

ORDINANCE NO. 084 - 2025

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1D) ZONE AND A TOWNHOUSE RESIDENTIAL (R-1T) ZONE TO A MEDIUM DENSITY RESIDENTIAL (R-4) ZONE, FOR 0.431 NET (0.498 GROSS) ACRES FOR PROPERTIES LOCATED AT 119 BURLEY AVENUE, 122 SIMPSON AVENUE, 1104 FERN AVENUE, AND A PORTION OF 109 SIMPSON AVENUE. (ANDERSON CAMPUS RENTAL PROPERTIES, LLC; COUNCIL DISTRICT 10).

WHEREAS, at a Public Hearing held on August 14, 2025, a petition for a zoning ordinance map amendment for property located at 119 Burley Avenue, 122 Simpson Avenue, 1104 Fern Avenue, and a portion of 109 Simpson Avenue, from a Single Family Residential (R-1D) zone and a Townhouse Residential (R-1T) zone to a Medium Density Residential (R-4) zone, for 0.431 net (0.498 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 9-0; 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 119 Burley Avenue, 122 Simpson Avenue, 1104 Fern Avenue, and a portion of 109 Simpson Avenue, from a Single Family Residential (R-1D) zone and a Townhouse Residential (R-1T) zone to a Medium Density Residential (R-4) zone, for 0.431 net (0.498 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

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

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

PASSED URBAN COUNTY COUNCIL: October 23, 2025

Linda Gorton

MAYOR

ATTEST:

[Signature]

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: October 31, 2025-1t

0934-25:TWJ:4919-8889-8414, v. 1

Rec'd by _____

Date: _____

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

IN RE: PLN-MAR-25-00007: ANDERSON CAMPUS RENTAL PROPERTIES, LLC– a petition for a zone map amendment from a Single Family Residential (R-1D) zone and a Townhouse Residential (R-1T) zone to a Medium Density Residential (R-4) zone, for 0.431 net (0.498 gross) acres for properties located at 119 Burley Avenue, 122 Simpson Avenue, 1104 Fern Avenue, and a portion of 109 Simpson Avenue. (Council District 10)

Having considered the above matter on August 14, 2025, at a Public Hearing, and having voted 9-0 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 Medium Density Residential (R-4) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request allows for more flexibility to create higher density housing (Theme A, Goal #1.b).
 - b. The proposal incorporates vacant and underutilized parcels (Theme A, Goal #2.a).
 - c. The request will provide residential units with accommodations for those with disabilities (Theme A, Goal #1.c).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request will provide development that is sensitive to the surrounding context (Theme A, Design Policy #4).
 - b. The proposed apartment uses will increase the variety of housing choice available in the area (Theme A, Design Policy #8).
 - c. The proposal is in agreement with the Multi-Family Design Standards (Theme A, Design Policy #3).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use which states infill residential should aim to increase density (A-DN2-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as the request provides accessible links to transit (A-DS1-2).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency by improving tree canopy (B-RE5-1).
 - d. The proposed rezoning meets the criteria for Site Design by orienting parking to the interior or rear of the property for non-residential or multi-family developments (A-DS7-1) and providing active and engaging amenities within neighborhood focused open spaces (A-DS9-1).
 - e. The request meets the criteria for Building Form by minimizing significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods (A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00026: South Broadway Place and Lynn Grove Addition (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.

ATTEST: This 26th day of September 2025.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

KRS 100.211(7) requires that the Council take action on this request by November 12, 2025.

Note: The corollary development plan, PLN-MJDP-25-00026: SOUTH BROADWAY PLACE AND LYNN GROVE ADDITION was approved by the Planning Commission on August 14, 2025, and certified on August 28, 2025.

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

OBJECTORS

OBJECTIONS

VOTES WERE AS FOLLOWS:

AYES:	(9)	J. Davis, M. Davis, Z. Davis, Barksdale, Forester, Michler, Owens, Wilson, and Worth
NAYS:	(0)	
ABSENT:	(2)	Nicol and Penn
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-25-00007** carried.

Enclosures: Application
Justification
Legal Description
Plat
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 CAMPUS RENTAL PROPERTIES LLC, 1255 PROVIDENCE PLACE PKWY, LEXINGTON, KY 40511

Owner(s):

 ANDERSON CAMPUS RENTAL PROP LLC 1255 PROVIDENCE PLACE PKWY LEXINGTON KY 40511
 ANDERSON CAMPUS RENTAL PROPERTIES 1255 PROVIDENCE PLACE PKWY LEXINGTON KY 40511
 ANDERSON CAMPUS RENTAL PROPERTIES LLC 1255 PROVIDENCE PLACE PKWY LEXINGTON KY 40511
 ANDERSON CAMPUS RENTAL PROPERTIES 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

 109 SIMPSON AVE LEXINGTON KY 40504
 1104 FERN AVE LEXINGTON KY 40504
 119 BURLEY AVE LEXINGTON KY 40503
 122 SIMPSON AVE LEXINGTON KY 40504

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
R-1T	Vacant	R-4	Apartment	0.201	0.223
R-1T	Vacant	R-4	Apartment	0.23	0.275
R-1D	Vacant	R-4	Apartment		
R-1D	Vacant	R-4	Apartment		

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	☐ YES ☒ NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	☐ YES ☒ NO
c. Are these units currently occupied by households earning under 40% of the median income? ☐ YES ☐ NO 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.	



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

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	☒ Electric ☒ Gas ☒ Water ☒ Phone ☒ Cable



MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

LEXINGTON FINANCIAL CENTER

250 West Main Street, Suite 2510

Lexington, Kentucky 40507

TEL: (859) 233-9811

FAX: (859) 233-0184

E-MAIL

Richard@MurphyCledenlen.com

Chris@MurphyCledenlen.com

RICHARD V. MURPHY
CHRISTOPHER M. CLENDENEN

June 24, 2025

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

Re: Supplement to Letter of Justification
PLN-MAR-25-00007: Anderson Campus Rental Properties, LLC

Dear Chairman Forester and Members of the Planning Commission:

This letter is supplemental to the letter written to you on May 5, 2025, pertaining to the zone change for 0.431 net acre at 1104 Fern Avenue, 122 Simpson Avenue and 119 Burley Avenue. The staff has asked for some additional information on particular topics:

1. Parking demand mitigation study.

A parking study has been filed by Prime AE, and submitted to Acella.

2. Community Engagement.

A neighborhood meeting is scheduled for June 24, 2025. Results will be reported at the Planning Commission hearing.

3. Connectivity.

The applicant has revised its development plan to show sidewalk connectivity from the new development to Burley Avenue.

The staff has requested that the developer retain a vehicular driveway from Burley Avenue to a parking area behind existing townhomes. The developer would prefer to not have the vehicular connection for Secure by Design reasons. We want most of our traffic to enter off of Simpson

Avenue, near the complex office, so that incoming and outgoing traffic can be observed. There is a second way in and out, north through the complex to Export Street. Having a third entrance at the end of an isolated street, next to the railroad tracks and across from a major electric substation would, we feel, decrease the security of the development and residents.

4. Stormwater.

The staff has requested further discussion of stormwater. The property is not in any FEMA designated floodplain. On June 17, 2025, engineering representatives from the developer met with engineering staff members from the Division of Engineering and the Division of Water Quality. It was agreed that water from the University of Kentucky, coming under the railroad tracks, would be placed in a separate conduit. The stormwater generated by this development would be detained in underground vaults, which will function like a conventional detention basin in accord with LFUCG engineering standards.

Thank you for your consideration for this zone change request.

Sincerely,

A handwritten signature in blue ink that reads "Dick Murphy". The signature is written in a cursive, flowing style.

Richard V. Murphy,
Attorney for Applicant

RVM/prb

MURPHY & CLENDENEN, PLLC

ATTORNEYS AT LAW

LEXINGTON FINANCIAL CENTER

250 West Main Street, Suite 2510
Lexington, Kentucky 40507

TEL: (859) 233-9811

FAX: (859) 233-0184

E-MAIL

Richard@MurphyClenedenen.com

Chris@MurphyClenedenen.com

RICHARD V. MURPHY

CHRISTOPHER M. CLENDENEN

May 5, 2025

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

Re: Proposed zone change for 1104 Fern Avenue, 122 Simpson Avenue
and 119 Burley Avenue

Dear Chairman Forester and Members of the Planning Commission:

This letter is written on behalf of Anderson Communities, which is filing a zone change application for the property at 1104 Fern Avenue, 122 Simpson Avenue and 119 Burley Avenue. These three lots together consist of approximately 0.37 net acre. These three small parcels are part of a larger tract included on a development plan which we are simultaneously filing. Most of the tract is already zoned R-4 (Medium Density Residential). We are requesting a zone change for 1104 Fern Avenue and 122 Simpson Avenue from the Single-Family Detached (R-1D) zone to the R-4 zone. We are requesting a zone change for 119 Burley Avenue from the Townhouse Residential (R-1T) zone to the R-4 zone.

