

ORDINANCE NO. 013 - 2026

AN ORDINANCE CHANGING THE ZONE FROM A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE TO A CORRIDOR BUSINESS (B-3) ZONE, FOR 0.658 NET (0.885 GROSS) ACRES FOR PROPERTY LOCATED AT 2788 RUBY RIVER DRIVE (A PORTION OF). (ANDERSON VILLAGE AT GREAT ACRES; COUNCIL DISTRICT 2).

WHEREAS, at a Public Hearing held on December 18, 2025, a petition for a zoning ordinance map amendment for property located at 2788 Ruby River Drive (a portion of), from a Planned Neighborhood Residential (R-3) zone to a Corridor Business (B-3) zone, for 0.658 net (0.885 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 10-0; 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 2788 Ruby River Drive (a portion of), from a Planned Neighborhood Residential (R-3) zone to a Corridor Business (B-3) zone, for 0.658 net (0.885 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That, under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are imposed via conditional zoning for the B-3 zone on the subject property:

1. Prohibited Uses:

- a. Establishments and lots for the display, rental, sale, service and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
- b. Drive-in restaurants.
- c. Indoor amusements, such as billiard or pool halls; dancing halls; skating rinks; miniature golf or putting courses; theaters or bowling alleys.
- d. Tattoo parlors.
- e. Carnivals and circuses.
- f. Pawn shops.
- g. Adult arcades, massage parlors, adult book stores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.

- h. Advertising signs as regulated under Article 17 of the Zoning Ordinance (billboards).
- i. Hotels and motels.
- j. Cocktails lounges and nightclubs as principal uses.
- k. Outdoor recreational facilities, including go-cart tracks; archery courts; skate-board and roller skating tracks; trampoline centers; rifle and other firearm ranges; water parks; and other similar uses.

These restrictions are appropriate in order to protect the adjacent residential properties from the possible negative impacts of the most intense business uses permitted in the B-3 zone, and to more fully implement the Comprehensive Plan.

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: February 12, 2026



MAYOR

ATTEST



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: February 20, 2026-1t

Rec'd by _____

Date: _____

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

IN RE: PLN-MAR-25-00023: ANDERSON VILLAGE AT GREAT ACRES, LLC a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Corridor Business (B-3) zone for 0.658 net (0.885 gross) acres for property located at 2788 Ruby River Drive (a portion of). (Council District 2)

Having considered the above matter on **December 18, 2025**, at a Public Hearing, and having voted **10-0** 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:

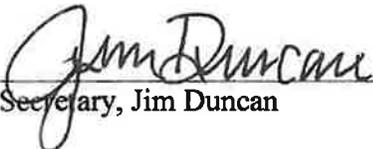
1. The proposed Corridor Business (B-3) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request would integrate well with the existing development and provide a transitional area for future, higher-density development (Theme A, Objective #2.b).
 - b. The request would create opportunity for business and job growth (Theme C, Goal #2.a).
 - c. The request would improve Lexington's transportation network by providing for pedestrian, bicycle and vehicular access (Theme A, Goal #3.d; Theme D, Goal #1.a, #1.b, and #1.d).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request provides pedestrian connections to Leestown Road and the adjacent neighborhood (Design Policy #1).
 - b. Although this proposed development does not provide the density that the Comprehensive Plan calls for along our corridors, the proposed zone would allow for additional opportunities for growth or redevelopment that would build towards greater density in the area (Design Policy #4).
 - c. The proposal provides infrastructure for a variety of transportation modes with sidewalk connections to Leestown Road and Ruby River Drive as well as bike lanes and transit connections along Leestown Road (Design Policy #5 and #6).
3. The justification statement and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed development meets the criteria for Transportation, Connectivity and Walkability and is located in an area accessible by pedestrians, cyclists, motorists and transit users (A-DS4-1) and reflects the desired Place-Type (D-CO1-1).
 - b. The plan meets the criteria for Land Use as the site is conveniently located near neighboring residential areas (A-DS12-1).
 - 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 increases tree canopy (B-RE1-1).
 - d. The proposal meets the criteria for Site Design, as the applicant reduced the parking area in response to concerns from staff and the Zoning Committee (C-PS10-2) which eliminated the need for a variance.
 - e. The plan meets the criteria for Building Form, as the request is scaled appropriately for the area (A-DS4-2) and can create a context sensitive transition to higher density development.
4. This recommendation is made subject to approval and certification of **PLN-MJDP-25-00071 GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES) (AMD)** prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

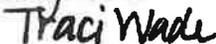
5. This recommendation of approval is subject to the following conditional zoning restrictions: Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning for the B-3 zone on the subject property:

PROHIBITED USES

- a. Establishments and lots for the display, rental, sale, service and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
- b. Drive-in restaurants.
- c. Indoor amusements, such as billiard or pool halls; dancing halls; skating rinks; miniature golf or putting courses; theaters or bowling alleys.
- d. Tattoo parlors.
- e. Carnivals and circuses.
- f. Pawn shops.
- g. Adult arcades, massage parlors, adult book stores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
- h. Advertising signs as regulated under Article 17 of the Zoning Ordinance (billboards).
- i. Hotels and motels.
- j. Cocktails lounges and nightclubs as principal uses.
- k. Outdoor recreational facilities, including go-cart tracks; archery courts; skate-board and roller skating tracks; trampoline centers; rifle and other firearm ranges; water parks; and other similar uses.

ATTEST: This 9th day of January, 2026.


Secretary, Jim Duncan

by 
Traci Wade

ZACH DAVIS
CHAIR

KRS 100.211(7) requires that the Council take action on this request by March 18, 2026.

Note: The corollary development plan, **PLN-MJDP-25-00071: GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES, LOT 9) (AMD)** was approved by the Planning Commission on December 18, 2025 and certified on December 30, 2025.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Dick Murphy, for the applicant.**

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (10) Barksdale, J. Davis, Z. Davis, Forester, Michler, Owens, Penn, M. Davis, Worth, and Wilson

NAYS: (0)

ABSENT: (1) Nicol
ABSTAINED: (0)
DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-25-00023** carried.

Enclosures: Application
Justification
Supplemental Justification
Legal Description
Property 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: ANDERSON VILLAGE AT GREAT ACRES LLC, 1255 PROVIDENCE PLACE PKWY, LEXINGTON, KY 40511
Owner(s): ANDERSON VILLAGE AT GREAT ACRES LLC 1255 PROVIDENCE PLACE PKWY LEXINGTON KY 40511
Attorney: Richard Murphy, 250 West Main Street, Suite 2510, Lexington, KY 40507

2. ADDRESS OF APPLICANT'S PROPERTY

2788 RUBY RIVER DR LEXINGTON KY 40511

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

Zoning	Existing		Requested		Acreage	
	Zoning	Use	Zoning	Use	Net	Gross
R-3		vacant	B-3	office	0.658	0.885

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" 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 type="checkbox"/> NO

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



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RICHARD V. MURPHY

CHRISTOPHER M. CLENDENEN

November 3, 2025

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

Re: Proposed zone change for a portion of 2788 Ruby River Drive

Dear Chairman Davis and Members of the Planning Commission:

This letter is written on behalf of Anderson-Village at Great Acres, LLC, which is filing a zone change application for a portion of the property located at 2788 Ruby River Drive. We are requesting a zone change from the R-3 (Planned Neighborhood Residential) to the B-3 (Corridor Business) zone.

