

Citizen Comments – Harsha Wijesiri, Andover Estates, acknowledged the need for housing in Lexington, but expressed concerns with the development's impact on traffic on Dabney Drive. He also requested a secondary look at the proposed detention basins to make sure neighboring properties wouldn't be flooded. Lastly, he encouraged the Commission to consider an effort to maintain a natural green space near the back of the development.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 7-0 (Penn, Owens, J. Davis, and M. Davis absent), to approve **PLN-MAR-26-00002: HILLPOINTE, LLC** for the reasons given by staff in the revised staff report.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 7-0 (Penn, Owens, J. Davis, and M. Davis absent), to approve **PLN-MJDP-26-00012: WHITE FARM**, with the revised conditions presented by staff.

2. **4184 TODDS, LLC MAP AMMENDMENT REQUEST AND CROSSROADS CHURCH (LOT 3) DEVELOPMENT PLAN**

- a. **PLN-MAR-26-00003: 4184 TODDS, LLC** (5/3/26)* – a petition for a zone map amendment from an Expansion Area Residential-1 (EAR-1) zone and Agricultural Rural (A-R) zone to an Expansion Area Residential-2 (EAR-2) zone and Medium Density Residential (R-4) zone for 2.33 net (2.77 gross) acres for property located at 4184 Todds 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.

Note: The petitioner is proposing to construct 20 townhomes on 2.33 acres. The applicant's proposal results in a total residential density of approximately 8.6 dwelling units per net acre.

The Zoning Committee Recommended: **Postponement.**

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

1. The applicant should provide information addressing the Community Design Element of the 1996 Expansion Area Master Plan.
2. The applicant should address the lots that exceed the maximum size for the proposed zone.
3. The applicant should provide further information on the following development criteria: a. A-DS5-3: Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.

Staff Presentation – Mr. Young oriented the Commission with the area of the zone change request located at 4184 Todds Road. He stated that the applicant is seeking to rezone the subject property in order to construct 20 single-family townhouse units. Mr. Young explained the proposed development in adjacent to the Urban Service Area, and used aerial images to show surrounding buildings, including Crossroads Church and explained the relationship with the new Urban Growth Management Plan.

Mr. Young expressed initial concerns by Staff pertaining to lot size, and compliance with the 1996 Expansion Area Master Plan, but stated that the applicant had submitted revised development plans addressing these issues.

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

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

1. The proposed Expansion Area Residential-2 (EAR-2) zone is in agreement with the 1996 Expansion Area Master Plan, for the following reasons:
 - a. The request provides additional variety in residential options within the area (Community Design Element #5).
 - b. The request expands an existing network of interconnected residential uses (Community Design Element #4).
 - c. Due to the expansion of the Urban Service Boundary in 2024, the development is no longer adjacent to the Rural Service Area (Community Design Element #7), therefore, a higher density will not impact the agricultural land use in the area.
2. The proposed Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives 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.a, #1.b and #1.d; Theme A, Goal #2.b).
 - b. The request increases residential density on an underutilized parcel (Theme A, Goal #2.a and #2.d).
 - c. 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.d; Theme D, Goal #1.a).
 - d. The development will maximize utility of the development while maintaining the character of adjacent development (Theme E, Goal #1.e).
3. The requested Medium Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal increases residential density while still being sensitive to the surrounding context and connecting into the adjacent developed properties (Design Policy #4; Density Policy #1 and #2).
 - 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 single-family detached structures or multi-family housing (Design Policy #8).
4. 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 a pedestrian connection between existing residential development and future development (A-DS5-1; A-DS4-1).
 - c. The request meets the 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).
5. This recommendation is made subject to approval and certification of PLN-MJDP-26-00007: CROSSROADS CHURCH (LOT 3), 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 – Mr. Michler noted that it was uncharacteristic to request a Medium Density Residential (R-4) zone change alongside a preliminary development plan for townhomes and questioned the reasoning behind the decision.

Mr. Young clarified that the decision was made to blend the existing Expansion Area Residential (EAR) zone with the proposed density that the applicant was trying to achieve through the project. He stated that the R-4 zone allows a smaller lot size necessary for the development to facilitate its design.