DESCRIPTION OF PROJECT.

These three small tracts are adjacent to property which has been zoned R-4 for over ten years. We are requesting the zone change to place these three tracts in the same zone as the adjoining property.

By combining these three small tracts with the larger tract, these three tracts can be part of the common development pattern. This will allow parking to be in the rear of the property and in joint parking areas with the rest of the development. The property which is already zoned R-4 backs up to the railroad. The development will transition down from four-story apartment buildings along the railroad to three story buildings. The tract at 1104 Fern Avenue will be utilized as open space. The property at 122 Simpson Avenue will be utilized for a small portion of a planned apartment building, three parking spaces and for open space and a pedestrian walkway from the

rear parking area to Simpson Avenue. The tract at 119 Burley Avenue will be utilized for a small, three-story apartment building. The building will be set forward to the street, to be consistent with seven townhome units located in the same block face.

Overall, the project will have no front yard parking and will have pedestrian connections from parking areas to the street.

A great lawn is proposed in the area already zoned R-4, along with a community room and exercise facilities.

Much of the Simpson, Burley and American Avenue neighborhood has been re-developed over the last two decades to attract university students, in dwelling units that contain four bedrooms. This development will emphasize one and two bedroom apartment units to be more appealing to healthcare workers in the nearby University of Kentucky Hospital, graduate students and others. The property is within walking distance of the University, the hospital and healthcare facilities and employment areas downtown. Retail and restaurants are within walking distance. Bus lines on South Broadway and Virginia Avenue are also nearby.

GOALS AND OBJECTIVES OF THE 2045 COMPREHENSIVE PLAN.

This proposal is in agreement with the Goals and Objectives of the 2045 Comprehensive Plan. This development will supply infill housing for workers and students. The one and two bedroom units will supply an additional housing choice to those who do not wish to reside in four-bedroom student-type accommodations. As mentioned above, the property is within walking distance of the University, healthcare facilities, shopping and dining venues on Virginia Avenue and South Broadway, and service and employment centers on South Broadway, Virginia Avenue and downtown. It will allow these three small lots to be integrated into a larger, planned development. The development will have on-site management to supervise and maintain the property. It will have a community room, exercise facilities and green space. It is close to bus routes.

The additional dwelling units and additional choice in type of dwelling units complies with Goal A1, to expand housing choices. The proposal will comply with Objective A1.b by helping to accommodate the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types. Accessible units will be provided (Goal A1.c). This proposal will supply infill and redevelopment as called for in Goal A2 and Objective A2.a. It will respect the context and design features of surrounding areas. The new building on the lot at 119 Burley Avenue will have similar materials as the adjacent single-family structures. The setback will activate the street and will mirror the setback of other new units in the same block face (Objective A2.b). The development, including the properties requested for re-zoning will utilize greenspace and the common lawn (Objective A2.c).

Sidewalks were not constructed when the Stillwell, Burley and American Avenue neighborhood was constructed. This development will provide sidewalks along the street, and sidewalk linkages to rear parking areas, thus providing places for social interaction (Objective A3.b). The proposed buildings are smaller than typical apartment buildings. The smaller size will

allow the development to better utilize the terrain and cause less disruption of natural features (Objective A3.c). As mentioned above, this development will improve sidewalk connections between new and existing development (Objective A3.e). The new residential units will be open and encouraging for all (Goal A5 and Objective A5.c).

Finally, by providing additional density, the project helps to uphold Goal E.1., upholding the Urban Service Area concept by utilizing redevelopment of underutilized corridors and utilizing vacant land within the Urban Service Area (Objectives E.1d and E.1e).

THEMES AND POLICIES.

Our proposal successfully addresses the policies of the 2045 Comprehensive Plan.

Pertaining to Theme A, Building and Sustaining Successful Neighborhoods, this development will utilize the multi-family design standards (Policy 3), and will provide a design sensitive to the surrounding context of the neighborhood (Policy 4). It will be walkable, and parking lots and vehicular use areas will be in the rear and connected by sidewalks (Policies 5 and 7). It will assist in providing varied housing choice (Policy 8) and the development will provide open space internally (Policy 9).

As to Pillar II, Density, this is an infill proposal which will increase density and be sensitive to the design of neighboring properties.

ENGAGEMENT.

The applicant has met with several individual property owners in the area and will continue to reach out.

PLACE-TYPE, DEVELOPMENT AND REQUESTED ZONE.

This proposal fits within the Enhanced Neighborhood Place-Type and within the Medium Density Residential (MR) development-type. We are requesting the R-4 (Medium Density Residential) 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 specially addressed on the development plan, or which need further discussion.

- **A-DS12-1.** The development will be located within walking distance of the restaurant and commercial area at Virginia Avenue and South Broadway.
- **A-DN2-1.** This is a proposed infill development which will increase density.
- **B-SU3-1.** This development will provide more compact development and will provide a variety of housing choice in the neighborhood.

- **C-LI7-1.** By providing one and two bedroom dwelling units, this development will add a housing choice to this neighborhood. It will have access to employment at the University and healthcare facilities and shopping and entertainment on South Broadway and Virginia Avenue.
- **D-PL7-1.** The applicant has consulted individual neighbors and will continue to consult neighbors throughout this process.
- **E-ST8-2.** This development will provide a central lawn, exercise facilities and community room.
- **A-DS1-2, A-DS4-1, A-DS5-1 AND A-DS10-1.** This neighborhood was originally built with narrow streets and no sidewalks or curbs. The project will include sidewalks to provide safe and easier access to transit on South Broadway and Virginia Avenue, to the University and hospital, and to the nearby commercial and restaurant establishments. Those linkages will be separate from the street. The existing narrow streets also provide traffic calming.
- **A-DS13-1 and D-CO4-1.** These criteria relate to stub streets and dead end streets. The three parcels which are the subject of the zone change request are located on existing streets. Simpson Avenue will be terminated at the main entrance to the overall project. People wishing to turn around will have the option of turning left to utilize drive aisles to go to Export Street, or the option to turn right to loop to the internal drive aisles or to simply turn around. The railroad tracks are, of course, the barrier which prevents the streets in this neighborhood from continuing.
- **D-CO1-1 and D-CO2-1.** As mentioned above, this neighborhood was built without sidewalks and the streets are narrow. This proposal will supply sidewalks along the streets and sidewalk connections to rear parking areas, thus providing pedestrian and bicycle facilities where none exist today.
- **D-CO4-2, D-CO4-3 AND D-CO5-1.** The existing neighborhood provides a grid-type street structure up to the railroad which serves as a barrier. The existing streets have relatively short block lengths and their narrow width provides a traffic-calming feature. However, there are no sidewalks or other areas for bicyclists and pedestrians. This development will provide internal sidewalks and sidewalks where the property abuts public streets. By utilizing smaller buildings, we will be able to follow the existing topography of the land and minimize grading.
- **B-PR2-1.** The three lots which are the subject of the zone change have no environmentally sensitive areas. Two of the buildings shown on the development are located in the property which is already zoned R-4. We will be redeveloping an existing detention basin and will meet all engineering standards.

- **B-PR9-1.** This overall development, and the property to be re-zoned, utilizes smaller buildings which will allow the developer to more closely conform to the original grade.
- **B-PR10-1.** Lighting will be directed downward and overlighting will be avoided.
- **B-SU4-1.** By avoiding over parking, fewer impervious surfaces will be required.
- **B-SU11-1.** The developer will strive to incorporate low-impact landscaping and native plant species.
- **D-PL4-1.** The open space/common area will available for programmatic elements and amenities as determined by the on-site management.
- **A-DS4-2 AND A-DN2-2.** As mentioned above, smaller apartment building footprints are being utilized in order to minimize grading. In addition, the taller, four-story buildings are placed along the railroad track. The one building proposed on the property which will be re-zoned will be a three-story building.
- **D-PL2-1.** The first floors will be activated by doors and windows. Buildings will be adjacent to streets with no parking between the buildings and streets.

