applicant indicates that their proposal will add variety and expand choice in housing type (Theme A, Goal 1, Objective b; Design Policy #8; Density Policy #4) by increasing residential density on an underutilized parcel (Theme A, Goal 2, Objectives a and d). The applicant also points to the extension of Loretta Drive and the creation of a new connection to Clays Mill Road (Theme A, Goal 3, Objectives b, d and e; Design Policy #13) as another key area of Comprehensive Plan compliance. This additional connection would provide a second access point for both neighborhood residents and emergency services (Theme A, Goal 4, Objective c). Lastly, the applicant states that the pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal 2, Objective d; Theme D, Goal 1, Objective a). Staff agrees that these Goals, Objectives and Policies of the 2045 Comprehensive can be met with the proposed request.

PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject property. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2045 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant has indicated that the site is located within the Enhanced Neighborhood Place-Type, and the Low Density Residential Development Type. Due to the property's location in close proximity to established neighborhoods along Clays Mill Road, staff agrees with the choice in Place-Type.

The applicant is proposing to construct 41 attached single-family homes, which is consistent with the Low Density Residential Development Type. The applicant's choice in zone, Mixed Low Density Residential (R-2), is recommended within the Placebuilder element for this Place-Type and Development Type.



DEVELOPMENT CRITERIA

The applicant has indicated that the site is located within the Enhanced Neighborhood Place-Type and is seeking to utilize the property as a Low Density Residential Development Type. Staff concurs with the applicant's assessment of the Place-Type and agrees that a can be appropriate for the subject property. Staff also agrees with the applicant's assessment that the Mixed Low Density Residential (R-2) zone can be appropriate for this location as well. Staff has identified the following areas of Development Criteria compliance:

1. LAND USE

- a. *A-DN2-1: Infill residential should aim to increase density.*
- b. *A-DN4-1: Provide new compact single-family housing types.*
- c. *B-SU3-1: Development should provide compact and/or mixed use development.*

2. TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

- a. *A-DS4-1 A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.*
- b. *A-DS5-2: Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape.*

3. ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

- a. *B-SU4-1: Development should minimize and/or mitigate impervious surfaces.*

4. SITE DESIGN

- a. *A-DS9-1: Development should provide active and engaging amenities within neighborhood focused open spaces.*

5. BUILDING FORM

- a. *A-DS5-3: Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.*

While the request does meet several of the development criteria for the chosen Place-Type and Development Type, the following criteria warranted further discussion:

1. LAND USE

D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.

The applicant has not provided any information in their letter of justification that identifies what public outreach efforts that have occurred. The applicant should provide further information on the efforts that have taken place or engage the surrounding properties to discuss the proposal.

2. ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

B-PR7-1: Developments should be designed to minimize tree removal and to protect and preserve existing significant trees.

B-RE1-1: Developments should improve the tree canopy.

A substantial number of trees were removed at the time of application making an accurate determination of pre-development canopy extremely difficult. Applicant should provide information on recent tree removal in order for staff to properly assess canopy loss.

B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.

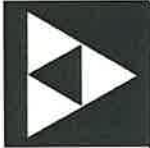
Maps from the Kentucky Geological Survey show a large sinkhole on the property near Clays Mill Road which is not shown on the development plan. The applicant should provide more information on the sinkhole and how it may affect the development.

STAFF RECOMMENDS: **POSTPONEMENT FOR THE FOLLOWING REASONS:**



1. The applicant should provide information relating to their public outreach efforts.
2. The applicant should provide further information regarding the following development criteria:
 - a. D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - b. B-PR7-1: Developments should be designed to minimize tree removal and to protect and preserve existing significant trees.
 - c. B-RE1-1: Developments should improve the tree canopy.
 - d. B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-25-00018: DAILEY HOMES, LLC



STAFF REVIEW

In the period following the November Subdivision and Zoning Committee meetings, the applicant has submitted updated application materials, including a revised development plan, supplemental renderings, a supplemental letter of justification, a traffic report and a preliminary geotechnical engineering report.

The revisions to the proposed development plan includes the addition of street trees as well as a vegetative buffer along the northern property line and the revised justifications touch on concerns raised by staff and citizens in the area.

DEVELOPMENT CRITERIA

Although staff found that the initial proposal was largely in agreement with the applicable Development Criteria, staff identified several aspects that warranted further action/discussion. The revised application materials address several of the Development Criteria previously identified by staff as requiring further clarification.

