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January 17, 2024

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

Re: Revised Statement of Justification
Proposed zone change for 802 and 804 Golfview Drive

Dear Chairman Forester and Members of the Planning Commission:

This is a revised statement of justification for the zone change at 802 and 804 Golfview Drive. The only changes from the letter dated January 2, 2024 relate to the variance request.

This letter is written on behalf of Anthony Humphress, who is filing a zone change application and development plan for the property at 802 and 804 Golfview Drive. The property consists of approximately one-half net acre. The property is currently zoned R-1C, Single-Family Residential. We are requesting a zone change to the Townhouse Residential (R-1T) zone in order to allow the construction of ten townhouse units on the property.

DESCRIPTION OF THE PROJECT

The subject property is currently the site of two older, single-family detached houses and garages. It is located on two stub streets: Golfview Drive and Garrison Avenue. Both streets stub into the Gay Brewer, Jr. Golf Course at Picadome.

The project is designed to orient to Golfview Drive, with front doors and walkways all accessing Golfview Drive. Vehicular access and parking will be to the rear of the units.

The units are designed so that they will overlook the golf course and associated open space. In addition, the development is two blocks from Addison Park and a ten-minute walk from a Lex Tran route.

GOALS AND OBJECTIVES OF THE 2045 COMPREHENSIVE PLAN

This proposal is in agreement with the Goals and Objectives of the 2045 Comprehensive Plan. It supplies an attached, single-family housing option in this neighborhood which is predominantly single-family detached.

This development is in agreement with Goal A.1., Expanding Housing Choices, by supplying a townhouse choice in this area. It helps to accommodate the demand for housing in Lexington responsibility, prioritizing higher density and a mixture of housing types (Objective A.1.b.). Similarly, this development supports infill and redevelopment as a strategic component of growth (Goal A.2.). These two lots present an opportunity for infill, redevelopment and will add a housing choice to the neighborhood (Objective A.2.a.). It will be consistent with the context of the surrounding area as it will orient to Golfview Drive with parking behind the units. (Objective A.2.b.). The development provides a well-designed community (Goal 3), which will expand housing options in this area (Objective A.3.a.). By orienting the units to the street and providing front door pedestrian access on Golfview Drive, it provides for positive and safe social interactions in neighborhoods and reinforcing pedestrian connections. A new sidewalk will be provided along Golfview Drive (Objective A.3.b.). Residential units will be placed close to Golfview Drive to minimize disruption of natural features (Objective A.3.c.). Street trees and new sidewalk will be provided (Objective A.3.d.). A Lex Tran route and bus stops are a ten-minute walk away (Objective A.3.e.). Thus, community facilities will be addressed at a neighborhood scale (Goal 4).

This development provides additional housing choice in an established area of the community which has walking access to Addison Park and walking access to Lex Tran. There is easy access to downtown and to the university area. The project complies with Theme B, Goal 2, to mitigate local impacts of climate change. Thus, multi-model options are provided that de-emphasize single-occupancy vehicle dependence (Objective B.2.d.). The development complies with Theme D, improving a desirable community. This development will allow residents to enjoy the scenic vistas of the golf course, walk to Addison Park, walk to Lex Tran routes with access to downtown and the university, supporting Theme D, Goal 2, to focus on people-first development to meet the health, safety and quality of life needs of Fayette County's residents.

Finally, by providing additional single-family, attached residences in a developed area of the community, this project helps uphold the Urban Service Area concept (Goal E.1.). It promotes redevelopment of underutilized land in a manner that enhances existing urban form (Objective E.1.e.).

POLICIES

This proposal is also in agreement with the policies of the 2045 Comprehensive Plan.

The development is sensitive to the surrounding area. It will be a single-family detached development. The project will be pedestrian-activated, and parking will be in the rear (Design Policy 4). It will be pedestrian-friendly with street facing front door entrances, parking in the rear, and new sidewalk on Golfview Drive (Design Policy 5). The rear parking lot will enhance

walkability and bikability in the area (Design Policy 7). Townhouses will provide a housing choice in this single-family detached neighborhood (Design Policy 8). A neighborhood park is located within two blocks and a public golf course is adjacent (Design Policy 9). This new development is re-investment in this neighborhood (Design Policy 10).