VARIANCE REQUEST.

We are requesting a variance to reduce the vehicular use area perimeter buffer from eight feet to three feet at the rear of the lot at 122 Simpson Avenue. This will allow a drive aisle to serve three of the parking spaces behind the building which will front on Simpson Avenue. It will assist in allowing all parking to be behind buildings. It will not be easily visible from any public street. No homes are adjacent to the variance area. The variance area is only for the vehicular use area, not for parking spaces. It will allow an adequate backing area for the three parking spaces on the other side of the driving aisle.

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 it is a parking area behind the building, not along the street, and will not be highly visible from any public street. It will a vehicular use area, but there will be no parking spaces adjacent to the three-foot landscape area. It will allow the applicant to construct the development as a cohesive unit.

Granting the variance will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because the Zoning Ordinance encourages parking to be behind buildings, not along the street. This will allow residents to have convenient access to their living units while not disturbing neighboring properties. It will allow the applicant to integrate this parking area into the development.

The special circumstances which apply to this property and which do not generally apply to land in the general vicinity or the same zone are that this is a small, vacant lot which is being incorporated into a larger development to allow a modest increase in density near the University and other employment, entertainment and commercial areas. It will allow the parking area on this lot to be consistent with the parking area which is internal to the complex. The differing size and shape of the original lots contribute to the difficulty of designing the parking and vehicular use area.

Strict application of the regulation of the Zoning Ordinance would deprive the applicant of a reasonable use of its land or create an unnecessary hardship because the narrower width of the drive aisle would make parking and maneuvering much more difficult.

The circumstances surrounding the requested variance are not the result of actions of this applicant taken subsequent to the regulation from which relief is sought. No construction has started prior to action by the Planning Commission. The size and shape of the individual lots was established over 100 years ago.

CONCLUSION.

Our proposed zone change will allow these three small lots, totaling 0.37 acre net, to contribute to and be incorporated into the larger development which is planned in the R-4 zone. It will allow modern, new infill residential use in this area which is convenient to employment, healthcare, restaurants, commercial and other services. It will supply an additional housing choice to compliment this area.

Thank you for your consideration of the zone change request.

Sincerely,



Richard V. Murphy,
Attorney for Applicant

RVM/prb

On Plan

Written

Not applicable

ENHANCED NEIGHBORHOOD

ENHANCED NEIGHBORHOOD - MEDIUM DENSITY RESIDENTIAL

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.
- 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-PS16-2** 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-SR1-1** Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets.
- D-SR3-1** 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.

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.
- 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.

ENHANCED NEIGHBORHOOD - MEDIUM DENSITY RESIDENTIAL

- 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.

ENHANCED NEIGHBORHOOD - MEDIUM DENSITY RESIDENTIAL

- 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.
 - 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.
 - 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 - MEDIUM DENSITY RESIDENTIAL

- 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.
- ### BUILDING FORM
- A-DS3-1** Multi-family residential developments should comply with the Multi-family Design Standards in Appendix A.
 - A-DSA-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.
 - A-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-GRA-1** Developments should incorporate reuse of viable existing structures.
 - E-GRS-1** Structures with demonstrated historic significance should be preserved or adapted.

Legal Description
Anderson Campus Rental Properties, LLC
Zone Change From R-1D to R-4
At 122 Simpson Avenue and 1104 Fern Avenue
Lexington, Fayette County, Kentucky

ALL THAT TRACT OR PARCEL OF LAND SITUATED AT THE SOUTHEAST CORNER OF SIMPSON AVENUE AND FERN AVENUE IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point in the centerline of Simpson Avenue, said point being located 95.00 feet southeast of the intersection of the centerlines of Simpson Avenue and Fern Avenue and having approximate state plane coordinates of 1,564,034.6 feet and 194,617.6 feet;
thence with the centerline of Simpson Avenue south 41 degrees 18 minutes 05 seconds east 50.00 feet to a point;
thence leaving Simpson Avenue south 48 degrees 41 minutes 55 seconds west 145.00 feet to a point;
thence north 41 degrees 18 minutes 05 seconds west 145.00 feet to a point in the centerline of Fern Avenue;
thence along the centerline of Fern Avenue north 48 degrees 41 minutes 55 seconds east 50.00 feet to a point;
thence leaving said centerline south 41 degrees 18 minutes 05 seconds east 95.00 feet to a point;
thence north 48 degrees 41 minutes 55 seconds east 95.00 feet to the point of beginning and containing 0.275 gross acres and 0.230 net acres.



Wesley B. Witt

Legal Description
Anderson Campus Rental Properties, LLC
Zone Change From R-1T TO R-4
At 109 Simpson Avenue and 119 Burley Avenue
Lexington, Fayette County, Kentucky

ALL THAT TRACT OR PARCEL OF LAND SITUATED AT THE NORTHEAST CORNER OF BURLEY AVENUE AND FORMER PROSPECT AVENUE (NOW CLOSED) IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

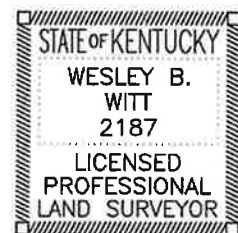
Beginning at the intersection of the centerline of Burley Avenue with the centerline of Prospect Avenue (now closed), said point having approximate state plane coordinates of 1,563,869.6 feet and 194,213.4 feet;

thence along the centerline of former Prospect Avenue north 48 degrees 41 minutes 55 seconds east 145.00 feet to a point;

thence leaving Prospect Avenue south 41 degrees 18 minutes 05 seconds east 70.00 feet to a point;

thence south 48 degrees 41 minutes 55 seconds west 145.00 feet to a point in the centerline of Burley Avenue;

thence with the centerline of Burley Avenue north 41 degrees 18 minutes 05 seconds west 70.00 feet to the point of beginning and containing 0.233 gross acres and 0.201 net acres.



Wesley B. Witt

ANDERSON CAMPUS RENTAL PROPERTIES, LLC (PLN-MAR-25-00007)

119 BURLEY AVENUE, 122 SIMPSON AVENUE, 1104 FERN AVENUE, 109 SIMPSON AVENUE (A PORTION OF)

Rezone the properties for an multi-family residential development.

Applicant/ Owner

ANDERSON CAMPUS RENTAL PROPERTIES, LLC
1255 PROVIDENCE PLACE PKWY
LEXINGTON, KY 40511
richard@murphyclendenen.com (Attorney)

Application Details

Acreage:

0.431 net (0.508 gross) acres

Current Zoning:

Single-Family Residential (R-1D) Zone
Townhouse Residential (R-1T) Zone

Proposed Zoning:

Medium Density Residential (R-4) Zone

Place-type/Development Type

Enhanced Neighborhood

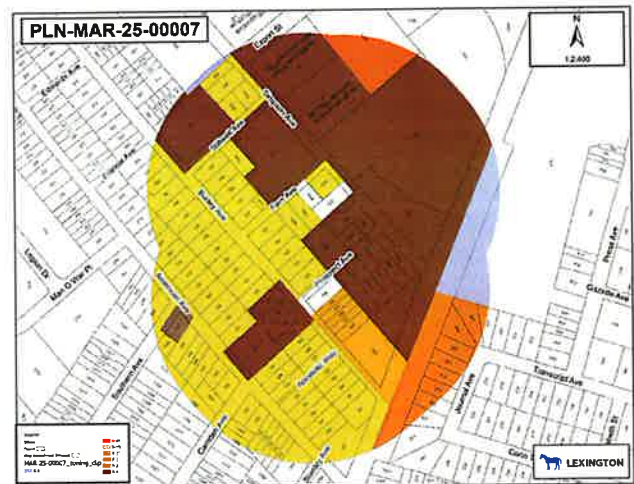
Medium Density Residential

For more information about the Enhanced Neighborhood place type see Imagine Lexington pages 342-351. For more information on the Medium Density Residential Development Type see page 270.

Description:

The applicant is seeking to rezone the subject properties in order to expand an existing multi-family development located at 201 Simpson Avenue. The expansion plan would add an additional 220 units bringing the total to 507 units for a total residential density of 40.53 units per acre.

Additionally, the applicant is seeking a variance with this request to reduce the required landscape buffer at 122 Simpson Avenue from 8 feet to 3 feet.