1. LAND USE

D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.

A public meeting was held on November 13th to discuss the proposed zone map amendment and associated development plan. The following were in attendance: Jimmy Ball (applicant), Charlotte McCoy (attorney for applicant), Mark McCain (design professional), Jeremy Young (LFUCG Planning Staff), along with approximately 40 members of the public. Areas of concern included traffic, tree removal, road connectivity, density, and height of proposed structures.

2. ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

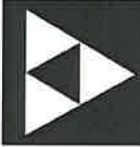
B-PR7-1: Developments should be designed to minimize tree removal and to protect and preserve existing significant trees.

B-RE1-1: Developments should improve the tree canopy.

At the time of application, it was apparent that a number of trees had been removed from the site. Typically, as part of the development plan approval process, the Urban Forester will perform an on-site assessment of the existing tree canopy and a corresponding Tree Inventory Map shall be submitted at the time of application. If approved, a Tree Preservation and Mitigation plan is developed at the time of the Final Development Plan in conjunction with the Urban Forester. Staff inquired as to the timing of the tree removal, and the applicant stated that the trees were removed prior to the applicant purchasing the property; however, information that was provided to the staff from the property's sales agreement show that the applicant negotiated a contract provision requiring the removal of the trees before purchase. Section 26-5 of the Zoning Ordinance requires all residential zones to have a minimum canopy of 30% of the total developable area of a parcel of land. Additional plantings would be required if a site fails to meet the minimums.

B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.

The previous report staff report expressed concern after reviewing maps from the Kentucky Geological Survey indicated a large sinkhole area on the property near Clays Mill Road which is not shown on the development plan. The applicant requested a postponement to allow time for a more detailed examination of the area to determine the nature of the depression. The Preliminary Geotechnical Engineering Report indicates that the



depression is unlikely to be a sinkhole as it fails to exhibit the traits commonly found in drilling where a sinkhole is present. While the Division of Engineering has not yet had an opportunity to review the report; no permits or approvals for a final development plan would be able to be issued at this location without a satisfactory geotechnical report.

STAFF RECOMMENDS: **APPROVAL**, FOR THE FOLLOWING REASONS:



1. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals, Objectives and Policies for the following reasons:
 - a. The request will help meet an increase in the demand for housing and provide a variety of housing options (Theme A, Goal 1, Objective b).
 - b. The request provides increased residential density on an underutilized parcel (Theme A, Goal 2, Objectives a and d).
 - c. The extension of Loretta Drive and the creation of a new connection to Clays Mill Road provide connectivity and street continuity (Theme A, Goal 3, Objectives b, d and e).
 - d. The additional street connection would provide a second access point for both neighborhood residents and emergency services (Theme A, Goal 4, Objective c).
 - e. The proposed pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal 2, Objective d; Theme D, Goal 1, Objective a).
2. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Policies of the Imagine Lexington 2045 Comprehensive Plan, for the following reasons:
 - a. The introduction of compact townhomes within the area provides additional housing choice at a higher density than currently exists within the area (Design Policy #8; Density Policy #4).
 - b. The request provides a pedestrian-friendly street pattern (Design Policy #5).
 - c. The proposal calls for the continuation of an existing stub street, and promotes a grid-type street network (Design Policy #13).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases residential density in a compact development(A-DN2-1; B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it creates multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways (D-CO4-2) and connects an existing stub street (A-DS13-1).
 - c. The request several criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and minimizes impact on adjacent development through the use of buffering elements (B-PR3-1).
 - d. The proposal meets the criteria for Site Design, as the development improves pedestrian connectivity in the area (C-LI8-1), and provides for programmed open space (D-PL4-1).
 - e. The plan meets the criteria for Building Form, as it scaled to respect the context of neighboring structures (A-DS4-2) and minimizes significant contrasts in scale, massing and design (A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00065 SAMUEL H. BRYAN, TRACT 8 (CARNES PROPERTY) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.
2. All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.

V. **ZONING ITEMS** - The Zoning Committee met on December 4, 2025, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Zach Davis, Larry Forester, Bruce Nicol, Johnathon Davis, Robin Michler, and Molly Davis. Staff members present were Traci Wade, Daniel Crum, Jeremy Young, Chris Chaney, Boyd Sewe, Paula Owens; and Tracy Jones and Brittany Smith, Department of Law.

