

ORDINANCE NO. 033 - 2026

AN ORDINANCE CHANGING THE ZONES FROM AN EXPANSION AREA RESIDENTIAL-1 (EAR-1) ZONE AND AGRICULTURAL RURAL (A-R) ZONE TO AN EXPANSION AREA RESIDENTIAL-2 (EAR-2) ZONE AND MEDIUM DENSITY RESIDENTIAL (R-4) ZONE, FOR 2.33 NET (2.77 GROSS) ACRES, FOR PROPERTY LOCATED AT 4184 TODDS ROAD. (4184 TODDS, LLC; COUNCIL DISTRICT 12).

WHEREAS, at a Public Hearing held on March 26, 2026, a petition for a zoning ordinance map amendment for property located at 4184 Todds Road, changing the zones from an Expansion Area Residential-1 (EAR-1) Zone and Agricultural Rural (A-R) Zone to an Expansion Area Residential-2 (EAR-2) Zone and Medium Density Residential (R-4) Zone, for 2.33 net (2.77 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 7-0; 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 zones for property located at 4184 Todds Road, from an Expansion Area Residential-1 (EAR-1) Zone and Agricultural Rural (A-R) Zone, to an Expansion Area Residential-2 (EAR-2) Zone and Medium Density Residential (R-4) Zone, for 2.33 net (2.77 gross) acres, 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: May 14, 2026



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: May 27, 2026-1t

0326 BGS:4902-4923-7667 v 1

Rec'd by _____
Date: _____

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

IN RE: PLN-MAR-26-00003: 4184 TODDS, LLC – a petition for a zone map amendment from an Expansion Area Residential-1 (EAR-1) zone and Agricultural Rural (A-R) zone to an Expansion Area Residential-2 (EAR-2) zone and Medium Density Residential (R-4) zone for 2.33 net (2.77 gross) acres for property located at 4184 Todds Road. (Council District 12)

Having considered the above matter on March 26, 2026, at a Public Hearing, and having voted 7-0 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 Expansion Area Residential-2 (EAR-2) zone is in agreement with the 1996 Expansion Area Master Plan, for the following reasons:
 - a. The request provides additional variety in residential options within the area (Community Design Element #5).
 - b. The request expands an existing network of interconnected residential uses (Community Design Element #4).
 - c. Due to the expansion of the Urban Service Boundary in 2024, the development is no longer adjacent to the Rural Service Area (Community Design Element #7), therefore, a higher density will not impact the agricultural land use in the area.
2. The proposed Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives for the following reasons:
 - a. The request will help meet an increase in the demand for housing and provide a variety of housing options (Theme A, Goal #1.a, #1.b and #1.d; Theme A, Goal #2.b).
 - b. The request increases residential density on an underutilized parcel (Theme A, Goal #2.a and #2.d).
 - c. The proposed pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal #2.d; Theme D, Goal #1.a).
 - d. The development will maximize utility of the development while maintaining the character of adjacent development (Theme E, Goal #1.e).
3. The requested Medium Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal increases residential density while still being sensitive to the surrounding context and connecting into the adjacent developed properties (Design Policy #4; Density Policy #1 and #2).
 - b. The request responds to the context of the corridor, providing additional density and intensity (Design Policy #4; Density Policy #1 and #2).
 - c. By locating the parking internally, within parking structures, the proposed development enhances walkability and bikeability (Design Policy #7).
 - d. The request will provide additional housing options for this area, which is predominately characterized by single-family detached structures or multi-family housing (Design Policy #8).
4. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.

- a. The proposed rezoning meets the criteria for Land Use, as the request increases residential density in a compact development(A-DN2-1; B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it creates a pedestrian connection between existing residential development and future development (A-DS5-1; A-DS4-1).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and minimizes impact on adjacent development through the use of buffering elements (B-PR3-1).
 - d. The proposal meets the criteria for Site Design, as the development improves pedestrian connectivity in the area (C-LI8-1), and provides for programmed open space (D-PL4-1).
 - e. The plan meets the criteria for Building Form, as it scaled to respect the context of neighboring structures (A-DS4-2) and minimizes significant contrasts in scale, massing and design (A-DN2-2).
5. This recommendation is made subject to approval and certification of **PLN-MJDP-26-00007: CROSSROADS CHRISTIAN CHURCH LOT 3. (GARDEN ESTATES)**, 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 17th day of April, 2026.