Status

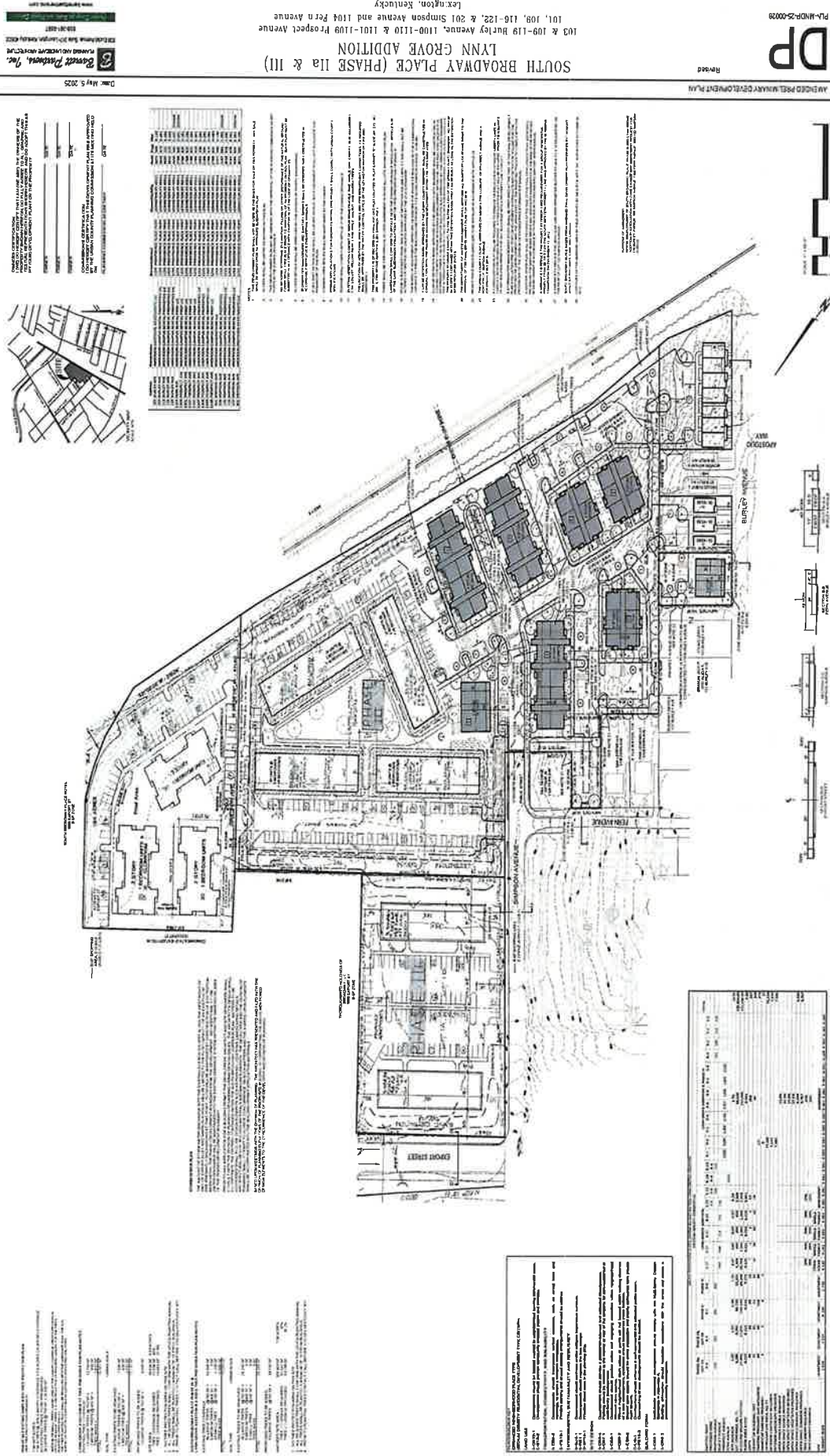
- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

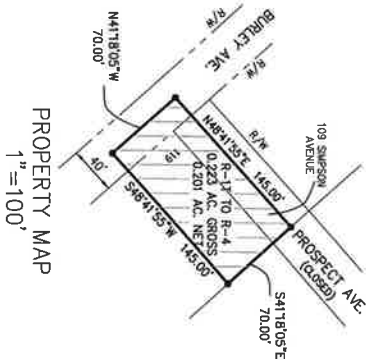
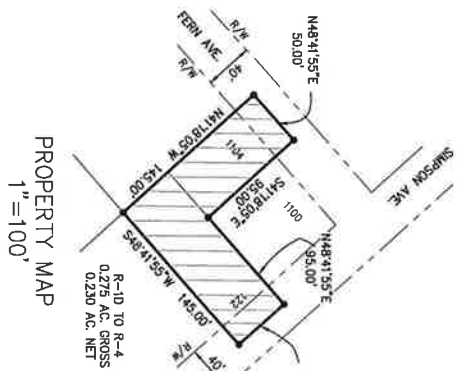
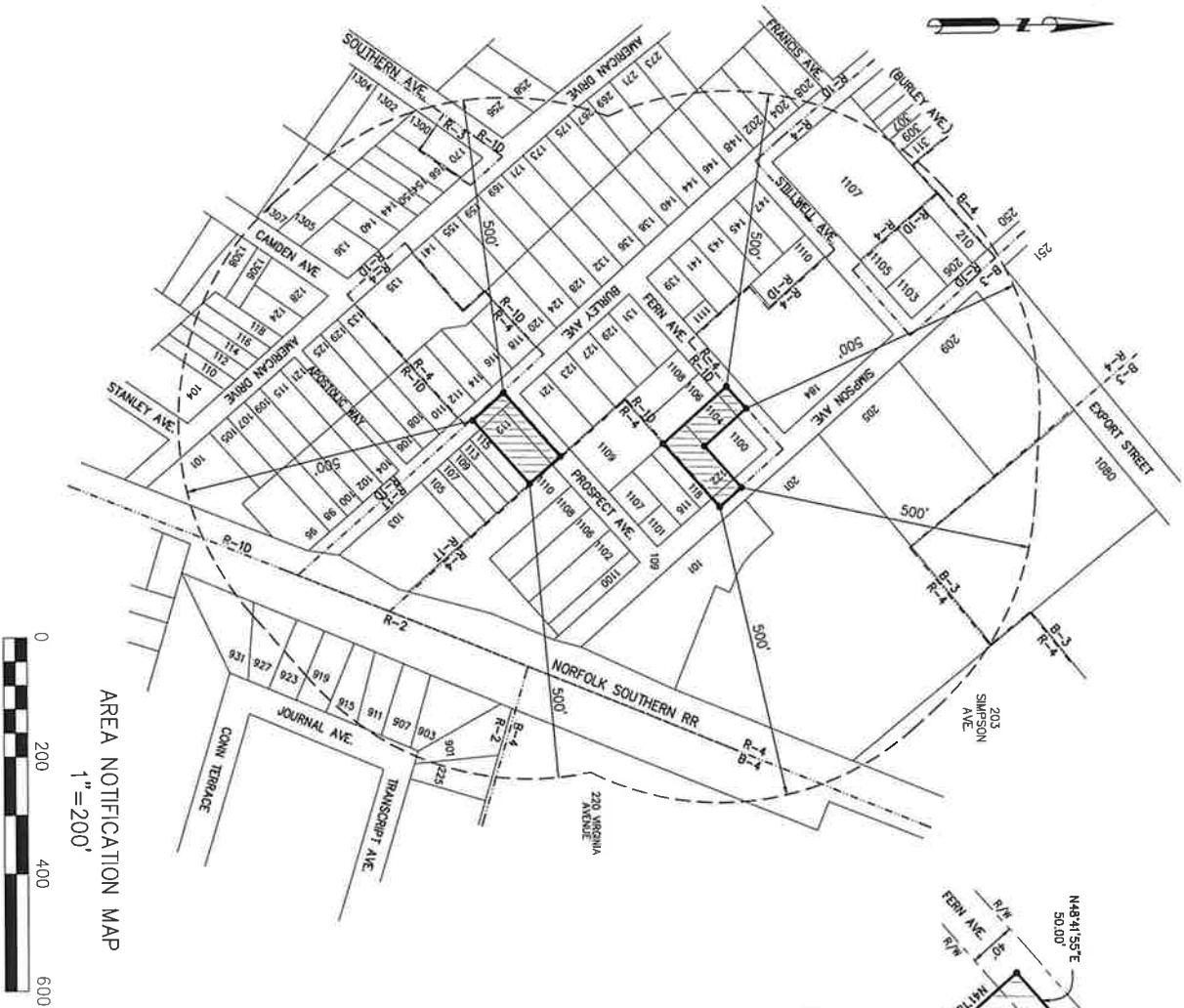
Public Engagement

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

DISCLAIMER: Plans are subject to change. Visit the Accela Citizen Portal (lexingtonky.gov/plans) or contact Planning for the latest information.