A. **ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS**

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
- The petitioner concurs with the staff recommendations
- Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

B. **FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS** - Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff 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) (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)
- Hearing closed and Commission votes on zone change petition and related plan(s).

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

1. **DAILEY HOMES, LLC. MAP AMENDMENT REQUEST AND SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) DEVELOPMENT PLAN**

- a. **PLN-MAR-25-00018: DAILEY HOMES, LLC (1/29/26)*** – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Mixed Low Density Residential (R-2) zone for 3.267 net (3.488 gross) acres for property located at 2914 Clays Mill Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 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.

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

Note: The applicant is proposing the rezoning of the subject property to construct 41 single-family townhouse units. Additionally, the applicant proposes to extend Loretta Drive to the adjacent property line and provide a new access point on Clays Mill Road to increase connectivity for residents.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement for the following reasons:

1. The applicant should provide information relating to their public outreach efforts.
2. The applicant should provide further information regarding the following development criteria:
 - a. D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - b. B-PR7-1: Developments should be designed to minimize tree removal and to protect and preserve existing significant trees.
 - c. B-RE1-1: Developments should improve the tree canopy.
 - d. B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.

Staff Presentation – Mr. Jeremy Young oriented the Commission to the area of the zone change request on Clays Mill Road. He explained that the applicant is seeking a zone change from a Single Family Residential (R-1B) zone to a Mixed Low Density Residential (R-2) zone. Mr. Young shared aerial images of the subject property, surrounding zoning, and the roads that would be connected should the project be approved. He also shared renderings of the proposed designs of the townhomes.

During this presentation, Mr. Young referenced the initial concerns in the staff report, mainly a sinkhole on the property that was mapped in the Kentucky Geological Survey and emphasized the importance of on-site tree preservation if the project were to be approved. Mr. Young stated that the geotechnical investigation seemed inconsistent with the typical core drillings that would indicate a sinkhole. He also confirmed that, while the plan is a slightly denser proposal than the neighboring properties, it was not so extreme that it would appear out of place.

Mr. Young indicated that the staff now recommended approval in accordance with the reasons listed below:

1. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals, Objectives and Policies for the following reasons:
 - a. The request will help meet an increase in the demand for housing and provide a variety of housing options (Theme A, Goal 1, Objective b).
 - b. The request provides increased residential density on an underutilized parcel (Theme A, Goal 2, Objectives a and d).
 - c. The extension of Loretta Drive and the creation of a new connection to Clays Mill Road provide connectivity and street continuity (Theme A, Goal 3, Objectives b, d and e).
 - d. The additional street connection would provide a second access point for both neighborhood residents and emergency services (Theme A, Goal 4, Objective c).
 - e. The proposed pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal 2, Objective d; Theme D, Goal 1, Objective a).
2. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Policies of the Imagine Lexington 2045 Comprehensive Plan, for the following reasons:
 - a. The introduction of compact townhomes within the area provides additional housing choice at a higher density than currently exists within the area (Design Policy #8; Density Policy #4).
 - b. The request provides a pedestrian-friendly street pattern (Design Policy #5).
 - c. The proposal calls for the continuation of an existing stub street, and promotes a grid-type street network (Design Policy #13).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases residential density in a compact development (A-DN2-1; B-SU3-1).

- b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it creates multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways (D-CO4-2) and connects an existing stub street (A-DS13-1).
 - c. The request several criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and minimizes impact on adjacent development through the use of buffering elements (B-PR3-1).
 - d. The proposal meets the criteria for Site Design, as the development improves pedestrian connectivity in the area (C-LI8-1), and provides for programmed open space (D-PL4-1).
 - e. The plan meets the criteria for Building Form, as it scaled to respect the context of neighboring structures (A-DS4-2) and minimizes significant contrasts in scale, massing and design (A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00065 SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's Approval.

Commission Questions – Ms. Worth referenced a letter from Mr. William Burke, which referenced an agreement between Ms. Carnes and Dailey Homes. The letter stated that approximately 40 mature trees were removed as a condition of the sale, and that Dailey Homes paid for the removal. Mr. Young stated that there is no ordinance that precludes someone from removing trees on their property or property that they plan on purchasing prior to initiating the development plan process. Ms. Worth hoped that Council could find a way to better protect trees during the application process.