DESCRIPTION OF PROJECT

The property at 2788 Ruby River Drive is a part of the Villages at Great Acres, which is a new, thriving residential community located on Leestown Road.

As you know, the Villages at Great Acres is a mixed-use community, which includes townhomes, apartment homes and a community commercial area. There is community greenspace, public art, pedestrian and bicycling trails, a village green and a village center including shops, offices and restaurants. The design emphasizes a sense of location and community. The community has been very attractive to young professionals, retirees and many others.

The purpose of the zone change is to allow the University of Kentucky Federal Credit Union to locate in Great Acres. The credit union will supply a needed service to the approximately 1300 residents who will live in Great Acres upon completion and to the thousands of households in Masterson Station, McConnell's Trace and the other neighborhoods along Leestown Road.

The lot on which the credit union will locate is currently split-zoned between R-3 and B-3. We are requesting that the entire lot be zoned B-3 for the credit union building. The lot has two frontages, one on Ruby River Drive to the north and one on Leestown Road to the south. However, the only access will be off of Ruby River Drive. The orientation of the building and the front door will be toward Ruby River Drive and the residential portion of Great Acres to the immediate north,

similar to the orientation and access of the Starbucks, which is adjacent. With the orientation to the residential neighborhood, it will be within easy walking or bicycling distance of the residents in the neighborhood.

GOALS AND OBJECTIVES OF THE 2045 COMPREHENSIVE PLAN

This proposal is in agreement with the Goals and Objectives of the 2045 Comprehensive Plan. Although this is a small zone change, it will promote the vitality of Great Acres and surrounding neighborhoods by providing access to a popular financial institution which emphasizes individualized service to working people. Thus, it will support Theme A, Growing and Sustaining Successful Neighborhoods. By utilizing this vacant parcel, it will support Goal A.2. and Objective A.2.a. The proposal will meet the design guidelines of Great Acres, thus respecting the context and design features of the development, as called for in Objective A.2.b. The proposal will support Goal A.3., providing well-designed neighborhoods and communities by providing a building in scale with the neighborhood and meeting the neighborhood design guidelines. A busy credit union which is pedestrian accessible will provide safe social interactions in the neighborhood (Objective A.3.b.). The lot is relatively flat which will minimize disruption of natural features when building (Objective A.3.c.). The credit union will be a neighborhood-enhancing element, supporting Objective A.3.d. It will have ample street and sidewalk connections in this new development (Objective A.3.e.). Similarly, this financial institution will address community facilities at a neighborhood scale (Goal A.4.) by having its orientation to the residential community, rather than Leestown Road. It will support Objective A.5.a. by promoting an integrated walkable, accessible neighborhood for all residents.

The credit union will not only provide financial services to the residents; it will create jobs. (Theme C.). It will provide approximately 8 jobs, which will support a living wage and lead to prosperity (Objective C.1.a.). This financial sector business will enable infill that creates jobs where people live (Objective C.2.a.). The project will provide a safe and accessible built environment through activated and engaging site design (Objective D.2.a.).

Finally, the proposal will assist in maintaining the Urban Service Area concept (Goal E.1.), by developing this underutilized corridor, maximizing development on vacant land and continuing to activate this large land holding within the Urban Service Area (Objectives E.1.d., e., and f.).

THEMES AND POLICIES

Our proposal successfully addresses the Themes and Policies of the 2045 Comprehensive Plan. Pertaining to Theme A, Building and Sustaining Successful Neighborhoods, Pillar I, Design, this proposal builds upon and utilizes the pedestrian and bicycle-friendly design of Great Acres. (Policy 1). By having its access to Ruby River Drive, not Leestown Road, it ensures proper road connections are in place to allow access to public safety, waste management and delivery services (Policy 2). As mentioned above, it provides development at a scale that is sensitive to the surrounding neighborhood (Policy 4), it will be pedestrian friendly and the parking area will enhance walkability (Design Policies 5 and 7). Most important, our proposal supports neighborhood-level commercial areas (Policy 12).

As to Pillar II, Density, this proposal provides development along higher capacity roadways (Policy 1) and provides this suburban development with services and amenities to improve quality of life (Policy 3). The credit union will be well-integrated to its neighborhood, supporting Pillar III, Equity Policy 9. As mentioned above, the development utilizes compact development to encourage transportation options (Theme B, Sustainability Pillar II, Policy 3).

Under Theme C, Creating Jobs and Prosperity, this proposal supports Pillars II and III. The credit union contributes to a diverse economic base to assist in providing a variety of job opportunities (Diversity Policy 2). It provides training and access to employment opportunities (Diversity Policy 4). It will provide the possibility of jobs for people living in the area of the project (Prosperity Policy 1). As a financial institution, it provides employment opportunities for graduating students from local colleges (Prosperity Policy 8). It also assists in providing home financing options (Prosperity Policy 14).

ENGAGEMENT

The applicant will reach out to the appropriate neighborhood associations for further input.

PLACE-TYPE, DEVELOPMENT-TYPE AND REQUESTED ZONE

This property has frontage on both Leestown Road and Ruby River Drive. Although Leestown Road is a corridor, the building will be oriented to Ruby River Drive and will thus be designed to enhance the neighborhood. Thus, this is an Enhanced Neighborhood Place-Type, and a low-density non-residential/mixed-use (LNR/MU). Although the B-3 zone is not a recommended zone, the proposed use as a credit union is consistent with B-1 zoning. However, we are requesting B-3 zoning to be consistent with the other zoning in Great Acres, and because one-third of this lot is already zoned B-3. Thus, we are requesting the Corridor Business (B-3) zone.

DEVELOPMENT CRITERIA

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

- **A-DS12-1.** The development is within a neighborhood serving commercial area, The Village at Great Acres includes a coffee shop, a gas station/convenience store, and local restaurants. Other neighborhood serving commercial uses are proposed within The Village at Great Acres including a veterinarian.
- **B-SU3-1.** The development will provide financial services within The Village of Great Acres, a mixed-use community offering a variety of housing types; restaurants, retail, and professional services that are needed within the neighborhood.
- **D-PL7-1.** The applicant will be consulting the appropriate neighborhood stakeholders and/or associations.
- **D-PL15-1.** The development will have a drive-through facility for the convenience of both its neighborhood and regional customers. The location of the development is in a transitional area between the Leestown Road corridor and The Village at Great Acres

neighborhood. With the building and front door facing the neighborhood and Ruby River Drive and the drive-through facility facing Leestown Road, the development seeks a balance for the transitional location.