- b. **PLN-MJDP-26-00007: CROSSROADS CHURCH (LOT 3)** (5/3/26)* – located at 4184 TODDS ROAD, LEXINGTON, KY
Council District: 12
Project Contact: EA Partners

Note: The purpose of this plan is to depict the construction of 20 townhomes and associated parking, in support of the requested zone change from an Expansion Area-1 (EAR-1) zone and Agricultural Rural (A-R) zone to an Expansion Area-2 (EAR-2) zone and Medium Density Residential (R-4) zone.

Requirements Not Met:

1. Denote: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction. (ZO Art. 21(b)(1)) (Building Inspection)
2. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission. (ZO Art 21-6(b)&(c))
3. Addition of street cross-section for existing and proposed access easement. (ZO Art. 21-6(a)(6)) (Planning & Engineering)
4. Remove proposed property boundaries for Group Residential (ZO Art. 9-4 & Art. 8-1(f)) (Planning)
5. Denote the front and rear of the townhomes. (ZO Art. 21-6(a)(8)) (Planning)
6. Denote maintenance for common area, access easement, parking and stormwater. (ZO Art. 21-6(a)(6)) (Planning & Engineering)
7. Label landscape buffer areas for zone-to-zone, VUA, and perimeter. (ZO Art. 18-3) (Landscape Planning)
8. Provide open space exhibit that includes open space for group residential, and include open space requirements in the site statistics as a percentage. (ZO Art 20-2(b) & 3) (Open Space & Planning)
9. Continue roadway improvements to Todds Road similar to the previously developed apartment lot. (Traffic)
10. Provide a Tree Inventory Map as a separate document with all required information. (ZO Art. 26-4(b)) (Urban Forester)
11. Add purpose note for the amendment to the development plan. (ZO Art. 21-7(d)(2)) (Engineering)
12. Depict all existing and proposed easements. (ZO 21-6 (a)(10) (Engineering)
13. Label the proposed access easements for the access to the townhouse properties. (Engineering)

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. The Garden Estates pump station, that you will most likely connect to, is private. (DWQ-Sanitary)

Plan Questions or Concerns:

1. Discuss 20' side yard between buildings. (ZO Art. 21-6(a)(8)) (Planning)
2. Discuss sewer connection to commercial. (ZO Art. 21-6(a)(10)) (Planning & Engineering)
3. Discuss improvements to Todds Road for curb, gutter, and sidewalk. (ZO Art. 21-6(a)(6)) (Planning)
4. Is a dumpster planned for this location? (Waste Management)
5. Discuss frontage and access to right-of-way. (Planning & Traffic)
6. Are the driveways supposed to be access easements? (Engineering)
7. Is a sanitary sewer tap available for each proposed lot? (Engineering)
8. What is the proposal for stormwater management? (ZO Art. 21-6(a)(9) & SWM 1.5.6) (Engineering)
9. Discuss Placebuilder criteria.

The Subdivision Committee Recommended: **Postponement**. The depicted lotting and sewer do not meet the Zoning Ordinance and Land Subdivision Regulations.

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

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

1. Provided the Urban County Council approves the zone change to EAR-2 and R-4; 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 the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation – Ms. Cheryl Gallt oriented the Commission with the revised development plan. She emphasized the requirement for open space had changed due to the revised plan from the applicant which placed each townhome on an individual lot and provided shared open space within the development.

Ms. Gallt presented a revised staff report which included the following requirements and conditions:

Requirements Not Met:

1. Addition of street cross-section for proposed access easement across the development. (ZO Art. 21-6(a)(6)) (Planning & Engineering)
2. Provide open space exhibit that includes open space for group residential, and include open space requirements in the site statistics as a percentage. (ZO Art 20-2(b) & 3) (Open Space & Planning)
3. Label the proposed access easements for the access to the townhouse properties. (Engineering)
4. Addition of missing information on adjacent property.