Ms. Molly Davis referenced concerns about bat habitat and the geotechnical survey's authenticity because it was not performed by a secondary disinterested party. Mr. Young stated that the Planning Commission has no stipulation over who performs the survey, and that the initial report appeared to be positive. Mr. Crum added that this was simply a preliminary development plan, and that there are still many steps to authenticate those findings, be it geological or environmental, before any development is approved.

Mr. Owens requested evidence of any similar housing to what was being proposed in the nearby area. Mr. Young stated that over the years, homes have gotten larger in the area, and that while there were no developments of these proportions, this was the natural next step in reference to the 2045 Comprehensive Plan. Ms. Galt reminded the Commission of similar homes nearby off of Pasadena Drive.

- b. PLN-MJDP-25-00065: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) (1/29/26)* – located at 2914 CLAYS MILL ROAD, LEXINGTON, KY

Note: The purpose of this plan is to depict building layout for 41 townhomes and future road connection in support of the requested zone change from a Single Family Residential (R-1B) zone to a Mixed Low Density Residential (R-2) zone.

Requirements Not Met:

1. Dimension standard driveway radius. (Traffic)
2. Replace "Tree Inventory" header above significant trees with "Significant Trees", and add existing canopy coverage percentage. (ZO Art. 26-4(b)) (Urban Forester)
3. Label tree protection areas. (ZO Art. 21-6(a)(11)) (Planning)
4. Addition of record plat (L-89) information. (ZO Art. 21-6(a)(2)) (Planning)

Waiver(s) Necessary:

1. PLN-WAV-25-00007: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) - requests a waiver for minimum intersection spacing. (LSR Art. 8-8(q)(2)(c))
 - Staff will report at the meeting.

Design Considerations:

1. Consider addition of traffic calming to the intersection by adding bulb outs to narrow the cross-sections. (Traffic)

2. A public sanitary sewer tap is required for each proposed lot before subdividing. (Engineering)

Plan Questions or Concerns:

1. Where will proposed stormwater basin connect or discharge to an existing system? (Engineering)
2. Discuss compliance with common open space standards of ZO Art. 20, and provide an open space exhibit or add note to plan. (Open Space)
3. Discuss width of proposed street and on-street parking. (ZO Art. 21-6(a)(6)) (Planning)
4. Discuss Placebuilder criteria.

The Subdivision Committee Recommended: Postponement. There are questions regarding the environmentally sensitive area (sinkhole).

Should the plan be approved, the following requirements should be considered:

1. Provided the Urban County Council approves the zone change to R-2; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Open Space Planner's approval of open space areas.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Provided the Planning Commission grants the requested waiver.
8. Correct all noted deficiencies listed as "requirements not met" herein.

Development Plan Presentation – Ms. Gallt oriented the Commission to the development plan. She provided overhead images of the newly proposed Holland Drive, and how it would connect to Loretta Drive. She discussed the proposed street width and the on-street parking. Ms. Gallt stated that the Staff now recommended approval of the development plan based on the following revised conditions:

Requirements Not Met:

1. Dimension standard driveway radius. (Traffic)
2. Add existing canopy coverage percentage. (ZO Art. 26-4(b)) (Urban Forester)
3. Addition of record plat (L-89) information. (ZO Art. 21-6(a)(2)) (Planning)

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

1. Provided the Urban County Council approves the zone change to R-2; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Open Space Planner's approval of open space areas.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Provided the Planning Commission grants the requested waiver.
8. Correct all noted deficiencies listed as "requirements not met" herein.

Commission Questions – Mr. Michler discussed the on-street parking for the proposed Holland Drive and expressed concern in regard to the lack of available public parking.

Ms. Gallt agreed that the space between the ends of the proposed driveways and the street aprons is not long enough to park a car, and that the Staff left that as a discussion item.

Mr. Michler noted that a large number of trees were removed to clear space for the development, and echoed Ms. Worth's curiosity about how, moving forward, the Commission could find a way to protect the natural landscape within proposed development projects.

Ms. Gallt referenced the development plan and pointed out the trees that remained on the property and reassured the Commission that the trees in question were removed before plan was filed.

