

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.