 Secretary, Jim Duncan

ZACH DAVIS
 CHAIR

KRS 100.211(7) requires that the Council take action on this request by June 24, 2026.

Note: The corollary development plan of **PLN-MJDP-26-00007: CROSSROADS CHRISTIAN CHURCH LOT 3. (GARDEN ESTATES)**, was approved by the Planning Commission on March 26, 2026, and certified on April 9, 2026.

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

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES:	(7)	Barksdale, Z. Davis, Forester, Nicol, Wilson, Michler, and Worth
NAYS:	(0)	
ABSENT:	(4)	Penn, Owens, J. Davis, and M. Davis

ABSTAINED: (0)
DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-26-00003 carried.

Enclosures: Application
Justification
Supplemental Justification
Legal Description
Notification Map
Supplemental Notification 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: 4184 TODDS LLC, 326 S BROADWAY, LEXINGTON, KY 40508
Owner(s): 4184 TODDS LLC, 326 S BROADWAY, LEXINGTON KY 40508
Attorney: Wes Harned, 326 S BROADWAY, Lexington, KY 40508

2. ADDRESS OF APPLICANT'S PROPERTY

4184 TODDS RD LEXINGTON KY 40509

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
EAR-1 A-R	VACANT	EAR-2 R-4	TOWNHOMES	0.36 1.97	0.47 2.30

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:	Private
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





J. Wesley Harned, Esq.
(859) 721-2856
wes.harned@rcsmlaw.com

February 2, 2026

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

HAND DELIVERY

Re: Proposed zone change for 4184 Todds Road

Dear Chairman Davis and Members of the Planning Commission:

I am writing on behalf of 4184 Todds LLC, (“Applicant”), which is filing a zone change application and development plan for the property at 4184 Todds Road, Lexington, Kentucky 40509 (“Property”), totaling 2.33 net acres.

The Property consists of two separately zoned parts:

- (1) “Tract 1”: approximately 0.36 net acres (0.47 gross acres) currently zoned Expansion Area Residential 1 (EAR-1) pursuant to the 1996 Expansion Area Master Plan (“EAMP”);
- and
- (2) “Tract 2”: approximately 1.97 net acres (2.30 gross acres) currently zoned Agricultural Rural (A-R).

For the smaller Tract 1 of the Property, currently zoned EAR-1, we are requesting a zone change from EAR-1 to Expansion Area Residential 2 (EAR-2). For Tract 2 of the Property, we are requesting a zone change from A-R to Medium Density Residential (R-4). We are requesting this zone change in order to allow development of a single-family attached townhome development on the Property.

THE PROPERTY AND DESCRIPTION OF THE PROJECT.

The Property fronts Todds Road and is entirely within the Urban Service Area. However, the current zoning of the Property, and how that came to be, requires some background and explanation.

The subject Property is bounded to the west by 4176 Todds Road. 4176 Todds Road is zoned EAR-1 and has been developed into the Garden Estates Apartments consisting of 91 apartment units. The subject Property was formerly a part of 4176 Todds Road. At the time of adoption of the EAMP, the boundary of Expansion Area 2b under the EAMP was drawn in such a

way that 0.47 gross acres of 4176 Todds Road (now Tract 1) was within Expansion Area 2b under the EAMP, with a future land use designation of EAR-1. However, at the time, 2.30 gross acres of 4176 Todds Road (now Tract 2), zoned A-R, was outside the boundary of Expansion Area 2b under the EAMP. Ultimately, Tract 1 within EAMP Expansion Area 2b was rezoned EAR-1, with the remaining Tract 2, consisting of approximately 2.30 gross acres (1.97 net acres) was left as zoned A-R.

Subsequent to the development of the 91-unit Garden Estates Apartments, 4176 Todds Road was subdivided pursuant to an Amended Final Record Plat approved by the Planning Commission on October 8, 2020 (see PLN-FRP-20-00049; Plat Bk. S, Pg. 417). That subdivision created what is shown on the referenced Amended Final Record Plat as “Lot 3” – Tract 1 and Tract 2 of the subject Property herein – consisting of 0.36 net acres zoned EAR-1 and 1.97 net acres zoned A-R.

The subject Property is bounded to the east by 4200 Todds Road which, although currently zoned A-R, was included within “Area 4” of the 2024 Urban Growth Master Plan (“UGMP”) and thereby brought within the expanded Urban Service Area as an area planned for future mixed-density, mixed-use development.