Waiver Presentation- Mr. Chaney oriented the Commission to the specifics of the requested waiver for street spacing requirements. He explained the conditions of which the request can be approved by the Commission. He explained the applicant's proposal to create additional connections to Clays Mill Road, create an effective transportation network, and add meaningful ease of use for future development projects. He reassured the Commission that adding this additional point of access will not affect public safety or welfare. Mr. Chaney stated that the staff recommended approval of the waiver request for the following reasons:

1. Granting the requested waiver for reduced access spacing along a minor arterial will not adversely affect public health, safety, and welfare in compliance with the intent of the Land Subdivision Regulations. This proposal increases connectivity and redundancy in the local street network and no existing crash data exists for this portion of Clays Mill Road.
2. Granting the waiver is consistent with the intent of Article 1-5(a) of the Land Subdivision Regulations for Exceptional Hardship due to the size of the subject property and the existing street network.

Commission Questions – There were no further questions at this time.

Applicant Presentation – Attorney Charlotte McCoy presented herself as council to Dailey Homes. She began by thanking the Planning Staff for their hard work and taking the time to address questions raised by the Commission. She provided clarification regarding the removal of trees on the property before the Planning Commission saw the application. Matt Carter, Vision Engineering, stated that he spoke with Traffic Engineering to find ways to add traffic calming measures and ultimately decided to reduce Holland Drive to 24 feet and remove the option for on-street parking. He also mentioned that his company, based on evidence found during their investigation, believes that there is no sinkhole on the property, and instead believes it is a depression.

Commission Questions – Ms. Davis asked if there had been consideration of how many homes could be built without a zone change. Mr. Carter answered that without the requested zone change, based on the current planned street configuration, they would only be able to build around nine homes.

Citizen Comments – Eileen Lindsey, no address provided, argued that Clays Mill Road is not safe or efficient area of the site. She spoke about the dangers of turning onto Clays Mill Road and expressed opposition in adding too many homes into a small area.

John Rollins, 2116 Clays Mill Road, stated that there are four schools within a quarter-mile corridor and expressed concern with how the geotechnical report was executed.

Taylor Dunn asked the Planning Commission to postpone this project and echoed previous sentiments pertaining to public safety and traffic congestion.

Bob Sturdivant, President of the Pasadena Neighborhood Association, thanked the Commission for offering their time, and stated that in a three-mile stretch of Clays Mill Road there are 11 schools and three daycares. His neighborhood members were concerned for the safety of the children.

William Burke, 2917 Jason Court, stated that he has issue with the size and the scope of the proposed project and opposed the density associated with it.

Michael Harmon, 588 Cecil Way, expressed his opposition to opening up Loretta Drive and connecting it to Holland Drive. He stated that he is not opposed to development but does oppose taking away his quiet neighborhood.

Carolyn Elliot, 2929 Neal Drive, told the Commission that they have been misled, and that there are no similar homes that exist in the community.

Harry Byrd, Ashley Way, stated that he believes that the narrow road would impede trash and emergency vehicles from doing their job. He also stated that he would prefer fewer smaller, affordable homes to 41 expensive town homes.

Tim Beirise, 2904 Jason Court, asked the Commission to deny the request, stating that the homes would create too much density, and their dimensions would obstruct the views of his neighbors. He raised parking concerns regarding the narrow road and where those cars will park.

Phillip Tincher, 2916 Neal Drive, said that the proposed homes do not align with those already built in the neighborhood and asked for directions to find the results of a recently performed traffic study.

Whitney Payne, 627 Cecil Way, echoed Mr. Tincher's request for results of the recently performed traffic study and expressed her concerns regarding traffic safety in the neighborhood and around the school zones.

Kristen Vicini, 525 Ashley Way, stated that, as a recent home buyer in the neighborhood, she worries about traffic safety and the challenges associated with commuting on Clays Mill Road daily.

Michael Burrell, 2905 Loretta Drive, said he was concerned about the requested waiver for the project and the precedent it could set for other areas when they become available to be purchased and developed.

Applicant Rebuttal – Ms. McCoy reiterated that the narrowed road is intended to be a traffic calming method. She reassured the audience that the traffic study is available on Accela, and that adding another access point to Clays Mill Road is good for safety and offers residents an additional option to exit the neighborhood. Ms. McCoy also stated that the townhomes offer a secondary option to potential homebuyers who are looking for something different than what the neighborhood already provides.

Staff Comments – Traci Wade, Planning Manager, clarified that "heritage trees", as mentioned during public comment, are not mentioned in the Zoning Ordinance. She also stated that reducing the width of the street to 24 feet would require a waiver of the Land Subdivision Regulations, noting that the smallest street allowed is 27 feet.