- **E-ST8-2.** The development offers financial services to the community on a personal, face-to-face, level.
- **E-GR9-2.** The development will be integrated into the commercial center serving The Village at Great Acres neighborhood.
- **C-PS10-1.** The development is located between an existing development and a future residential use making the opportunity for shared parking limited. Further as a financial entity the security of the customer within the parking lot is of great concern.
- **D-CO2-2.** The development is located within a neighborhood and along a corridor fulfilling complete street objectives for access. The site is located on a bus route with three bus stops within one quarter mile and adjoins a bike route along Leestown Road. The sidewalks within the site and throughout the neighborhood provide access to the development's front door.
- **B-PR2-1.** There are no environmentally sensitive areas within or adjacent to the development.
- **B-PR7-1.** There are no existing trees on the site.
- **B-PR9-1.** The site has been prepared for development in accordance with the comprehensive grading plan for The Village at Great Acres. Minimal grading will be required for the proposed development.
- **B-PR10-1.** Site lighting for the development will be provided in accordance with Article 30 of the Zoning Ordinance, assuring the development will not be over lighted.

- **B-SU5-1.** Energy efficient systems will be utilized including LED lights, energy efficient appliances, extra insulation, and high efficiency HVAC systems
- **B-SU9-1.** The development will provide storm water management addressing water quality in accordance with the LFUCG Engineering Manuals.

VARIANCE

The applicant is requesting a variance to increase the vehicular use area between the building and the street from 60 feet to 96 feet. The configuration shown on the development plan will allow drive-through service window and ITM lane and a parking area between the building and Leestown Road while limiting the parking area along Ruby River Drive to 60'. The parking lot along Leestown Road, considered the rear of the site, will primarily serve employees and visiting officers of the Credit Union while the parking lot in the front will be available for customers. By separating the parking lots in the front and rear of the building the parking lot facing the neighborhood is reduced providing a more inviting and accessible site.

Granting the 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 parking area will be set back approximately 25' from Leestown Road and will be appropriately screened by landscaping.

Granting the variance will not allow an unreasonable circumvention of the requirements of the zoning ordinance because the zoning ordinance encourages parking behind the building and the site is double fronted with streets in the front and the rear of the building limiting the ability of the site to be fully developed.

The special circumstances which apply to his property, and which do not generally apply to land in the general vicinity or the same zone are that the property is double fronted with limitations to the vehicular use area on both sides of the building.

Strict application of this regulation of the zoning ordinance would deprive the applicant of reasonable use of its land or create unnecessary hardship because the applicant would not be able to fully develop the property to provide a convenience and service its customers require and provide adequate parking for its employees and customers.

CONCLUSION

Our proposed zone change will provide a needed service to Great Acres and to the surrounding neighborhoods. The credit union will be within walking distance of the residents of Great Acres, and will be available by automobile to surrounding neighborhoods. This proposal is in full agreement with the Comprehensive Plan.

Thank you for your consideration of this zone change request.

Sincerely,

Richard V. Murphy
Attorney for Applicant

RVM/prb

ON PLAN

WRITTEN

NOT APPLICABLE

ENHANCED NEIGHBORHOOD

ENHANCED NEIGHBORHOOD - LOW DENSITY NON-RESIDENTIAL/MIXED USE

LAND USE

- A-DS12-1** Development should be located nearest to neighborhood serving commercial areas.
- A-DN2-1** Infill residential should aim to increase density.
- A-DN3-1** Pedestrian-oriented commercial opportunities and other services should be incorporated within residential neighborhoods.
- B-SU3-1** Development should provide compact and/or mixed use development.
- C-LI7-1** Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS9-1** Where possible, developments should modify current office space to include complementary uses, with a specific focus on the inclusion of residential.
- 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-PL15-1** Drive through facilities and gas stations should not be within neighborhoods or the urban core.
- D-SP1-1** Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets.
- 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-GR9-2** Low-intensity business uses that will provide neighborhood amenities should be incorporated into existing neighborhoods.
- 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 NON-RESIDENTIAL/MIXED USE

- A-DS4-1** (DUPLICATE) A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.
- A-DS5-2** Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape.
- 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** (DUPLICATE) 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
- DS13-1** Stub streets should be connected.
- C-PS10-1** Flexible parking and shared parking arrangements should be utilized.
- D-C02-2** 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.
- D-SP6-1** Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes.

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.

ENHANCED NEIGHBORHOOD - LOW DENSITY NON-RESIDENTIAL/MIXED USE

- 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.
- 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.
- D-SP10-1** Prioritize street trees in the planting strip.

SITE DESIGN

- A-DS5-4** Development should provide a pedestrian-oriented and activated streetscapes.
- 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.

ENHANCED NEIGHBORHOOD - LOW DENSITY NON-RESIDENTIAL/MIXED USE

- 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-PL10-1** Activate the streetscape or publicly visible areas by designating public art easements in prominent locations.
- 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-DS4-2** New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context.
- 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.
- DN2-2** Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods.
- D-PL2-1** Development should provide active first floor uses whenever adjacent to a street pedestrian facility, or community focused open space.
- E-GR4-1** Developments should incorporate reuse of viable existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.

MURPHY & CLENDENEN, PLLC

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RICHARD V. MURPHY
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December 15, 2025

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

Re: Supplement to Letter of Justification
2788 Ruby River Drive

Dear Chairman Davis and Members of the Planning Commission:

This letter is a supplement to the letter of justification dated November 3, 2025.

In light of discussions held with the staff and at the subcommittees, we have re-considered the decision to place this property within the Enhanced Neighborhood Place-Type. We are instead requesting that this be considered as part of the Corridor Place-Type.

PLACE-TYPE, DEVELOPMENT-TYPE AND REQUESTED ZONE

This property has direct frontage on Leestown Road, a major corridor. Leestown Road has recently been reconstructed by the state and is now a four-lane road with turn lanes, medians, sidewalks and dedicated bicycle lanes on both sides. Transit service is available with stops on Chestnut Ridge Drive to the east and Masterson Station Drive to the west. Ruby River Drive functions as a service road to provide vehicular access to the property. The proposed credit union will provide service both to the general area on Leestown Road, and to the Great Acres community which is adjacent to the north. Thus, this is a corridor place-type, and a medium density non-residential/mixed use (MNR-MU) development-type. The Corridor Business (B-3) zone is a recommended zone in this category.

DEVELOPMENT CRITERIA

Over 85% of the criteria in the medium density non-residential/mixed-use development type are the same as were discussed previously in the November 3, 2025 letter. We reincorporate the section on development criteria from that letter.

In addition, there are nine criteria in the new development-type which were not included in the previous development-type. Criteria A-DN3-2, D-CO3-1 and E-GR10-1 call for incorporating residential units in commercial centers, increasing density and intensity adjacent to

transit, and providing transit-oriented development. This zone change is for two-thirds of a single lot. Although residential units are not included and this may not be defined as transit-oriented development, the property is across Ruby River Drive from the Great Acres development which will have a population of about 1,300 people upon completion. The credit union will complement not only this area of Lexington along Leestown Road, but also the new development adjacent in Great Acres. This is currently a vacant lot, so intensity will be increased by this development. Although it is a one-story building, it is designed to be approximately 20-22 feet in height. It will be easily accessible from Great Acres on foot, by bicycle or by vehicle. Similarly, there will be sidewalk access connecting to the sidewalk on Leestown Road.