Development Plan





ZOMAR		FROM	TO	GROSS	NET
TITLE: PLN-MAR-25-00007		R-11	R-4	0.223 AC.	0.201 AC.
PROPERTY ADDRESS: 119 BURLEY AVENUE AND 109 SIMPSON AVENUE		R-10	R-4	0.275 AC.	0.230 AC.
OWNER:					
ANDERSON CAMPUS RENTAL PROPERTIES, LLC					
1255 PROVIDENCE PLACE PARKWAY, SUITE 250					
LEXINGTON, KY 40511					
APPLICANT:					
ANDERSON CAMPUS RENTAL PROPERTIES, LLC					
1255 PROVIDENCE PLACE PARKWAY, SUITE 250					
LEXINGTON, KY 40511					
PREPARED BY: WESLEY B. WITT, INC.					
DATE PREPARED: MAY 5, 2025					



STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-25-00007: ANDERSON CAMPUS RENTAL PROPERTIES, LLC

DESCRIPTION OF ZONE CHANGE

Zone Change: From a Single Family Residential (R-1D) zone and Townhouse Residential (R-1T) zone
To a Medium Density Residential (R-4) zone

Acreage: 0.431 net (0.508 gross) acres

Location: 119 Burley Avenue, 109 Simpson Avenue (A Portion of), 122 Simpson Avenue, 1104 Fern Avenue



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-1D/R-1T	Residential/Vacant
To North	R-4/R-1D	Residential
To East	R-4/R-1D	Vacant
To South	R-1D	Residential
To West	R-4/R-1D	Residential

URBAN SERVICE REPORT

Roads - The subject properties have frontage along Simpson Avenue, Fern Avenue and Burley Avenue. Fern Avenue is a short, local street that serves as a connector between Simpson Avenue and Burley Avenue. Both Burley Avenue and Simpson Avenue connect to South Broadway (US 68) at the western end and terminate at the Norfolk Southern rail-line at the eastern end. South Broadway is a major arterial roadway and is identified as one of Lexington's urban corridors. The roadway experiences approximately 25,950 average daily trips.

Curb/Gutter/Sidewalks - The frontages of the property are representative of the historical development of the area. The property frontages do not have curb, gutters, or sidewalks at this location. These improvements will be required within the site.

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

Storm Sewers - The subject property is located within the Wolf Run watershed. Storm sewers are currently located along the right-of-way in areas more recently developed; however, the developer will be required to address stormwater management on the site in accord with the adopted Engineering Manuals. There are no special flood hazard areas in this location; however, flooding issues are prevalent further towards South Broadway. Additionally, staff is aware that portions of the site slated for development currently serve as stormwater retention for areas adjoining the railroad to the rear.

Sanitary Sewers - The subject properties are located within the Wolf Run sewershed, which is served by the Town Branch Wastewater Treatment Facility, located on Lisle Industrial, inside New Circle Road. Sanitary sewer capacity will need to be verified prior to certification of the final development plan for the proposed redevelopment.

Refuse - The Urban County Government serves this area with refuse collection on Mondays.

Police - The nearest police station is the main headquarters, located approximately two miles to the northeast on East Main Street.

Fire/Ambulance - Fire Station #11 is the nearest station to this site. It is located approximately one mile to the southwest on Harrodsburg Road between St. Joseph Hospital and Picadome Elementary School.

Transit - LexTran service is available within the area along South Broadway. Outbound and inbound service for the South Broadway Route (#13) are within approximately ¼ mile of the subject property. Outbound and inbound service for the Red Mile Route (#15) is available within roughly ½ mile of the subject property.

Parks - Burley Park, located on Burley Avenue, is located 900 feet west of the subject property.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject properties from a Single-Family Residential (R-1D) zone and Townhouse Residential (R-1T) zone to the Medium Density Residential (R-4) zone in order to expand an existing multi-family development. Additionally, the applicant is seeking a variance with this request to reduce the required landscape buffer at 122 Simpson Avenue from 8 feet to 3 feet.

PLACE-TYPE

ENHANCED NEIGHBORHOOD

Enhanced Neighborhoods are existing residential areas 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

MEDIUM DENSITY RESIDENTIAL

Primary Land Use, Building Form, & Design

Primarily attached and multi-family units, with interspersed single-family detached dwellings. Multi-family units should complement and enhance existing development through quality design and connections.

Transit Infrastructure & Connectivity

Nearby commercial/employment uses and greenspace should be easily accessible, and bicycle and pedestrian modes should be maximized to connect residents to destinations.

Quality of Life Components

These developments should include intentional open space designed to fit the needs of area residents, and a variety of neighborhood-serving commercial/employment uses.

PROPOSED ZONING



This zone is intended to provide for medium to medium-high density multi-family dwellings and supporting uses. This zone should be located in areas of the community where services and facilities are/will be adequate to serve the anticipated population. The medium to medium-high density residential uses should be located along collector and arterial streets. Where lower density development occurs in this zone, it should be located along local streets. Adequate multi-modal connections should be available to all residents. Development should be in areas of the community where necessary services and facilities will be adequate to serve the anticipated population.

PROPOSED USE



The applicant is seeking to rezone the subject properties in order to expand an existing multi-family development located at 201 Simpson Avenue. The expansion plan would add an additional 220 units, bringing the total to 507 units for a total residential density of 40.53 units per acre.

APPLICANT & COMMUNITY ENGAGEMENT



The justification letter states that the applicant has met with several individual property owners in the area; however, no information has been provided about larger-scale engagement efforts.

PROPERTY & ZONING HISTORY



Prior to 1969, the subject properties were zoned Mixed Low Density Residential (R-2). During the comprehensive rezoning of the City of Lexington in 1969, the city reviewed the built environment to look for either consistency with the zoning, up-zoning and down-zoning certain properties to more accurately comply with the 1969 Zoning Ordinance. The residential parcels, including the properties along Simpson, Fern and Burley Avenues, were down-zoned from the R-2 District to the Single Family Residential (R-1D) zone. More recently, the odd numbered Burley Avenue properties, from 99 to 119, were rezoned to R-1T in 2012 (MAR-2012-9).

The surrounding properties are fairly evenly split between R-1D and R-4 (low density and medium density residential) with the previously mentioned area of R-1T along Burley Avenue. Areas of R-4 zoned properties have increased incrementally and include the following map amendments: MAR 95-17, MAR 2012-19, MAR 2013-20, PLN-MAR-17-00039.

COMPREHENSIVE PLAN COMPLIANCE



GOALS & OBJECTIVES

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.

The applicant opines that the proposed rezoning for the subject property is in agreement with the 2045 Comprehensive Plan. In staff's review, the overall project is consistent with the applicant's suggested Place-Type and Development Type and would facilitate a substantial increase in housing density in the area by making use of vacant and underutilized parcels (Theme A, Goal #1.b and #1.d; Theme A, Goal #2.a). The justification letter states that accessible units would be provided (Theme A, #1.c) but it is unclear how many of the proposed 220 units fit into this category. The proposed layout includes greenspace elements (Theme A, Goal #2.c) as well as a context sensitive design (Theme A, Goal #2.b) for the structure slated to front on Burley Avenue.

Finally, the applicant indicates that the proposed project will improve sidewalk connections between new and existing development (Theme A, Goal #3.e). While staff agrees that the plan shows internal pedestrian improvements, it fails to provide connectivity to Burley Avenue or Fern Avenue (Theme A, Goal #3.b and #3.e, Theme B, Goal #2.d and Theme D, Goal #1.b).

POLICIES

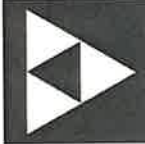
Within the letter of justification, the applicant opines that the project is meeting the 2045 Comprehensive Plan policy which illustrates the Multi-Family Design Standards (Design Policy #3), providing development that is sensitive to the surrounding context (Design Policy #4), providing walkability with vehicular use areas behind the structures (Design Policy #5 & #7), providing varied housing choice (Design Policy #8) and providing on-site open space (Design Policy #9). While staff agrees that these policies could be met with this request, there are several policies that the applicant should expand on further:

Design Policy #5: Provide pedestrian-friendly street patterns & walkable blocks to create inviting streetscapes.