Steve Parker, Division of Traffic Engineering, stated that the project engineer was contacted and informed that the regulation width for a street with no on-street parking is 27 feet. He also stated that there was space in the plan for 12 to 17 full sized cars to park along the street and reiterated that unless otherwise indicated, residential neighborhood street parking is for the public.

Embry Beatty, Division of Fire and Emergency Services, stated that when he reviews applications, he grants parking on both sides of the street to those streets of 30 feet in width, one sided street parking to those of 27 feet in width, and anything less than 27 feet, parking is fully restricted with no parking allowed. He emphasized the importance of firefighters being able to effectively do their job pertaining to public safety.

Commission Questions – Mr. Wilson sought clarification that the Commission would get an opportunity to see the proposal again before the process concludes. Ms. Wade confirmed that the Commission will have the chance to see this project again regardless of another waiver request because it will need a preliminary subdivision plan.

Action - Mr. Forester made a motion, seconded by Mr. Wilson, and carried 8-1 (Penn and Nicol absent, Davis opposed), to approve PLN-MAR-25-00018: DAILEY HOMES, LLC, for the reasons given by staff in the revised staff report.

Action - Mr. Forester made a motion, seconded by Mr. Wilson, and carried 8-1 (Penn and Nicol absent, M. Davis opposed), to approve PLN-WAV-25-00007: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) as presented by staff.

Action - Mr. Forester made a motion, seconded by Mr. Wilson, and carried 9-0 (Penn and Nicol absent), to approve PLN-MJDP-25-00065: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY), with the revised conditions presented by staff.

2. SUBTEXT ACQUISITIONS, LLC MAP AMENDMENT and HAZEN PROPERTY, MONTMULLIN STREET SUBDIVISION (EVER LEXINGTON) DEVELOPMENT PLAN

- a. PLN-MAR-25-00022: SUBTEXT ACQUISITIONS, LLC (2/1/26)* – a petition for a zone map amendment from a Single Family Residential (R-1E) zone and Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone for 0.51 net (0.61 gross) acres for property located at 118 Montmullin Street, 121 & 123 Prall Street, and a portion of 545-549 and 553 S. Limestone.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 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.

Note: The petitioner is proposing the Neighborhood Business zone to establish a high-density mixed-use building. The proposed development consists of an eight-story, 90-foot-tall mixed-use structure, with an integrated 215 space parking structure. The applicant is proposing a total of 170 residential units, with 491 bedrooms, and a density of 171 dwelling units per net acre. The request includes 1,000 square feet of first floor retail space, located along the S. Limestone frontage.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval for the following reasons:

1. The requested Neighborhood Business (B-1) zone with a Form-Based Neighborhood Business Project is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposal addresses a need for housing, and emphasizes the proposed increase in residential density along a major corridor (Theme A Goal #1.b & #1.d; Theme E, Goal #1.d). S. Limestone and Nicholasville Road are high-volume roadways that connect downtown to major employment and community activity areas.
 - b. The proposed development will be well connected, especially because it is located adjacent to future transit improvements and will improve the pedestrian facilities along Prall Street, Montmullin Street, and S. Limestone (Theme A, Goal #3.b).
 - c. The density and intensity of the proposed development will strengthen demand for transit along the corridor (Theme D, Goal #1.b).
2. The requested Neighborhood Business (B-1) zone with a Form-Based Neighborhood Business Project is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The activation of the first floor with retail, landscaping, and amenity spaces creates a people first/ pedestrian friendly design that will create inviting streetscapes. (Design Policy #1, #5, and #6).
 - b. The request responds to the context of the corridor, providing additional density and intensity (Design Policy #4; Density Policy #1 and #2).
 - c. By locating the parking internally, within parking structures, the proposed development enhances walkability and bikeability (Design Policy #7).
 - d. The request will provide additional housing options for this area, which is predominately characterized by student housing in single family structures (Design Policy #8).
 - e. The proposed amenities and open space areas will provide neighborhood-focused open spaces with the interior courtyard and neighborhood-focused retail on the first floor, facing S. Limestone (Design Policy #9 and #12).

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

Rec'd by _____

Date: _____

RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: **PLN-MAR-25-00018: DAILEY HOMES, LLC** – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Mixed Low Density Residential (R-2) zone for 3.267 net (3.488 gross) acres for property located at 2914 Clays Mill Road (Council District 10).