Criteria D-CO1-1 calls for multi-modal facilities along corridor rights-of-way. As mentioned above, Leestown Road has sidewalks and bike lanes. We show a sidewalk from Leestown Road into the property. Criteria A-EQ5-2 calls for development to be transit-oriented. As mentioned above, there are transit stops nearby on Chestnut Ridge Drive (opposite Lucille Drive) and Masterson Station Drive. Criteria C-L12-2, C-L12-3 and C-L12-4 are not applicable, as they apply to items designated in the Rural Land Management Plan, which does not apply to this area. Finally, Criteria A-EQ5-1 calls for context-sensitive transitions between intense corridor development and existing neighborhoods. This lot will allow for a financial institution which will be a good transition between Leestown Road and the new residential development of Great Acres.

All other portions of the development criteria discussion in the November 3, 2025 letter and the other sections of that letter still apply to our revised zone change request.

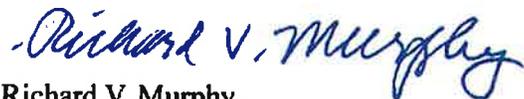
VARIANCE

We had originally applied for a variance to increase the width of the vehicular use area at the rear of the property. We have submitted a revised development plan which eliminates several parking spaces and also eliminates the need for the variance.

CONCLUSION

Our proposed zone change will provide a needed service to this area of Lexington and to the residents of Great Acres. This proposal is in full agreement with the Comprehensive Plan. Thank you for your consideration of this zone change request.

Sincerely,



Richard V. Murphy
Attorney for Applicant

RVM/prb

Legal Description
Anderson Village at Great Acres, LLC
Zone Change From R-3 TO B-3
At 2788 Ruby River Drive
Lexington, Fayette County, Kentucky

ALL THAT TRACT OR PARCEL OF LAND SITUATED ON THE SOUTH SIDE OF RUBY RIVER DRIVE APPROXIMATELY 450 FEET WEST OF LUCILLE DRIVE IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point in the centerline of Ruby River Drive, said point being the intersection of said centerline with the west line of Lot 8 as shown on plat recorded in plat cabinet "S", slide 565 in the Fayette County Clerk's Office;

thence leaving Ruby River Drive south 43 degrees 47 minutes 27 seconds west 25.96 feet to a point;

thence north 46 degrees 06 minutes 23 seconds west 48.60 feet to a point;

thence south 44 degrees 48 minutes 51 seconds west 352.18 feet to a point;

thence north 46 degrees 12 minutes 33 seconds west 95.31 feet to a point;

thence north 43 degrees 47 minutes 27 seconds east 378.00 feet to a point in the centerline of Ruby River Drive;

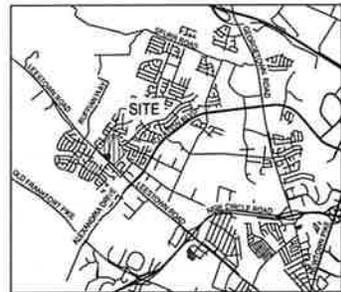
thence along said centerline south 46 degrees 12 minutes 33 seconds east 150.20 feet to the point of beginning and containing 0.885 gross acres and 0.658 net acres.



Wesley B. Witt



AREA NOTIFICATION MAP
1"=200'



VICINITY MAP



PROPERTY MAP
1"=100'

ZOMAR				
TITLE: PLN-MAR-25-000	FROM	TO	NET	GROSS
PROPERTY ADDRESS: 2786 RUBY RIVER DRIVE, A PORTION OF	R-3	B-3	0.658 AC.	0.885 AC.
OWNER/ APPLICANT:	ANDERSON VILLAGE AT GREAT ACRES, LLC 1255 PROVIDENCE PLACE PARKWAY, SUITE 250 LEXINGTON, KY 40511			
PREPARED BY: WESLEY B WITT, INC.				
DATE PREPARED: NOVEMBER 3, 2025				

ANDERSON VILLAGE AT GREAT ACRES, LLC (PLN-MAR-25-00023)

Rezone property to establish a commercial use.

2788 RUBY RIVER DRIVE (A PORTION OF)

Applicant/Owner

ANDERSON VILLAGE AT GREAT ACRES, LLC
1255 PROVIDENCE PLACE, STE. 250
LEXINGTON, KY 40511
ATTORNEY: richard@murphyclendenen.com

Application Details

Acreege:

0.658 net (0.885 gross) acres

Current Zoning:

Planned Neighborhood Residential (R-3) zone

Proposed Zoning:

Corridor Business (B-3) zone

Place Type/Development Type:

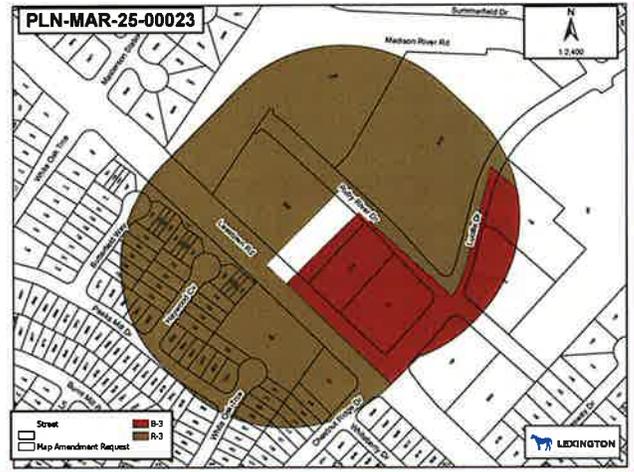
Enhanced Neighborhood
Low Density Non-Residential/Mixed Use

For more information about the Enhanced Neighborhood Place-type see Imagine Lexington page 269. For more information on the Low Density Non-Residential/ Mixed-use Development Type see page 271.

Description:

The applicant is seeking to rezone a portion of the subject property in order to establish a commercial use.

Additionally, the applicant is seeking a variance to increase the maximum width of the vehicular use area between the structure and the street from 60 feet to 96 feet.