This development increases density with neighborhood-friendly design, utilizing pedestrian-oriented units, oriented to Golfview Drive with parking in the rear (Density Policy 2). The proposed development utilizes compact, attached, single-family development. (Design Policy 4). The development will provide additional new housing (Equity Policy 3). This is a compact development, which helps reduce air pollution by providing development close to transit and the university (Sustainability Policy 3). By adding sidewalks to Golfview Drive, we increase access for those who do not drive (Connectivity Policy 2). Street trees will be provided. (Support Policy 10).

ENGAGEMENT

The applicant has scheduled meetings with officers of the Golfview Estates Association regarding the development.

PLACE-TYPE, DEVELOPMENT-TYPE AND REQUESTED ZONE

This proposal fits within the Enhanced Neighborhood Place-Type, and within the Low-Density Residential (LR) Development-Type. We are requesting Townhouse Residential (R-1T) zone, which is a recommended zone for this Place-Type and Development-Type.

DEVELOPMENT CRITERIA

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

- **A-DN2-1, A-DN4-1 and B-SU3-1.** This development is an infill residential development which increases density and provides new, compact, single-family housing types in this area.
- **C-LI6-1.** Although this development does not provide accessory dwelling units or affordable housing, it does provide an additional housing choice, single-family attached, in this single-family detached area.
- **C-LI7-1.** This development adds an additional use to this neighborhood, with pedestrian-oriented units, new sidewalk and it is within walking distance of Addison Park and transit routes.
- **D-PL7-1.** As mentioned above, the applicant is holding discussions with stakeholders.

- **E-ST8-2 and E-GR3-1.** This development fronts its units on Golfview Drive with pedestrian access. Vehicular access is to the rear. It is within close walking distance of Addison Park, and it is adjacent to the city-operated golf course.
- **E-GR9-1.** The design of the units would allow live-work or live-study arrangements if desired by the residents.
- **A-DS1-1 and A-DS1-2.** These criteria relate to mass transit. As mentioned above, this property is within a ten-minute walk of mass transit routes.
- **A-DS4-1.** This property is immediately adjacent to the city operated golf course, which presents many opportunities for pedestrian multi-model networks to adjacent neighborhoods via greenways. However, that would be controlled by the Urban County Government.
- **A-DS5-1.** The owner will construct additional sidewalk along Golfview Drive to enhance pedestrian connectivity.
- **A-DS10-1 and A-DS11-1.** Greater pedestrian connections are available to Addison Park and to the Red Mile area.
- **A-DS13-1.** This property currently is at the end of two stub streets. Any connection of those streets would be subject to actions of the adjoining property owner, the LFUCG.
- **D-CO1-1, D-CO2-1 and D-CO2-2.** The local government completed a community development project approximately 35 years ago in this neighborhood, which widened streets and provided sidewalks, but did not provide a sidewalk on this property. The sidewalk will be provided along Golfview Drive by the Applicant. Good pedestrian connections will be continued.
- **D-CO4-1.** As mentioned above, this property is located on two stub streets. Any continuation of those streets would be subject to the Urban County Government, which owns the adjacent property.
- **B-PR2-2.** There is currently no greenway network, although it would be possible if the city decided to utilize a portion of the golf course for the network.
- **B-PR10-1.** It is planned that lighting will be “coach-type lights,” mounted on the walls.
- **B-SU4-1.** The parking shown is less than the amount of parking required by the old ordinance.
- **B-SU5-1.** The project will be new construction which will meet current energy codes and provide energy-efficient appliances.

- **B-RE5-1 and B-RE5-2.** There is a flood plain on the rear of this property. Although it will be placed on individual lots, the owner plans to put the flood plain under common management or a homeowner's association.
- **A-DS7-1.** Parking is oriented to the rear of this development.
- **A-DS9-1 and A-DS9-2.** This tract consists of one-half acre. The focal points are the open space of the golf course, which is immediately adjacent, and an active recreation area at Addison Park, which is two blocks away.
- **A-EQ9-2.** Each unit will have a deck, which will be individually delineated. As mentioned above, the flood plan area in the rear will be under common management or a homeowner's association.
- **A-DS8-1.** This development will provide attached housing types within the single-family detached area, as called for in this criteria.