Having considered the above matter on **January 29, 2026**, at a Public Hearing, and having voted **8-1** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals, Objectives and Policies for the following reasons:
 - a. The request will help meet an increase in the demand for housing and provide a variety of housing options (Theme A, Goal 1, Objective b).
 - b. The request provides increased residential density on an underutilized parcel (Theme A, Goal 2, Objectives a and d).
 - c. The extension of Loretta Drive and the creation of a new connection to Clays Mill Road provide connectivity and street continuity (Theme A, Goal 3, Objectives b, d and e).
 - d. The additional street connection would provide a second access point for both neighborhood residents and emergency services (Theme A, Goal 4, Objective c).
 - e. The proposed pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal 2, Objective d; Theme D, Goal 1, Objective a).

2. The proposed Mixed Low Density Residential (R-2) zone is in agreement with the Policies of the Imagine Lexington 2045 Comprehensive Plan, for the following reasons:
 - a. The introduction of compact townhomes within the area provides additional housing choice at a higher density than currently exists within the area (Design Policy #8; Density Policy #4).
 - b. The request provides a pedestrian-friendly street pattern (Design Policy #5).
 - c. The proposal calls for the continuation of an existing stub street, and promotes a grid-type street network (Design Policy #13).

3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases residential density in a compact development (A-DN2-1; B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it creates multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways (D-CO4-2) and connects an existing stub street (A-DS13-1).
 - c. The request several criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and minimizes impact on adjacent development through the use of buffering elements (B-PR3-1).
 - d. The proposal meets the criteria for Site Design, as the development improves pedestrian connectivity in the area (C-LI8-1), and provides for programmed open space (D-PL4-1).

e. The plan meets the criteria for Building Form, as it scaled to respect the context of neighboring structures (A-DS4-2) and minimizes significant contrasts in scale, massing and design (A-DN2-2).

4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00065: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 13th day of February, 2026.


Secretary Jim Duncan

ZACH DAVIS
CHAIR

KRS 100.211(7) requires that the Council take action on this request by April 29, 2026.

Note: The corollary development plan PLN-MJDP-25-00065: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) and waiver PLN-WAV-25-00007: SAMUEL H BRYAN, TRACT 8 (CARNES PROPERTY) were approved by the Planning Commission on January 29, 2026, and the preliminary development plan was certified on February 12, 2026.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Charlotte McCoy, attorney for the applicant.**

OBJECTORS

- Eileen Lindsey
- John Rollins, 2116 Clays Mill Road
- Taylor Dunn
- Bob Sturdivant, President of the Pasadena Neighborhood Association
- William Burke, 2917 Jason Court

OBJECTIONS

- Stated that this development would add to the dangers of Clays Mill Road.
- Stated that there are four schools on Clays Mill Road and expressed concern with how the geotechnical report was executed.
- Asked the Planning Commission to postpone the project and expressed concerns about environmental impacts, traffic, and density.
- Stated that on a three-mile stretch of Clays Mill Road, there are 11 schools and three daycares, which impacts traffic and children's safety.
- Stated that he had a problem with the size and scope of the proposed project.

- Michael Harmon, 588 Cecil Way
 - Carolyn Elliot, 2929 Neal Drive
 - Harry Byrd, Ashley Way
 - Tim Beirise, 2904 Jason Court
 - Phillip Tincher, 2916 Neal Drive
 - Whitney Payne, 627 Cecil Way
 - Kristen Vicini, 525 Ashley Way
 - Michael Burrell, 2905 Loretta Drive
- Stated his opposition to opening up Loretta Drive and taking away his quiet neighborhood.
 - Told the Commission that they had been misled, and that there are no similar homes in the area.
 - Stated that he believes that the narrow road would impede trash and emergency service vehicles.
 - Stated his opposition to the proposed density.
 - Stated that the scale and scope of the proposal are out of character for the neighborhood.
 - Stated her desire to see a recently performed traffic study of the development area.
 - Stated her concerns about traffic safety and commuting on Clays Mill Road.
 - Stated his concerns about the requested waiver and the precedent it could set for future projects.

VOTES WERE AS FOLLOWS:

AYES: (8) Barksdale, J. Davis, Z. Davis, Forester, Owens, Wilson, Michler, and Worth

NAYS: (1) M. Davis

ABSENT: (2) Penn and Nicol

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-25-00018 carried.

Enclosures: Application
Justification
Supplemental Justification
Legal Description
Notification Map
Development Snapshot
Staff Report
Supplemental Staff Report
Applicable excerpts of minutes of above meeting