Status

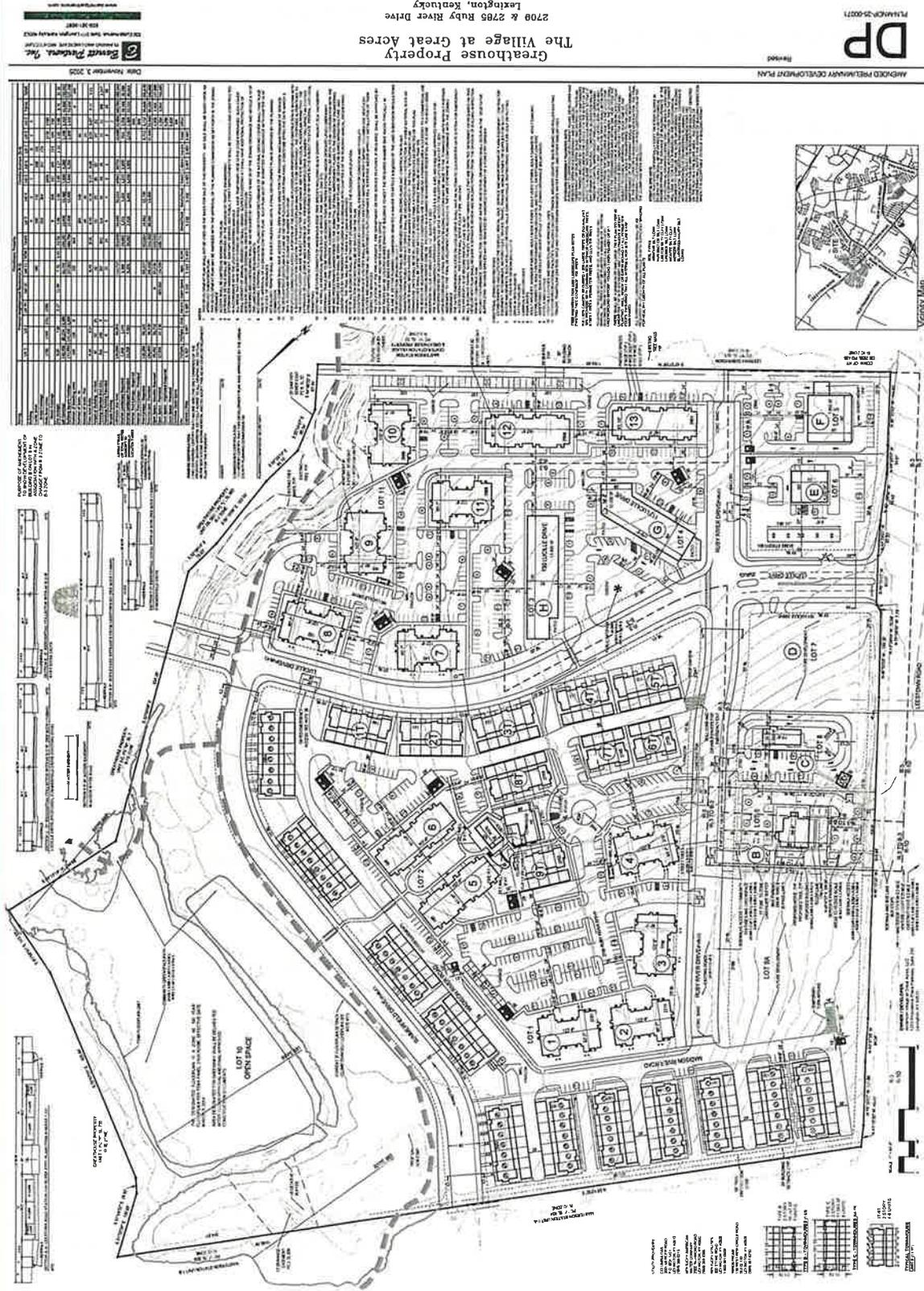
- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

Public Engagement

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

Development Plan

(PLN-MJDP-25-00065)



STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-25-00023:ANDERSON VILLAGE AT GREAT ACRES,LLC

DESCRIPTION OF ZONE CHANGE

Zone From: Planned Neighborhood Residential (R-3)
Change: Zone
To: Corridor Business (B-3) Zone
Acreage: 0.658 net (0.885 gross) acres
Location: 2788 Ruby River Drive, a portion of



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-3/ B-3	Vacant
To North	R-3	Residential
To East	B-3	Commercial
To South	R-3	Residential
To West	R-3	Residential

URBAN SERVICE REPORT

Roads - Leestown Road (US 421), which borders the subject property to the southwest, extends from downtown to the Fayette/Scott County line. Leestown Road has undergone numerous widening projects from New Circle Road to the Bracktown Road intersection, near the Urban Service Area boundary. The cross-section for Leestown Road varies from four to six lanes (counting dedicated turn lanes) along the subject properties' frontage. Lucille Drive and Ruby River Drive are collector and local streets, respectively, that are both in the vicinity of the subject property.

Curb/Gutter/Sidewalks - Curbs, gutters and sidewalks were recently installed along Leestown Road as part of its widening project when it was expanded to a divided highway. Curbs and gutters are present along Lucille Drive and Ruby River Drive and sidewalks are required to be constructed as each parcel develops.

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 Town Branch 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 subject property, as well as the entire surrounding area, are within the Town Branch sewershed. The Town Branch Wastewater Treatment Plant is located approximately two miles to the southeast of the site.

Refuse - Refuse collection is provided by the Urban County Government on Thursdays in this part of the Urban Service Area. Oftentimes, commercial and multi-family residential properties contract with private companies for more frequent service, which may be necessary for the proposed development.

Police - The subject site is within Police Sector 1 and is served by the West Sector Roll Call Center, which is located on Old Frankfort Pike, less than two miles to the southeast of the site.

Fire/Ambulance - The nearest fire station (Station #24) is located on Magnolia Springs Drive, about 1 1/3 miles east of the property.

Transit - LexTran Route #12 provides service within close proximity of the subject property.

Parks - Masterson Station Park is located approximately 3/4 of a mile northwest of the subject property.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property in order to construct a commercial use.

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
NON-RESIDENTIAL/MIXED USE

Primary Land Use, Building Form, & Design

Primarily neighborhood-serving commercial uses, services, places of employment, and/or a mix of uses within low to mid-rise structures appropriately scaled to the surrounding neighborhood. Mixed-use structures can include a mix of residential, commercial, services, and/or employment uses, and an activated and pedestrian-scale ground level should be provided. Developments with a residential component are generally non-residential on the ground floor with units above, providing opportunities for live/work arrangements. The retail/service options typically include boutique-type establishments, neighborhood restaurants or pubs, and/or neighborhood-serving services like dentists, daycares, etc., and the places of employment are small offices.

Transit Infrastructure & Connectivity

Bicycle and pedestrian connections to adjoining neighborhoods, and buildings oriented to the street are required to ensure the non-residential enhances nearby neighborhoods by creating a truly walkable environment.

Parking

Parking should be minimized and, where necessary, located internally.

PROPOSED ZONING

B-3

The intent of this zone is to provide for retail and commercial uses, which are necessary to the economic vitality of the community but may be inappropriate in the more neighborhood oriented zones. Development in this zone should front on an arterial or major collector roadway and should serve the needs of the broader Lexington community. Consideration should be given to the relationship of the uses in the zone to the surrounding land uses and to the adequacy of the street system to serve the traffic needs. Developments should avoid nuisance impacts of light, air, and sound that may be caused on adjacent neighborhoods. Where necessary, developments should include service roads to reduce the impact on highway movement, while also providing appropriate frontage to meet the needs of businesses. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

PROPOSED USE



The applicant is proposing the rezoning of the subject property to construct a single-story, 3,100 square-foot bank, with three drive-through lanes. 31 parking spaces are proposed at this time.

APPLICANT & COMMUNITY ENGAGEMENT



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

PROPERTY & ZONING HISTORY



The subject property was originally zoned Agricultural Urban (A-U) prior to the comprehensive rezoning of the city and county in 1969. Since that time, this area of Leestown Road has experienced significant growth and this property was rezoned to Planned Neighborhood Residential (R-3) and Corridor Business (B-3) in 2016 (MAR 2016-6).

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 follow the design guidelines of the adjacent Great Acres development and will integrate well with those structures (Theme A, Goal #2.b). The applicant also states that this project will create jobs with livable wages and feature an active, engaging site design (Theme C, Goal #1.a, Goal #2.a, and Theme D, Goal #2.d).