The applicant's request shows pedestrian accommodations from parking areas and other structures internal to the development. Staff suggests that more connections to adjacent areas would help to satisfy the following requirements of the Multi-Family Design Standards:

Site Planning #5: Encourage access to surrounding uses through a continuous pedestrian network.

Site Planning #10: Connect to adjacent subdivisions and neighborhoods through an integrated street network with opportunities for multi-modal facilities; anticipate future connections to adjacent parcels to provide for



future opportunities; and provide adequate emergency vehicle access.

Site Planning #13: Pedestrian and bike paths should be used where street connections to adjacent neighborhoods are infeasible.

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 indicates that the project is located within the Enhanced Neighborhood Place-Type, which is described in the Comprehensive Plan with the following statement: Enhanced Neighborhoods are existing residential areas 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 multi modal connections is crucial to neighborhood success and viability. Based on the surrounding uses, staff finds that the suggested Place-Type is appropriate in this context. The Medium Density Residential Development Type and R-4 zone are recommended for the Enhanced Neighborhood and could be appropriate with enhanced connectivity to surrounding areas.



MULTI-FAMILY DESIGN STANDARDS

In connection with the proposed multi-family uses, the applicant submitted an annotated site plan, renderings of the proposed design, and a supplemental justification to demonstrate compliance with the Multi-Family Design Standards. Below, staff discusses the respective criteria:

Site Design:

The request meets the criteria for site design as the request uses the buildings to help reinforce the streetscape(SP.1). The design maintains existing setback patterns (SP.4). The proposal locates the parking areas internally, and breaks the lots into smaller sections to limit their visual impact (SP.8).

Open Space

Staff finds that the request meets the standards for Open Space, as the open space areas are located centrally to the site (OS.1), and are accessible for residents in each of the development's housing types (OS.2). These spaces are delineated and separated from the private open space (OS4).

Architectural Design.

The development uses a context sensitive approach to the structure fronting on Burley Avenue in terms of overall mass and scale (AS.2). The site plan follows a size and spacing pattern similar to the existing multi-family development. The proposed building design uses windows and alternating materials to avoid blank wall faces (AD.4; AD.5).

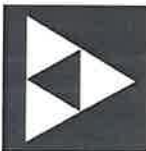


PARKING DEMAND MITIGATION STUDY

Under the requirements of the Parking and Landscaping Zoning Ordinance Text Amendment, all “Significant Developments,” or developments with over 5,000 square-feet of building coverage that require a Zoning Map Amendment, shall provide a Parking Demand Mitigation Study for the project that details the following information:

1. Review of national best practices for parking calculations for the project, including the current ITE Manual Parking ranges or the ranges produced by the ITEParkGen Report;
2. The anticipated parking demand for the project;
3. How the anticipated parking demand will be satisfied on-site or off-site;
4. The methods and strategies to be implemented in order to reduce vehicle trips by site users;
5. The methods and strategies to be implemented in order to promote transportation options by site users;
6. The projected mode share by site users from the utilization of the study’s strategies.

A parking demand mitigation study was not included with the submitted material. The applicant should provide this information so that staff can evaluate this aspect of the proposal.



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 Enhanced Neighborhood Place-Type and is seeking to create a medium density residential development.

While staff agrees with much of the justification provided by the applicant, there are several areas of concern as to how the applicant has applied, not applied, or not addressed the criteria. The following reviews the various Placebuilder criteria as provided to staff in the Letter of Justification, the associated plan, and the supplementary review of the Multi-Family Design Standards. The following list contains several criteria that require further explanation or justification:

1. LAND USE

Staff finds that the proposed medium-density residential component of the development is in agreement with the criteria for Land Use as it increases the density on-site (A-DN2-1), and is in close proximity to neighborhood level commercial areas (A-DS12-1).

2. TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

Staff finds that while the request meets several of the Transportation, Connectivity, and Walkability criteria, the following criteria require further discussion:

A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided; D-CO4-2: Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.

The applicant’s proposed development plan changes several aspects of the site’s access. Currently, the townhomes located along Burley Avenue can access their parking areas from the same roadway. Under the revised proposal, no vehicular connections are present between the larger development and Burley Avenue. This results in the parking for the townhomes being accessed from Simpson Avenue instead, and would require the residents to navigate throughout the entire site in order to access their parking areas. The applicant should maintain the existing connection to Burley Avenue in order to disperse traffic and increase connectivity.

3. ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

While the request meets several of the criteria for Environmental Sustainability and Resiliency, Staff finds there are several criteria that warrant further discussion:

B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site; B-SU9-1: Green Stormwater Infrastructure (GSI) should be implemented in new development.

While the subject properties do not have any areas of FEMA designated floodplain, staff is aware that there are stormwater and drainage issues associated with the area. The applicant's proposal places buildings where the site's existing detention basin is located. While exact final site engineering is not expected at the preliminary stage, staff requests the applicant provide greater detail about how they anticipate the increased stormwater will be mitigated.

4. SITE DESIGN

Staff finds that the proposed residential development is in agreement with the criteria for Site Design criteria as the development is in walking distance from a park (A-DS9-2), parking is located to the interior of the site (A-DS7-1), and the development provides accessible and delineated open spaces (A-EQ9-2).

5. BUILDING FORM

Staff finds that the proposal meets the criteria for Building Form, as the building orientation maximizes connections with the street (A-DS5-3), comply with the Multi-Family Design Standards (A-DS3-1), and do not result in development that is out of scale with the general vicinity (A-DN2-2).

STAFF RECOMMENDS: POSTPONEMENT, FOR THE FOLLOWING REASONS:



1. The zone change application for the subject property necessitates a Parking Demand Mitigation Study in accordance with Article 16-14 of the Zoning Ordinance.
2. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Enhanced Neighborhood Place Type, and the Medium-Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - b. A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.
 - c. D-CO4-2: Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.
 - d. B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
 - e. B-SU9-1: Green Stormwater Infrastructure (GSI) should be implemented in new development.

STAFF REPORT ON VARIANCE REQUEST



As part of their application, the petitioner is also seeking a dimensional variance to reduce the required landscape buffer between 122 Simpson Avenue and 1106 Fern Avenue from eight (8) feet to three (3) feet.

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 18-3(a) states that the landscaping buffer along the border of R-4 and R-1D properties has a minimum width of 8 feet.

CASE REVIEW

The applicant is seeking a dimensional variance for the Perimeter Landscaping Requirements 18-3 for the area between 122 Simpson Avenue and 1106 Fern Avenue. The ordinance requires varying levels of landscaping where certain dissimilar zones meet. The applicant wishes to reduce this requirement to three feet to create a drive-aisle for three additional parking spaces. The applicant opines in their letter of justification that a reduced landscaping requirement will not adversely affect public health, safety or welfare and would not facilitate an unreasonable circumvention of the ordinance.

In staff's review of the applicant's justification, there does not appear to be any unique circumstances surrounding the property that would justify the need for the requested variance. The subject properties, while modest in size, are part of a much larger redevelopment. Additionally, the applicant has not demonstrated that meeting the 8-foot requirement would limit their utilization of the property. It appears that there is sufficient room to meet the landscaping requirement by shifting the location of the parking spaces. Due to the lack of special circumstances and the overall flexibility the applicant has with the design, staff cannot support the variance request as proposed.

STAFF RECOMMENDS: DISAPPROVAL FOR THE FOLLOWING REASONS:

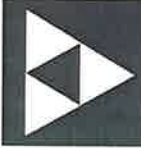


1. The applicant has not provided sufficient justification to meet the requirements of Article 7 of the Zoning Ordinance or KRS 100.243. There do not appear to be special circumstances that are unique to the subject property that do not generally apply to other property in the vicinity or in the same zone that justify the need for the variance. The property is a large redevelopment site that does not feature any environmental constraints.
2. The applicant has not provided any information that demonstrates that meeting the 8-foot required landscape buffer would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. It appears that the requirement could be met by relocating three parking spaces.