The subject Property presents a unique case in that Tract 2 was not included within the EAMP based on how the boundary line of Expansion Area 2b was drawn and, thus, not subject to the future land use element of the EAMP; nor was Tract 2 of the Property included within “Area 4” (or any other area) of the UGMP. Tract 2 of Property, therefore, is an A-R “island” sandwiched between larger properties have either have already been developed into medium-high density residential, pursuant to the EAMP, or slated for future development into mixed-density residential pursuant to the UGMP.

Under Tract 2’s current A-R zoning, only one (1) single-family detached dwelling could be constructed on the Property. The Applicant, 4184 Todds LLC, seeks the requested rezoning to allow development of Tract 1 and Tract 2 into a single development of townhomes on the Property, offering much greater density than one single-family detached dwelling, consistent with the current land use at 4176 Todds Road and the future land use planned for the 124-acre property to the east and south. immediately surrounding properties. This proposed development would not only provide much-needed housing stock for our community, but would offer an appropriate density transition and connectivity from the medium/high-density 91-unit apartment complex to the west, and the future mix-density, mix-used development planned for the neighboring property to the east, 4200 Todds Road.

GOALS AND OBJECTIVES OF THE 2023 COMPREHENSIVE PLAN (IMAGINE LEXINGTON 2045)

The Applicant’s proposal is in agreement with the Goals and Objectives of the 2023 Comprehensive Plan – Imagine Lexington 2045 (“Comprehensive Plan”). This development will supply housing for sale or rent to working families, which will provide an additional option to residents in this area of the community. Again, the Property is immediately adjacent to a 91-unit apartment complex; is in close proximity of a number of detached single-family developments

(across Todds Road and down Polo Club Blvd); and is bounded to the east by approximately 124 acres planned for future development into mixed-density residential and other mix-used development. The Applicant's project will supply an option for attached single-family housing for individual sale or rent, thus complying with the objectives of Theme A, Goal 1, "Expand Housing Choices," and Objective A.1.b., accommodating the demand for housing in Lexington responsibly, prioritizing higher-density and a mixture of housing types.

The Applicant's project proposes to develop townhomes on a tract which has been vacant for many years and which, under current A-R zoning, would be limited to one detached single-family dwelling. Accordingly, the Applicant's project is supportive of Goal A.2, to support infill and redevelopment through the Urban Service area as a strategic component of growth. Likewise, the Applicant's proposed project complies with Objective A.2.a. and A.2.b. by allowing infill development of this parcel into a townhome development which will be compatible with surrounding land uses and planned future land use on a large parcel next door to the east.

The Applicant's proposed rezoning and development of the Property is also in agreement with Goal A.3. of the Comprehensive Plan, which calls for the provision of well-designed neighborhoods and communities. The proposed development of the Property will offer pedestrian connectivity and the opportunity for social interaction with and between the 91-unit apartment complex immediately to the west and the future mix-density, mixed-use development planned for the 124-acre property immediately to the east. As such, the proposed rezoning and development will achieve Objective A.3.b., which calls for positive and safe social interaction in neighborhoods, including neighborhoods that are connected for pedestrians and various modes of transportation. The development of this long-vacant tract will minimize the disruption of natural features in furtherance of Objective A.3.c. Further, the proposed rezoning and development of the Property is in accord with Objective A.3.e., as it incorporates sidewalk connections between new and existing development. Additionally, by providing housing for sale to working families, the Applicant's proposal is supportive of Goal A.5., to provide equitable development and to rectify Lexington's segregation caused by historic planning practices and policies.

The Applicant's proposed project also complies with Theme D, "Improving a Desirable Community." Again, the proposal will offer connectivity between the proposed development on the Property and the adjacent medium-high density residential development to the west as well as the future mixed-use development planned for the neighboring property to the east, thus accommodating a pedestrian design and offering an alternative/relief to automotive traffic on Todds Road (Objective D.1.a.), and providing walkways as called for in Objective D.1.b.

Finally, the Applicant's proposed rezoning and development of the Property complies with Theme E, "Maintaining a Balance Between Planning for Urban Uses and Safeguarding Rural Land." The proposed rezoning and development of the Property assists in upholding the Urban Service Area concept by developing a parcel on an underutilized corridor (Objective E.1.d.), and by maximizing development on vacant land within the Urban Service Area and enhancing urban form (Objective E.1.e.). Also, by developing this vacant parcel, it assists in maintaining the Urban Service Area Concept (Goal E.1.).