Conditions of Approval:

1. Provided the Urban County Council approves the zone change to EAR-2 and R-4; 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 the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Ms. Gallt concluded by stating that the staff now recommended approval. She offered to answer any questions from the Planning Commission.

Applicant Presentation – Attorney Wes Harned, council for the applicant, thanked the staff for their effort to most appropriately develop an underutilized and unique plot of land. He stated he agrees with the staff's new recommendation of approval.

Rory Kahly, EA Partners, reiterated that the reason the open space plan was not a requirement was due to the type of development, and the usage number of units being less than 25.

Commission Questions – Mr. Wilson sought clarification about what kind of community engagement the applicant participated in and what kind of feedback they received.

Mr. Harned explained that Crossroads Church allowed them a space to host a community meeting, but only one person attended.

Mr. Michler expressed concerns about the backs of the homes facing Todds Road.

Mr. Kahly stated that the project was intended to be an interior development, and that the mailboxes and dumpsters were all located within the center of the project.

Mr. Harned added that the orientation of the development created a sense of community.

Mr. Michler acknowledged that the proposed development made sense for its location but would like to see future projects facing public roads.

Ms. Worth requested that the applicant maintain as much of the tree canopy as possible.

Staff Comments – Ms. Wade added that half of the townhomes depicted in the development plan have frontage on a public street (Todds Road). She stated that the other half of the townhomes will have frontage on an access easement, and that is often an accepted design solution. She noted that staff agrees that residential frontage facing the corridor is positive as opposed to the backyards of housing.

Ms. Worth suggested to Mr. Michler that he introduce the topic of public road residential frontage at a future work session.

Action – Mr. Wilson made a motion, seconded by Ms. Worth, and carried 7-0 (Penn, Owens, J. Davis, and M. Davis absent), to approve **PLN-MAR-26-00003: 4184 TODDS, LLC** based upon the findings presented by staff.

Action – Mr. Wilson made a motion, seconded by Ms. Worth, and carried 7-0 (Penn, Owens, J. Davis, and M. Davis absent), to approve **PLN-MJDP-26-00007: CROSSROADS CHURCH (LOT 3)**, with the revised conditions provided by staff.

Note: Mr. Forester left the meeting at 2:08pm.

VII. COMMISSION ITEMS

- A. **LEXINGTON'S PRESERVATION AND GROWTH MANAGEMENT PROGRAM** – a public hearing to addend the 2023 Comprehensive Plan: Imagine Lexington 2045 by incorporating Lexington's Preservation and Growth Management Program (LPGMP).

Staff Presentation – Hal Baillie, Long Range Planning Manager, presented the Commission with a review of completed objectives from the Imagine Lexington 2045 Plan and introduced the final step of the process, which is to incorporate the Urban County Council's input, and adopt a new process to review the Urban Services area and add that program as an amendment to the elements of the Comprehensive Plan.

Mr. Baillie emphasized the importance of adopting a data-driven program that would allow the Planning Staff to make better, more informed recommendations when addressing Lexington's growth needs while allowing the Comprehensive Plan to have a broader focus.

Commission Questions – Mr. Wilson sought clarification as to who makes the final decision in adopting Lexington's Preservation and Growth Management Program (LPGMP).

Mr. Baillie explained that the Urban County Council makes the final decision on whether Lexington will expand the Urban Service Area, as for where and how, that decision is made by the Planning Commission. He added that this process will only begin when data indicates that there is a lack of residential land within the Urban Service Area.

Mr. Michler expressed concern with the formula provided by staff, stating he believed that if the formula and proposal were adopted into the Comprehensive Plan, they would push Lexington further away from its goals, rather than closer. He referenced a past data-driven process concerning parking minimums, and attributed Lexington's over development of parking lots to it. He likened this process to that of the past plan and reiterated his reservations.

Mr. Baillie reassured the Commission that they would have first review of any future implementation through the Comprehensive Plan, and a secondary review through the Growth Trends Report.

Mr. Nicol stated that he believed a data-driven approach to Lexington's growth is exactly how the staff should proceed and thanked Mr. Baillie for his efforts in creating the proposed plan.