Staff has identified several aspects of the Goals, Objectives, and Policies of the 2045 Comprehensive Plan that the applicant should respond to:

Theme E, Goal #1.e: Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features;

Density Policy #1: Locate high density areas of development along higher capacity roadways (minor arterial, collector), major corridors & downtown to facilitate future transit enhancements.

Connectivity Policy #3: Encourage Transit-Oriented Development, increase density along major corridors, and support transit ridership, thus reducing Vehicle Miles Traveled (VMT).

The applicant should provide greater information regarding the proposal's density, and the Comprehensive Plan's call for intensifying our major corridors.

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 Non-Residential/Mixed Use Development Type. While staff agrees that the request is representative of Low Density Non-Residential Development, staff does not agree with the applicant's choice in Place-Type. The property has frontage along Leestown Road, one of Lexington's busiest corridors. While there are residential uses within the greater vicinity, the subject property is not integrated within the neighborhood itself.

The choice in Place-Type has significant implications on the Development Type that is recommended within



the Comprehensive Plan, as well as the recommended zones, and the Placebuilder Criteria that are used to evaluate their conformance with the Comprehensive Plan.

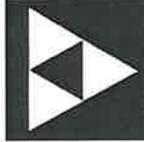
In staff's review, the property's location along a major corridor, within a commercial development and oriented towards the traveling public, all indicate that the most appropriate Place-Type as being a Corridor. Within the Corridor Place-Type, the applicant's requested Corridor Business (B-3) zone is recommended; however, the only recommended Development Types are medium or higher density. The applicant should provide information relating to their proposal in light of this Place-Type, this density of Development Type, and respond to the corresponding Placebuilder criteria.

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



1. The applicant should provide information relating to their public outreach efforts.
2. The applicant should address the following Goals, Objectives, and Policies of the Comprehensive Plan:
 - a. Theme E, Goal #1.e: Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features;
 - b. Density Policy #1: Locate high density areas of development along higher capacity roadways (minor arterial, collector), major corridors & downtown to facilitate future transit enhancements.
 - c. Connectivity Policy #3: Encourage Transit-Oriented Development, increase density along major corridors, and support transit ridership, thus reducing Vehicle Miles Traveled (VMT).
3. The applicant should provide further information regarding the Corridor Place-Type, and the Medium Density Non-Residential Development-Type, and the respective Placebuilder Criteria.

STAFF REPORT ON VARIANCE REQUEST



As part of their application, the petitioner is also seeking a dimensional variance to increase the allowable width of Vehicular Use Area from 60 feet to 110 feet for the parking lot along Leestown Road.

Before any variance is granted, the Planning Commission must find the following:

- a. The granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Planning Commission shall consider whether:
 1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone.
 2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
 3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- b. The Planning Commission shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

ZONING ORDINANCE

Article 6-4(c) states that the Planning Commission may hear and act upon requested variances associated with a zone change. In such cases, they may assume all of the powers and responsibilities of the Board of Adjustment, as defined in Article 7-6(b) of the Zoning Ordinance.

Article 16-6(a)(2) states that a maximum of two (2) bays of surface parking with a single drive aisle, or a vehicular use area of up to sixty (60) feet in depth as measured perpendicular to the street, whichever is greater, shall be permitted between the building and the street, except otherwise prohibited by a maximum setback.

CASE REVIEW

The applicant is seeking a dimensional variance for the southwestern portion of the proposed lot in order to increase the maximum amount of allowable pavement from 60 feet to 96 feet.

The applicant's proposed design features a 3,100 square-foot bank, with three drive-through lanes. The applicant opines that the operational needs of their use dictate that a greater amount of paving is needed within this area to support the use, and that the drive-through lanes and multiple parking lanes are necessary.

There are several aspects of the request that require further explanation by the applicant. The applicant should provide further information regarding the special circumstances unique to the subject property that would necessitate the requested variance, as the site is a greenfield development with just over seven percent lot coverage. The applicant should also provide information as to why the design of the site could not be altered to meet the requirement. Finally, the applicant should discuss the impact of the proposed variance on the pedestrian circulation and experience within the area.

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

1. The applicant should provide further information regarding the special circumstances of the property that justify the need for the variance.
2. The applicant should provide greater information on as to how redesigning the site or its layout to meet the regulation is depriving the applicant of use of the property.
3. The applicant should provide greater information discussing the impact of the proposed variance on the pedestrian experience within the area.

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-25-00023: ANDERSON VILLAGE AT GREAT ACRES, LLC



STAFF REVIEW

In the period following the initial Zoning Committee meeting, the applicant met with staff to discuss the concerns described within the initial staff report and the comments received during the committee meetings. Since that time, the applicant has submitted updated application materials, including a revised development plan and a supplemental letter of justification.

The revisions to the proposed development plan include reducing the amount of parking between the building and Leestown Road and reconfiguring the drive-through. This reduction has eliminated the need for a the applicant's requested variance.

The applicant initially selected the Enhanced Neighborhood Place-Type with The Low-Density/ Non-Residential Development type as part of the map amendment request to the Corridor Business (B-3) zone. The supplemental justifications are now based on the Corridor Place-Type and the Medium Density-Non-Residential Development-Type. Staff agrees that the amended Place-Type and Development-Type are more appropriate for a Corridor Business (B-3) zone request.

PLACE-TYPE

CORRIDOR

Lexington's major roadways focused on commerce and transportation. The overriding emphasis of Imagine Lexington is significantly overhauling the intensity of the major corridors. The future of Lexington's corridors lies in accommodating the shifting retail economic model by incorporating high density residential and offering substantial flexibility to available land uses. Adding a mix of land uses to support the existing retail will provide a built-in customer base, create a more desirable retail experience, and allow a greater return on investment for landholders. Additional focus is on increasing the viability of enhanced mass transit, thereby reducing the reliance on single-occupancy vehicles and improving Lexington's overall transportation efficiency.

DEVELOPMENT TYPE

MEDIUM DENSITY NON-RESIDENTIAL
MIXED-USE

Primary Land Use, Building Form, & Design

Primarily community-serving commercial uses, services, places of employment, and/or a mix of uses within mid-rise structures with a higher Floor Area Ratio. Mixed-use structures typically include more multi-family residential units and places of employment, and retail and commercial options generally draw from a larger geographic area. An activated and pedestrian-scale ground level should be provided.

These developments may include more employment space for professional office and can include some larger entertainment spaces.

Transit Infrastructure & Connectivity

Though they draw more external users, they should still include multimodal connections allowing for easy neighborhood access. Mass transit infrastructure is to be provided on par with that of other modes, and the higher-density housing types should be located in close proximity.

Parking

Parking should be minimized and, where necessary, located internally.

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 AND OBJECTIVES

In the initial staff report, staff requested that the applicant demonstrate how they were in agreement with the following Goals, Objectives, and Policies of the Comprehensive Plan:

Theme E, Goal #1.e: Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features.

Staff initially had concerns with the proposed low-density design along a corridor. The Comprehensive Plan specifically calls for increased density in these areas, but as the applicant points out in the justification statement, this proposed development is more dense than the adjacent Starbucks drive-through coffee facility and would create a gradual transition to higher density development. Additionally, the applicant's requested zone would allow for the potential for further intensification of the parcel in the future.