JY/DAC/TW

Planning Services/Staff Reports/MAR/2025/ PLN-MAR-25-000007: ANDERSON CAMPUS RENTAL PROPERTIES, LLC

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-25-00007: ANDERSON CAMPUS PROPERTIES, LLC



STAFF REVIEW

In the period following the July Subdivision and Zoning Committee meetings, 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 detailed description of how the design meets the Multi-family Design Standards. A Parking Mitigation Study has also been submitted.

The revisions to the proposed development plan include the addition of an entrance on Burley Avenue, as well as the incorporation of an expanded pedestrian system. The updated plan provides both pedestrian and vehicular connectivity between the proposed apartment uses and Burley Avenue. Additionally, the revised plan renders the previously-requested variance unnecessary.

COMPREHENSIVE PLAN GOALS AND OBJECTIVES

In the initial staff report, staff determined that the proposed development was in compliance with the Comprehensive Plan in a number of areas such as increasing housing density, housing choices and development of vacant and underutilized parcels. Staff also requested additional information as to how they were in agreement with the following Goals, Objectives, and Policies of the Comprehensive Plan:

Plan for safe, affordable and accessible housing to meet the needs of Lexington's aging population and residents with disabilities. (Theme A, Goal #1.c)

Staff noted in the initial staff report that the justification stated that the development would include units which were accessible to members of the community with disabilities but did not state how many unit were intended to be accessible. The applicant has subsequently indicated that based on building code, 2% of the units are required to be fully accessible. In addition, many of the other ground floor units will be built with wide doors, appropriate turning radiuses, and framing for grab bars, etc., so that the unit can be quickly converted to be fully accessible, if needed.

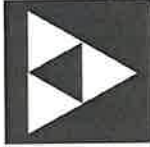
Strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation (Theme A, Goal #3.b);

Improve Lexington's transportation network through ample street and sidewalk connections between new and existing development. (Theme A, Goal #3.e);

Prioritize multi-modal options that de-emphasize single-occupancy vehicle dependence. (Theme B, Goal #2.d);

Expand the network of accessible transportation options for residents and commuters, which may include the use of mass transit, bicycles, walkways, ride-sharing, greenways and other strategies. (Theme D, Goal #1.b).

In the initial report, Staff noted that the development plan provided no access to Fern or Burley Avenue for pedestrians or vehicles. As noted above, the Comprehensive Plan repeatedly demonstrates the intention to ensure connectivity for all modes of transportation. The revised plan provides a sidewalk and vehicle connection between the proposed development and Burley Avenue as well as an alternative terminus of Simpson Avenue.



PARKING DEMAND MITIGATION STUDY

Under the requirements of the Parking and Landscaping Zoning Ordinance Text Amendment, all “Significant Developments,” or developments with over 5,000 square-feet of building coverage that require a Zoning Map Amendment, shall provide a Parking Demand Mitigation Study for the project that details the following information:

1. Review of national best practices for parking calculations for the project, including the current ITE Manual Parking ranges or the ranges produced by the ITEParkGen Report;
2. The anticipated parking demand for the project;
3. How the anticipated parking demand will be satisfied on-site or off-site;
4. The methods and strategies to be implemented in order to reduce vehicle trips by site users;
5. The methods and strategies to be implemented in order to promote transportation options by site users;
6. The projected mode share by site users from the utilization of the study’s strategies.

Within the applicant’s review of the parking demand, they have provided specific calculations based on the ITE manual for the proposed residential multi-family use. Based on the provided number of units, the study indicates that the a multi-family development at the proposed scale (existing plus proposed) would require 414 parking spaces. The study states that the proposed expansion, if approved, would result in a total of 477 parking spaces.

COMPREHENSIVE PLAN POLICIES

Although the original staff report pointed out a number of areas where the application was in compliance with the Themes and Policies of the Comprehensive Plan, Staff requested additional connections to satisfy the following:

Design Policy #5: Provide pedestrian-friendly street patterns & walkable blocks to create inviting streetscapes;

Site Planning #10: Connect to adjacent subdivisions and neighborhoods through an integrated street network with opportunities for multi-modal facilities; anticipate future connections to adjacent parcels to provide for future opportunities; and provide adequate emergency vehicle access;

Site Planning #13: Pedestrian and bike paths should be used where street connections to adjacent neighborhoods are infeasible.

The revised development plan adds pedestrian and vehicular access to Burley Avenue to provide connectivity.

DEVELOPMENT CRITERIA

The revised justification also addresses several of the Development Criteria previously identified by staff as requiring further clarification.

Transportation Connectivity and Walkability

A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided; D-CO4-2: Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.

The additional connections provided by the revised layout addresses this concern.

Environmental Sustainability and Resiliency

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

Throughout the review process for this application, Staff has viewed the proposal to utilize underground stormwater detention and piping in order to construct an apartment building over an existing detention basin with a considerable amount of trepidation. The immediate area has a documented history of stormwater and flooding issues. These issues are compounded by the fact that the existing on-site detention areas serve not only as the collector for the runoff produced by the existing apartment complex, but also is also a pass-through for water that accumulates on the east side of the Norfolk-Southern rail line. After discussions with the applicant and the Divisions of Engineering and Water Quality, all parties agreed to proceed with the map amendment request knowing that the applicant will have to demonstrate compliance with all stormwater regulations prior to any changes to the existing stormwater system being constructed.

Building form

A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.

In response to staff's request for more information regarding the Architectural Design components, the applicant supplied additional information about the proposed construction. The supplemental information included both a written description of the design features as well as photographs of the adjacent multi-family development as an example of the intended appearance of the new buildings.

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



1. The proposed Medium Density Residential (R-4) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request allows for more flexibility to create higher density housing (Theme A, Goal #1.b).
 - b. The proposal incorporates vacant and underutilized parcels (Theme A, Goal #2.a).
 - c. The request will provide residential units with accommodations for those with disabilities (Theme A, Goal #1.c).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request will provide development that is sensitive to the surrounding context (Theme A, Design Policy #4).
 - b. The proposed apartment uses will increase the variety of housing choice available in the area (Theme A, Design Policy #8).
 - c. The proposal is in agreement with the Multi-Family Design Standards (Theme A, Design Policy #3).
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 which states infill residential should aim to increase density (A-DN2-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as the request provides accessible links to transit (A-DS1-2).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency by improving tree canopy (B-RE5-1).
 - d. The proposed rezoning meets the criteria for Site Design by orienting parking to the interior or rear of the property for non-residential or multi-family developments (A-DS7-1) and providing active and engaging amenities within neighborhood focused open spaces (A-DS9-1).
 - e. The request meets the criteria for Building Form by minimizing significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods (A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00026: South Broadway Place and Lynn Grove Addition (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.

1. ANDERSON CAMPUS RENTAL PROPERTIES, LLC ZONING MAP AMENDMENT AND SOUTH BROADWAY PLACE AND LYNN GROVE ADDITION DEVELOPMENT PLAN

Note: The Planning Commission postponed this item at the July 24, 2025 meeting.

- a. **PLN-MAR-25-00007: ANDERSON CAMPUS RENTAL PROPERTIES, LLC (8/14/25)*** – a petition for a zone map amendment from a Single Family Residential (R-1D) zone and a Townhouse Residential (R-1T) zone to a Medium Residential (R-4) zone, for 0.431 net (0.498 gross) acres for properties located at 119 Burley Avenue, 122 Simpson Avenue, 1104 Fern Avenue, and a portion of 109 Simpson Avenue. The applicant is also requesting a variance to reduce the VUA perimeter buffer from 8' to 3' at the rear of 122 Simpson Avenue.

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.

The applicant is seeking to rezone the subject properties in order to expand an existing multi-family development located at 201 Simpson Avenue. The expansion plan would add an additional 220 units, bringing the total to 507 units for a total residential density of 40.53 units per acre.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Postponement for the following reasons:

1. The zone change application for the subject property necessitates a Parking Demand Mitigation Study in accordance with Article 16-14 of the Zoning Ordinance.
 2. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Enhanced Neighborhood Place Type, and the Medium-Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - b. A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.
 - c. D-CO4-2: Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.
 - d. B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
 - e. B-SU9-1: Green Stormwater Infrastructure (GSI) should be implemented in new development.
- b. **VARIANCE** – As part of their application, the petitioner is also seeking a dimensional variance to reduce the required landscape buffer between 122 Simpson Avenue and 1106 Fern Avenue from eight (8) feet to three (3) feet.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Disapproval of the requested variance for the following reasons:

1. The applicant has not provided sufficient justification to meet the requirements of Article 7 of the Zoning Ordinance or KRS 100.243. There do not appear to be special circumstances that are unique to the subject property that do not generally apply to other property in the vicinity or in the same zone that justify the need for the variance. The property is a large redevelopment site that does not feature any environmental constraints.