POLICIES

The Applicant's proposed rezoning and development of the Property more than adequately addresses the policies of the 2023 Update to the Comprehensive Plan.

Pertaining to the Design Policies under Theme A, "Building and Sustaining Successful Neighborhoods," this development is designed with walkways that offer pedestrian connectivity for both residents of the proposed development and those of adjacent developments, enabling non-vehicular movement and ensuring that roadways are moving people most efficiently (Policy 1). Todds Road is fully constructed to ensure that police and fire service times and access are more than adequate (Policy 2). The proposed development is sensitive to the surrounding context as it will seamlessly blend into the existing neighborhood by providing an appropriate "step-down" transition from the medium-high density Garden Springs Apartments (91-unit apartment complex) to the west of the Property, to the future mixed-density mixed-use development planned for 4200 Todds Road, while at the same time providing appropriate balance with the single-family detached neighborhood developments to the north, across Todds Road and down Polo Club Blvd (Policy 4). The development will provide pedestrian connections and will be walkable (Policy 5). A majority of the parking in the development will be in garages and in driveways, and therefore, the three small parking areas provided in the project design are not the primary visual component of the neighborhood (Policy 7). As mentioned above, the development of attached townhomes for sale individually or for rent to working families will provide another varied housing choice in this neighborhood that currently consists of medium-high density apartments and single-family detached dwellings (Policy 8).

As to the Density policies under Theme A, the Property is an infill lot on a long-overlooked parcel, with the Applicant proposing a context-sensitive design that will greatly increase density from one single-family detached dwelling (maximum under current A-R zoning) to townhomes under the proposed R-4 zoning (Policy 2). The Applicant's proposed rezoning and development of the Property is in line with Density Policy #4, as it will provide a new compact single-family housing type in the neighborhood that will help address the market demand as reflected under Density Policy #4.

As to the equity policies under Theme A, the provision of housing available for purchase and rent by working families helps meet the demand for housing across all income levels, as called for in Equity Policy #1.

PLACE-TYPE, DEVELOPMENT TYPE & DEVELOPMENT CRITERIA

With respect to Tract 2, the Applicant's proposal fits within the Enhanced Neighborhood Place-Type, and within the Medium Density Residential (MR) Development Type. We are requesting the Planned Neighborhood Residential (R-4) zone for Tract 2, which is a recommended zone for our Place-Type.

Additionally, below is a discussion of development criteria applicable to the Place-Type and Development Type:

- A-DN2-1. This is infill residential, and the proposed rezoning and development would increase density over that which could be achieved under current A-R zoning.
- B-SU3-1. The proposed development would provide new compact single-family housing types.
- A-DS4-2 and A-DN2-2. By utilizing attached single-family residential uses, this development acts as an appropriate transition between the 91-unit apartment complex to the immediate west of the Property and the future mixed-density, mixed-used development planned for the approximately 124-acre parcel to the immediate east of the Property. Further, the proposed development will provide a new compact single-family housing type that offers appropriate balance with the detached single-family residential developments across Todds Road and down Polo Club Blvd.
- B-PR7-1 and B-PR9-1. The proposed development will minimize to the greatest extent possible disturbance to the existing trees and topography. There are no environmentally sensitive areas on the property.
- C-PS10-2, and A-DS7-1. Under the proposed development, the Property will not be over-parked. Most parking will be provided for in garages and driveways. The few striped guest parking spaces within the proposed development are minimal and oriented to the interior of the Property.
- A-DS5-1 and C-LI8-1. The proposed development will offer sidewalks through the development and points where those sidewalks will connect the proposed development with (1) the existing 91-unit apartment complex to the west, and (2) the future mixed-density, mixed-used development planned for the approximately 124-acre parcel to the immediate east of the Property. By doing so, the proposed development will offer pedestrian connectivity that will promote vehicle separation from pedestrians and a well-connected and activated public realm.
- B-RE1-1. The proposed development will improve the tree canopy.
- D-PL7-1. As mentioned below, the Applicant has attempted community engagement and will continue in its efforts to do so as the development process proceeds.