In addition, the applicant opines that the proposal complies with the Goals and Objectives of the 2045 Comprehensive Plan in the following ways:

Theme A, Objective #2.b - Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with the existing urban form.

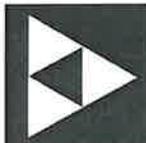
The applicant acknowledges that the proposed development is located along the corridor, but will be oriented to primarily integrate and serve the adjoining neighborhood. The applicant states that the development will follow the design requirements of the Great Acres development. This, along with the previously mentioned incremental density increase, will help ensure integration into the existing development.

Theme A, Goal #3.d - Improve Lexington's transportation network through ample street and sidewalk connections between new and existing development.

The site plan shows sidewalk connections to both Leestown Road and Ruby River Drive to provide service to the neighborhood as well as other users along the corridor.

Theme C, Goal #1.a - Strengthen efforts to develop a variety of job opportunities that support a living wage and lead to prosperity for all.

The applicant states that this facility would provide approximately eight jobs as well as services to the community.



POLICIES

Within the letter of justification, the applicant opines that the project is meeting Comprehensive Plan policies that call for proper road connections and pedestrian-friendly street patterns & walkable blocks in an area with excellent access to transit routes (Design Policy #2, Design Policy #5 and Connectivity Policy #3). Additionally, the applicant states that the proposed development will integrate well with the existing developments and provide a transition to higher-density development (Design Policy #4) while providing pedestrian access to the adjacent neighborhood (Connectivity Policy #2). Staff agrees with the applicant's assessment of this application's compliance with the Policies of the Comprehensive Plan.

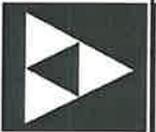


PLACE TYPE, DEVELOPMENT TYPE, AND ZONE

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 properties. 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 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 now indicates that the project is located within the Corridor Place-Type which is where Placebuilder calls for increased density and transit-oriented designs. The applicant is also proposing a Medium Density Non-Residential/ Mixed-Use Development Type. Although this Development Type is not expected to be as intensely developed as Placebuilder suggests, lower-density developments are not precluded provided that they are context-sensitive. The forward trend for development in the Corridor areas should be towards increased walkability and intensity.

Based on the property's location along Leestown Road, staff finds the choice in Place Type appropriate. The applicant's chosen Development Type is a recommended Development Type within the Corridor Place-Type, and can be appropriate at this location with appropriate consideration given to the transition between the proposed development and the existing development in the area. The applicant's choice in zone, the Corridor Business (B-3) zone, is a recommended zone for the chosen Place-Type and Development Type.



DEVELOPMENT CRITERIA

The criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2045 Comprehensive Plan. The criteria for development represent the needs and desires of the members of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The criteria are refined by the applicant based on the proposed place-type and development type. The applicant has indicated that the site is located within the Corridor place-type and is seeking to develop a credit union along an arterial roadway. Staff concurs with the applicant's assessment of the Place-Type and agrees that the Corridor Business (B-3) zone can be appropriate for the subject property.

1. Land Use

Staff finds that this request meets the Development Criteria for Land Use. The applicant's proposal is located adjacent to a neighborhood and other retail services (A-DS12-1). This proposal would provide services to the community (E-ST8-2).

2. Transportation and Pedestrian Connectivity

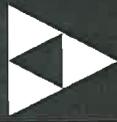
Staff finds that this request meets the Development Criteria for Transportation and Pedestrian Connectivity. The proposal will provide multi-modal facilities (A-DS5-1) that incorporates connections to community anchors (A-DS10-1) with accessible pedestrian linkages directly to transit (A-DS1-2).

3. Environmental Sustainability and Resiliency

The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency as the proposal will increase tree canopy (B-RE1-1) and have no impact on environmentally sensitive areas (B-PR2-1).

4. Site Design

Staff finds that this request meets the requirements for Site Design. In response to comments from staff and the Zoning Committee, the applicant reduced the vehicular use area on the proposed development plan (C-PS10-2).



DEVELOPMENT CRITERIA

5. Building Form

The applicant has stated that the new building will use the same design standards as the adjacent apartment complex. The request meets the criteria for Building Form, as the applicant's proposal will minimize contrasts in design and scale to the surrounding context (A-DN2-2), while creating a transition area between areas of existing low-density and future higher-density development (A-EQ5-1).

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



1. The proposed Corridor Business (B-3) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request would integrate well with the existing development and provide a transitional area for future, higher-density development (*Theme A, Objective #2.b*).
 - b. The request would create opportunity for business and job growth (*Theme C, Goal #2.a*).
 - c. The request would improve Lexington's transportation network by providing for pedestrian, bicycle and vehicular access (*Theme A, Goal #3.d; Theme D, Goal #1.a, #1.b, and #1.d*).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request provides pedestrian connections to Leestown Road and the adjacent neighborhood (*Design Policy #1*).
 - b. Although this proposed development does not provide the density that the Comprehensive Plan calls for along our corridors, the proposed zone would allow for additional opportunities for growth or redevelopment that would build towards greater density in the area (*Design Policy #4*).
 - c. The proposal provides infrastructure for a variety of transportation modes th sidewalk connections to Leestown Road and Ruby River Drive as well as bike lanes and transit connections along Leestown Road (*Design Policy #5 and #6*).
3. The justification statement and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed development meets the criteria for Transportation, Connectivity and Walkability and is located in an area accessible by pedestrians, cyclists, motorists and transit users (A-DS4-1) and reflects the desired Place-Type (D-CO1-1).
 - b. The plan meets the criteria for Land Use as the site is conveniently located near neighboring residential areas (A-DS12-1).
 - 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 increases tree canopy (B-RE1-1).
 - d. The proposal meets the criteria for Site Design, as the applicant reduced the parking area in response to concerns from staff and the Zoning Committee (C-PS10-2) which eliminated the need for a variance.
 - e. The plan meets the criteria for Building Form, as the request is scaled appropriately for the area (A-DS4-2) and can create a context sensitive transition to higher density development.
4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00071 GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES)(AMD) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
5. This recommendation of approval is subject to the following conditional zoning restrictions:
Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning for the B-3 zone on the subject property:
PROHIBITED USES
 - a. Establishments and lots for the display, rental, sale, service and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
 - c. Drive-in restaurants.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



- b. Indoor amusements, such as billiard or pool halls; dancing halls; skating rinks; miniature golf or putting courses; theaters or bowling alleys.
- c. Drive-in restaurants.
- d. Tattoo parlors.
- e. Carnivals and circuses.
- f. Pawn shops.
- g. Adult arcades, massage parlors, adult book stores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
- h. Advertising signs as regulated under Article 17 of the Zoning Ordinance (billboards).
- i. Hotels and motels.
- j. Cocktails lounges and nightclubs as principal uses.
- k. Outdoor recreational facilities, including go-cart tracks; archery courts; skate-board and roller skating tracks; trampoline centers; rifle and other firearm ranges; water parks; and other similar uses.