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

2. The applicant has not provided any information that demonstrates that meeting the 8-foot required landscape buffer would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. It appears that the requirement could be met by relocating three parking spaces.
- c. **PLN-MJDP-25-00026: SOUTH BROADWAY PLACE AND LYNN GROVE ADDITION** (8/14/25)* – located at 103-119 BURLEY AVENUE (odd only), 1104 FERN AVENUE, 1100-1109 PROSPECT AVENUE (odd only) and 101-201 SIMPSON AVENUE (odd only), LEXINGTON, KY
Council District: 10
Project Contact: Barrett Partners

Note: The purpose of this plan is to depict area of development of 220 multi-family dwelling units in support of the requested zone change from a Single Family Residential (R-1D) zone and Townhouse Residential (R-1T) to a Medium Density Residential (R-4) zone.

The Subdivision Committee Recommends: Postponement.

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

1. Provided the Urban County Council approves the zone change to R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Remove gray shading.
8. Denote location of common open space per Article 20-6(a) of the Zoning Ordinance on Burley Avenue.
9. Addition of sidewalks to Burley Avenue.
10. Addition of exhibits to meet multi-family design standards.
11. Provided the Planning Commission approves a waiver for Articles 6-8(b) and 6-8(f) of the Land Subdivision Regulations.
12. Discuss removal of existing driveway for townhomes on Burley Avenue.
13. Discuss stormwater management plan, including proposed relocation of existing modified detention basin from previous plan.
14. Discuss Placebuilder criteria.

Staff Presentation - Mr. Young presented the zone change request to the Planning Commission. He described the features and zoning of the surrounding areas. He pointed out that there were only four addresses included in the zone change, but the corresponding development plan covered a larger area. He stated that the applicant was asking for an Enhanced Neighborhood Place-Type and Medium Density Development Type. Mr. Young stated that originally, the Staff had some concerns regarding traffic, connectivity, and stormwater, but he explained how the applicant had addressed the concerns, and their new design eliminated the need for a variance. He stated that the Staff was now recommending approval for the following reasons:

1. The proposed Medium Density Residential (R-4) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request allows for more flexibility to create higher density housing (Theme A, Goal #1.b).
 - b. The proposal incorporates vacant and underutilized parcels (Theme A, Goal #2.a).
 - c. The request will provide residential units with accommodations for those with disabilities (Theme A, Goal #1.c).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request will provide development that is sensitive to the surrounding context (Theme A, Design Policy #4).

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

- b. The proposed apartment uses will increase the variety of housing choice available in the area (Theme A, Design Policy #8).
- c. The proposal is in agreement with the Multi-Family Design Standards (Theme A, Design Policy #3).
- 3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use which states infill residential should aim to increase density (A-DN2-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as the request provides accessible links to transit (A-DS1-2).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency by improving tree canopy (B-RE5-1).
 - d. The proposed rezoning meets the criteria for Site Design by orienting parking to the interior or rear of the property for non-residential or multi-family developments (A-DS7-1) and providing active and engaging amenities within neighborhood focused open spaces (A-DS9-1).
 - e. The request meets the criteria for Building Form by minimizing significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods (A-DN2-2).
- 4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00026: South Broadway Place and Lynn Grove Addition (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.

Staff Presentation - Ms. Gallt oriented the Commission to the development plan. She stated that the revision would add 220 dwelling units to what was already existing. She told the Commission that the applicant had originally removed an access point to Burley Avenue, but they had put it back in the revision, at the request of Staff, in the support of connectivity. Ms. Gallt listed and described the following revised conditions, and stated that the Staff recommended approval, subject to the following conditions:

- 1. Provided the Urban County Council approves the zone change to R-4; otherwise, any Commission action of approval is null and void.
- 2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
- 3. Urban County Traffic Engineer's approval of street cross-sections and access.
- 4. Urban Forester's approval of tree inventory map.
- 5. Greenspace planner's approval of the treatment of greenways and greenspace.
- 6. Department of Environmental Quality's approval of environmentally sensitive areas.
- 7. Denote location of common open space per Article 20-6(a) of the Zoning Ordinance on Burley Avenue.
- 8. Provided the Planning Commission approves a waiver for Articles 6-8(b) and 6-8(f) of the Land Subdivision Regulations.
- 9. Discuss Placebuilder criteria.

Staff Presentation Continued - Ms. Gallt continued the Staff presentation, and described the waiver that had been requested by the applicant. She said that the applicant proposed an entrance into their development, rather than using a required terminus for a public street. She stated that the applicant planned to use a "mountable traffic island" that would act as a roundabout to allow vehicles to turn around, if necessary. Ms. Gallt stated that Staff was recommending approval of the waiver request for the following reasons:

- 4. Granting the requested waiver for termination of street standards will not adversely affect public health, welfare and safety in compliance with the intent of the Land Subdivision Regulations. A second access point exists to the north portion of the property through the property located at 1020 Export Street and keeping access to Burley Avenue will allow another access for the southern portion of the development to have direct access to a public street.

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

5. The granting of the waivers is consistent with the intent Article 1-5(b) of the Land Subdivision Regulations for Design Innovation and Large-Scale Development as the street system and access points have been developed as part of an overall design for the entire residential development.
6. Granting the waiver is consistent with the intent of Article 1-5(c) of the Land Subdivision Regulations due to site constraint of an Infill and Redevelopment within an existing single family residential neighborhood.

Applicant Representation - Attorney Dick Murphy; Dennis Anderson, owner; Rory Kahly, EA Partners; Mike Craft, Anderson Communities; and Steve Garland, Prime Engineering were present on behalf of the application. He stated that applicant had made a number of changes to the original plan and appreciated the work that the Staff had done. He stated that they were withdrawing the variance request. He displayed a map of the development plan, and pointed out the small area of the actual zone change and the piece of the overall development plan that was not owned by the applicant. He also described the changes that had been made to entrance from Simpson Avenue and that the roundabout would allow for safe turn arounds. He requested approval, at this time.

Commission Questions - Ms. M. Davis asked Mr. Murphy to clarify the location of the three entrances. Mr. Murphy pointed them out on the development plan.

Ms. M. Davis asked about the stormwater concerns that had been mentioned in citizen letters. Ms. Wade replied that the letters had been received before the plan had been presented to the Technical Committee, and had been given to the applicant. She explained some of the technical issues regarding stormwater, but the engineering of the project would not be completed at this preliminary stage. She added that the applicant should have answers to the stormwater questions at either the final development stage or the improvement plan stage.

Mr. Michler asked about the small house of Fern Avenue. Mr. Murphy replied that it was beyond repair and had to be torn down.

Mr. Michler stated that the development plan referenced detention in the crawlspaces of the existing buildings, and wanted to ensure that this would not be the case moving forward. Mr. Murphy stated that it was the existing condition on the portion of the development that did not belong to this owner. Ms. Wade suggested that it was extremely unusual and that the stormwater manuals probably would not even allow for it. Mr. Murphy verified that this would not happen in the new portion of the plan.

Ms. M. Davis read a citizen comment about a church that was concerned about residents being disrespectful of their property. Mr. Murphy stated that Mr. Anderson used on-site management to prevent these issues.

Mr. Forester asked if they needed to make a formal vote to withdraw the variance request. Ms. Wade stated that the Planning Commission does typically do so. There were some off microphone discussion about this by the Planning Commission members, and Chair Davis declared that the variance had been withdrawn for the record.

Action - Mr. Forester made a motion, seconded by Mr. Wilson, 9-0 (Penn and Nicol absent) to approve **PLN-MAR-25-00007: ANDERSON CAMPUS RENTAL PROPERTIES, LLC**, as presented by staff.

Mr. Forester made a motion, seconded by Mr. Wilson, 9-0 (Penn and Nicol absent) to approve **PLN-MJDP-25-00026: SOUTH BROADWAY PLACE AND LYNN GROVE ADDITION**, with the revised conditions presented by staff, subject to the revised conditions.

Mr. Forester made a motion, seconded by Mr. Wilson, 9-0 (Penn and Nicol absent) to approve the waiver request with for the reasons presented by staff, subject to the conditions.

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