COMMUNITY ENGAGEMENT

On November 24, 2025, the Applicant held a public meeting at Crossroads Church located at 4128 Todds Rd., Lexington, KY 40509, for the purpose of obtaining neighbor feedback regarding the proposed zone change and development of the Property. More than a week in advance of that meeting, the Applicant sent notice letters to each adjoining property owner within a 500-ft radius. One such neighbor was Crossroads Church, which was gracious enough to provide a space for the meeting. The only attendee at the meeting was a representative of Crossroads Church, and the undersigned and representatives of the Applicant had a nice discussion of the proposed development with the Crossroads Church representative. We will continue to seek out

opportunities to engage community members and obtain feedback about the proposed development.

COMPLIANCE WITH EAMP (TRACT 1)

As stated, Tract 1 of the Property consists of 0.36 net acres (0.47 gross acres) within Expansion Area 2b of the EAMP and currently zoned EAR-1. The EAR-1 zone allows for residential development of 0-3 units per gross acre. Here, Tract 1 consists of 0.47 gross acres which, under the current EAR-1 zoning classification, would permit the Applicant 1.41 units on that portion of the Property. As shown in the proposed preliminary development plan, the Applicant's proposed development would include slightly more than 1.5 units on Tract 1. Thus, to be fully compliant, we are requesting a zone change for Tract 1 from EAR-1 to EAR-2 to permit up to six (6) dwelling units per gross acre, which is more than sufficient to accommodate our development plan.

The requested zone change for Tract 1 from EAR-1 to EAR-2 is compliant and in agreement with the EAMP. Under the EAMP, Expansion Area 2b was envisioned to have a full range of housing densities including low-, medium- and high-density. (See EAMP, p. 9.) The proposed development presents a negligible divergence from the density requirements for EAR-1 as it stands, seeking to develop what would equate to slightly more than 3 units per gross acre on Tract 1. Thus, the requested zone change from EAR-1 to EAR-2 to achieve compliance with maximum density requirements would not render Tract 1 out of compliance with the EAMP.

Rather, the requested zone change for Tract 1 from EAR-1 to EAR-2 would further the intent and objectives of the EAMP as it concerns Expansion Area 2b by blending a single-family attached housing type option into a neighborhood that already offers a 91-unit apartment complex (medium-high density on an EAR-1 lot next door) and single-family detached developments (low density across Todds Road and down Polo Club Blvd). In that way, the proposed rezoning of Tract 1 to EAR-2 will allow another varied housing choice in this neighborhood that currently consists largely of medium-high density apartments and single-family detached dwellings across Todds Road and down Polo Club Blvd, which is squarely in line with the vision for Expansion Area 2b and in agreement with the overall design principles, objectives and intent of the EAMP. (See EAMP, p. 20 at ¶6, "Residential development within the Expansion Areas should provide a range of housing types, sizes and costs.").

Alternatively, the EAR-1 zone is inappropriate and the EAR-2 zone is appropriate for Tract 1 because, since 1996, the housing needs of our community have shifted from lower to higher density such that requisite housing stock for working families in our community would be much better served by developing infill lots with 3-6 units per gross acre rather than 0-3 units per gross acre. Additionally, as discussed above, as compared to the 91-unit apartment complex next door and the single-family detached residential developments across Todds Road, the proposed development would offer diversity in housing types and prices points, which is in agreement with the Comprehensive Plan at the least.

ALTERNATIVE JUSTIFICATION

In the alternative to the above, pursuant to KRS 100.213(1)(a), the Applicant submits that the Planning Commission can and should find, if necessary, that the existing zoning classifications of the subject Property (EAR-1 for Tract 1 and A-R for Tract 2) are inappropriate and that the proposed zoning classifications (EAR-2 for Tract 1 and R-4 for Tract 2) are appropriate.