These restrictions are appropriate in order to protect the adjacent residential properties from the possible negative impacts of the most intense business uses permitted in the B-3 zone, and to more fully implement the Comprehensive Plan.

2. **ANDERSON VILLAGE AT GREAT ACRES, LLC MAP AMENDMENT and GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES, LOT 9) (AMD) DEVELOPMENT PLAN**

- a. **PLN-MAR-25-00023: ANDERSON VILLAGE AT GREAT ACRES, LLC (2/1/26)*** – a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Corridor Business (B-3) zone for 0.658 net (0.885 gross) acres for property located at 2788 Ruby River Drive (a portion of).

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 applicant is proposing the rezoning of the subject property to construct a single-story, 3,100 square-foot bank, with three drive-through lanes. 31 parking spaces are proposed at this time.

The Zoning Committee Recommended: Approval.

The Staff Recommended: Postponement, for the following reasons:

1. The applicant should provide information relating to their public outreach efforts.
 2. The applicant should address the following Goals, Objectives, and Policies of the Comprehensive Plan:
 - a. Theme E, Goal #1.e: Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features;
 - b. Density Policy #1: Locate high density areas of development along higher capacity roadways (minor arterial, collector), major corridors & downtown to facilitate future transit enhancements.
 - c. Connectivity Policy #3: Encourage Transit-Oriented Development, increase density along major corridors, and support transit ridership, thus reducing Vehicle Miles Traveled (VMT).
 3. The applicant should provide further information regarding the Corridor Place-Type, and the Medium Density Non-Residential Development-Type, and the respective Placebuilder Criteria.
- b. **VARIANCE** - In addition to the rezoning request above, the applicant requests a variance to increase the maximum vehicular use area permitted between the building and the street from 60' to 96'.

The Zoning Committee Recommended: Approval.

The Staff Recommended Postponement, for the following reasons:

1. The applicant should provide further information regarding the special circumstances of the property that justify the need for the variance.
 2. The applicant should provide greater information on as to how redesigning the site or its layout to meet the regulation is depriving the applicant of use of the property.
 3. The applicant should provide greater information discussing the impact of the proposed variance on the pedestrian experience within the area.
- c. **PLN-MJDP-25-00071: GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES, LOT 9) (AMD) (2/1/26)*** – located at 2709 & 2788 RUBY RIVER DRIVE, LEXINGTON, KY
Council District: 8
Project Contact: Barrett Partners, Inc.

Note: The purpose of this plan is to depict a building, parking, and parking circulation in support of the requested zone change from a Planned Neighborhood Residential (R-3) zone to a Corridor Business (B-3) zone.

Requirements Not Met:

1. **Denote:** Structures built in areas of alluvial soils as determined by the USDA Web Soil Survey will have a foundation and footer detail prepared by a licensed professional engineer prior to issuance of a building permit. (LSR Art. 6-11) (Environmental)

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

2. Delineate the centerline of blueline stream on property. (Environmental)
3. Provide updated dumpster and pad specifications that comply with the DSG. (Waste)
4. Check potential dumpster encroachment on Lot 8. (Engineering)
5. Depict all existing easements. (ZO Art. 21-6(a)(10)) (Engineering & Planning)
6. Dimension all driveway, walkways, and parking areas. (ZO Art. 21-6(a)(5)) (Planning)
7. Provide an open space exhibit and include open space requirements in the site statistics as a percentage. (ZO Art. 20-3) (Open Space)
8. Orient vicinity to match plan. (ZO Art. 21-6(a)(3)) (Planning)
9. Denote construction vehicle access. (ZO Art. 21-6(a)(3)) (Planning)
10. Addition of tree protection areas from previous plan. (ZO Art. 21-6(a)(11)) (Planning)
11. Addition of 25' floodplain setback from previous plan. (ZO Art. 21-6(a)(9)) (Planning)
12. Label areas of access easement and add access easement maintenance note from previous plan. (ZO Art. 21-6(a)(15)) (Planning)
13. Depict VUA screening of an average of 8' in width. (ZO Art. 18-3(a)(2)(d)(1)) (Planning)

Waiver(s) Necessary:

1. Variance of ZO Art. 16-6(a)(2) - maximum of 60' of VUA between building and street in a B-3 zone.

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. Address sanitary sewer capacity. (ZO Art. 5-2(h)) (Engineering)
3. Address stormwater management. (Engineering)

Plan Questions or Concerns:

1. Discuss internal pedestrian walkways greater than 24' wide (ZO Art. 16-6(a)(3)(c)) (Planning)
2. Discuss perimeter landscape requirements and timing of installation. (ZO Art. 18-3(a)(1)(a)(2)) (Planning)
3. Discuss Placebuilder criteria.

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

1. Provided the Urban County Council approves the zone change to B-3; 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 if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation – Mr. Young presented the zone change request to the Planning Commission. He oriented the Commission to the site, displayed aerial images, and described the surrounding context and zoning for the immediate area. A revised staff report was provided to the Planning Commission based upon an updated justification and development plan. He explained that the applicant had requested a Corridor Place-Type and Medium Density Non-Residential/Mixed-Use Development Type within a B-3 zone. He added that they had reduced the drive-through lanes from three to two and eliminated a row of parking, which eliminated the need for the variance request. Mr. Young explained that staff was recommending approval. He offered to answer any Commission questions at this time.

Development Plan Presentation - Mr. Chaney oriented the Commission to the associated preliminary development plan that depicted a bank with associated drive-through. He presented a revised staff report that reflected the revision that had been made. He explained the changes made in the parking lot that resulted in eliminating the variance. Mr. Chaney said that the Staff was recommending approval with the following revised requirements and conditions:

Requirements Not Met:

1. Delineate the centerline of blueline stream on property. (Environmental)
2. Provide updated dumpster and pad specifications that comply with the DSG. (Waste)

3. Check potential dumpster encroachment on Lot 8. (Engineering)
4. Depict all existing easements. (ZO Art. 21-6(a)(10)) (Engineering & Planning)
5. Addition of tree protection areas from previous plan. (ZO Art. 21-6(a)(11)) (Planning)
6. Addition of 25' floodplain setback from previous plan. (ZO Art. 21-6(a)(9)) (Planning)

Conditions of Approval:

1. Provided the Urban County Council approves the zone change to B-3; 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 if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

Commission Questions - Ms. Davis asked where the referenced blueline stream was located. Mr. Chaney replied that it was to the north, and not near the proposed development.

Applicant Representation - Attorney Dick Murphy and Tony Barrett, Barrett Partners, Inc, were present to represent the applicant. Mr. Murphy agreed with the staff recommendations and asked for approval.

Commission Comment - Chair Davis stated for the record that the applicant had withdrawn their variance request for this zone change.

Action - Mr. Owens made a motion, seconded by Mr. J. Davis, and carried 10-0 (Nicol absent), to approve PLN-MAR-25-00023: ANDERSON VILLAGE AT GREAT ACRES, LLC, noting the reasons presented by Staff.

Mr. Owens made a motion, seconded by Ms. M. Davis, and carried 10-0 (Nicol absent), to approve PLN-MJDP-25-00071: GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES, LOT 9) (AMD), subject to the seven conditions listed by staff and the list of corrections.