VARIANCE REQUEST

The applicant is also requesting a variance in the setback from the 100-year floodplain from 25 feet to 5 feet.

All the townhomes and their associated decks will be outside the floodplain. The variance request affects the buildings of only Units 9 and 10. At its closest, Unit 10 is set back 15 feet from the floodplain. The proposed townhome buildings will be farther back from the floodplain than is the existing house. Currently, the existing house is 7.8 feet behind the 100-year floodplain. At its closest, Unit 10 will be 15 feet back from the floodplain.

The variance will affect mainly the rear second floor decks. All of our decks will be **outside** the 100-year floodplain. (Please note that decks, gazebos and shelters are actually allowed **inside** the floodplain and also inside the 25-foot setback under the City's Stormwater Manual). As mentioned, all decks are outside the floodplain but will be within the 25 foot setback on some of the units. The decks provide an additional amenity and private, outdoor living space for each of the units. They overlook the green space of the golf course. The proposed decks are farther back from the floodplain than is the existing deck.

The floodplain goes to an elevation of approximately 921 feet. Our finished floor elevations will be approximately 925 feet, four feet above the elevation of the floodplain. The variance will, of course, be reviewed by the Division of Water Quality and other appropriate agencies.

This is a shallow lot, only 100 feet in depth. Without the variance, it would be impossible to construct a townhouse unit with sufficient depth and with a deck to supply additional outdoor living space. Without the variance, we could build a unit with only 23.7 feet in depth. With the variance we can build a reasonable unit with 33 feet in depth.

Thus, we are requesting this variance for the following reasons:

1. Granting this variance will not adversely affect the public health, safety or welfare and will not alter the character of the general vicinity and will not cause a hazard or nuisance to the public because the new townhome units and decks will be set back farther from the floodplain than the existing house and deck on the property. The townhome units will be at an elevation four feet above the existing floodplain. This request also must be approved by other local and state agencies.

2. Granting this variance will not allow an unreasonable circumvention of the requirements of this zoning ordinance because the new townhome units and decks will be located farther back from the floodplain than the existing house and deck on the property. The new townhome units and decks will be at an elevation four feet above the 100-year floodplain level. It will allow the applicant to supply attached single-family housing in this neighborhood which is predominately detached single-family residential.

3. The special circumstances which apply to this property and which do not generally apply to the land in the general vicinity or in the same zone are that this is a shallow lot with only 100 feet of depth. As mentioned above, the townhomes and decks will be located farther back from the floodplain than the existing single-family house and deck. Without the variance, a reasonably sized townhome unit could not be constructed.

4. The strict application of the regulations of the Zoning Ordinance would deprive the applicant of a reasonable use of his land or create an unnecessary hardship because the units will be built at an elevation four feet above the 100-year floodplain. Strict application would prevent the applicant from constructing reasonably sized units with outdoor living space on the property. The new units and decks will be located farther back from the floodplain than the existing single-family house and deck on the property.

5. The circumstance surrounding the requested variance are not the result of the actions of this applicant, taken subsequent to the regulations from which relief is sought. The applicant is going through all appropriate processes to request this variance prior to commencement of any construction on the property.

CONCLUSION

Our proposal will allow redevelopment of a parcel to provide an attached, single-family housing choice in this established area of the community. It will utilize the focal points of the vistas over the golf course and the active recreation available in the city park, two blocks away. It will provide additional housing in this portion of the community and will be an attractive addition to the neighborhood.

Thank you for your consideration of this zone change and variance request.

Sincerely,



Richard V. Murphy,
Attorney for Anthony Humphress

RVM/prb

ENHANCED NEIGHBORHOOD

On Plan

written

Not Applicable

ENHANCED NEIGHBORHOOD - LOW DENSITY RESIDENTIAL

LAND USE

- A-DN2-1 Infill residential should aim to increase density.
- A-DN4-1 Provide new compact single-family housing types.
- B-SU3-1 Development should provide compact and/or mixed use development.
- C-L16-1 ADUs and/or affordable housing options should be incorporated into existing and new single-family residential development. (A-DN5)
- C-L17-1 Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS15-2 Improve options for affordable and nutritious food where not currently available
- D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-SP1-1 Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets. (A-EQ7)
- D-SP9-1 Encourage co-housing, shared housing environments, planned communities and accessory dwelling units for flexibility and affordability for senior adults and people with disabilities.
- E-ST8-2 Development should provide community oriented places and services.
- E-GR3-1 Development should meet recreational needs by following the recommendations of the Parks Master Plan
- E-GR9-1 Live/work units should be incorporated into residential developments.
- E-GR9-3 Less intense multi-family residence types should be incorporated into primarily single-family detached areas.

TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

- A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
- A-DS1-2 Accessible pedestrian linkages to transit should be provided.
- A-DS4-1 A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.

ENHANCED NEIGHBORHOOD - LOW DENSITY RESIDENTIAL

- A-DS5-1 Safe multi-modal facilities should be provided to ensure vehicular separation from bicycles, pedestrians and other modes of transport.
- A-DS5-2 Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape.
- A-DS10-1 New developments should incorporate clear and dedicated connections to nearby community anchors.
- A-DS11-1 Street layouts should provide clear, visible access to neighborhood-focused open space and greenspaces
- A-DS13-1 Stub streets should be connected.
- C-PS10-1 Flexible parking and shared parking arrangements should be utilized.
- D-C01-1 Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.
- D-C02-1 Development should create and/or expand a connected multimodal transportation network that satisfies all users' needs.
- D-C02-2 Development should comply with Lexington's Complete Streets Policy.
- D-C04-1 Dead-end streets and cul-de-sacs should be discouraged.
- D-C04-2 Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.
- D-C04-3 Street pattern and design should consider site topography and minimize grading where possible.
- D-C05-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.

ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

- B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
- B-PR2-2 Development should include regularly spaced access with an adequate width to the greenway network and conservation areas.
- B-PR3-1 Minimize impact of development adjacent to land conservation properties through buffering.
- B-PR7-1 Developments should be designed to minimize tree removal and to protect and preserve existing significant trees.

- B-PR9-1** Minimize grading and topsoil disturbance by utilizing the existing topography to the greatest extent possible and preserving key natural features.
- B-PR10-1** Development should avoid overlighting and upward directed lighting.
- B-SU4-1** Development should minimize and/or mitigate impervious surfaces.
- B-SU5-1** Developments should incorporate energy efficient systems and renewable energy resources (i.e. wind, solar, etc.).
- B-SU9-1** Green Stormwater Infrastructure (GSI) should be implemented in new development.
- B-SU11-1** Development should incorporate low impact landscaping and native plant species
- B-RE1-1** Developments should improve the tree canopy. 3)
- B-RE2-1** Lexington's green infrastructure network, including parks, trails, greenways, or natural areas should be highly visible and accessible.
- B-RE5-1** Dividing floodplains into privately owned parcels with flood insurance should be avoided.
- B-RE5-2** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- B-RE5-3** Developments within the Royal Springs Aquifer should consult with the Royal Springs Water Supply Protection Committee.

Prioritize street trees in the planting strip

SITE DESIGN

- A-DS7-1** Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
- A-DS9-1** Development should provide active and engaging amenities within neighborhood focused open spaces.
- A-DS9-2** Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities.
- A-EQ9-1** School sites should be appropriately sized.
- A-EQ9-2** Shared open spaces should be easily accessible and clearly delineated from private open spaces.
- C-L18-1** Development should enhance a well-connected and activated public realm.

- C-PS10-2** Over-parking of new developments should be avoided.
- D-PL4-1** Enhance open space through the provision of programmatic elements and amenities
- D-SP1-2** School design should prioritize a high percentage of open and accessible street frontage.
- D-SP2-1** Visible, usable greenspace and other natural components should be incorporated into school sites.
- D-SP3-1** Adequate right-of-way, lease areas and easements for infrastructure, with emphasis on wireless communication networks should be provided to create reliable service throughout Lexington.
- D-SP3-2** Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping used to improve the visual impact from the roadway and residential areas.

BUILDING FORM

- A-DS3-1** Multi-family residential developments should comply with the Multi-family Design Standards in Appendix A.
- A-DS5-3** Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.
- A-DS8-1** Where single family detached residential units are provided, a variety of other housing types should be regularly interspersed along the street frontage.
- E-GR4-1** Developments should incorporate reuse of viable existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.