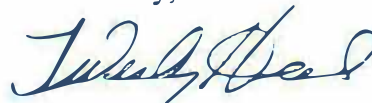
Since 1996, the EAMP has designated the land to the west and north of the subject Property (and Tract 1 as well) as appropriate for low-, medium- or high density residential, and the EAR-1 tract to the immediate west of the Property has been developed into a 91-unit apartment complex. More recently, under the UGMP, no less than 124 acres immediately to the east and south of the subject Property were brought into the Urban Service Area, with a plan for future mixed-density and mix-use development of that land. In other words, the properties to the immediate east, south and west of the subject Property are either already densely developed or slated for dense residential development in the future. Given the development of 91 apartment units next door (zoned EAR-1) and changes to the planned future land use in the area (and the shifts in housing demand that necessitated those changes), the current zoning classifications of the subject Property – EAR-1 for Tract 1 and A-R for Tract 2 – are inappropriate to serve the needs of our community. Rather, proposed zone changes to EAR-2 for Tract 1 and R-4 for Tract 2 to allow higher density than that permitted under the current EAR-1 zoning for Tract 1 (0-3 units per gross acre) and especially the A-R zoning for Tract 2 (1 dwelling unit) is warranted and appropriate to maximize the utility of the Property in addressing the housing needs of working families in our community.

CONCLUSION

Our proposed zone change will allow development of a long-vacant parcel within the Urban Service Area into attached single-family housing that will provide much-needed housing stock in our community while blending well into the fabric of the existing neighborhood and future residential and/or mixed-use developments envisioned for the immediate area. The proposed zone change and development is in agreement with the Comprehensive Plan, and we respectfully request that the Planning Commission approve the requested zone change.

Thank you for your consideration of this zone change request.

Sincerely,



J. Wesley Harned
Attorney for 4184 Todds LLC

4184 TODDS, LLC
Zone Change from EAR-1 to EAR-2
A Portion of 4184 Todds Road
Lexington, Fayette County, Kentucky

A TRACT OF LAND SITUATED SOUTH OF AND ADJACENT TO TODDS ROAD BETWEEN POLO CLUB BOULEVARD AND TODDS STATION IN SOUTHEAST FAYETTE COUNTY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING at the point of intersection of the centerline of Todds Road and the common line of 4176 and 4184 Todds Road extended located in Crossroads Christian Church (Garden Estates) of record in Plat Cabinet S, Slide 417 in the Office of the County Clerk of Fayette County, Kentucky; thence with said centerline S 83°03'58" E, 98.00 feet to a point; thence leaving said centerline S 12°24'21" W, 227.48 feet to a point; thence N 69°24'56" W, 116.77 feet to a point; thence N 41°58'46" E, 33.15 feet to a point; thence 61.17 feet along a curve to the left having a radius of 100.00 feet and a chord which bears N 24°27'24" E, 60.22 feet to a point; thence N 06°56'02"E, 114.33 feet to the **POINT OF BEGINNING** and containing 0.47 acres gross and 0.36 Acres net.

4184 TODDS, LLC
Zone Change from A-R to R-4
A Portion of 4184 Todds Road
Lexington, Fayette County, Kentucky

A TRACT OF LAND SITUATED SOUTH OF AND ADJACENT TO TODDS ROAD BETWEEN POLO CLUB BOULEVARD AND TODDS STATION IN SOUTHEAST FAYETTE COUNTY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

COMMENCING at the point of intersection of the centerline of Todds Road and the common line of 4176 and 4184 Todds Road extended located in Crossroads Christian Church (Garden Estates) of record in Plat Cabinet S, Slide 417 in the Office of the County Clerk of Fayette County, Kentucky; thence with said centerline S 83°03'58" E, 98.00 feet to the **TRUE POINT OF BEGINNING**; thence continuing with said centerline for the following two calls -- S 83°03'58" E, 27.84 feet to a point; thence S 81°39'56" E, 263.54 feet to a point; thence leaving said centerline S 26°40'35" W, 618.54 feet to a point; thence N 01°55'48" W, 44.80 feet to a point; thence N 10°03'29" W, 332.43 feet to a point; thence N 12°24'21" E, 227.48 feet to the **POINT OF BEGINNING** and containing 2.30 acres gross and 1.97 Acres net.

4184 TODDS, LLC (PLN-MAR-26-00003)

4184 TODDS ROAD

Rezone property to construct 20 townhouse units.

Applicant/Owner

4184 TODDS, LLC
326 S. BROADWAY
LEXINGTON, KY 40508
ATTORNEY: J. WESLEY HARNED:
wes.harned@rcsmlaw.com

Application Details

Acreage:

2.33 net (2.77 gross) acres

Current Zoning:

Expansion Area Residential-1 (EAR-1)
Agricultural Rural (A-R)

Proposed Zoning:

Expansion Area Residential-2 (EAR-2)
Medium Density Residential (R-4)

Place Type/Development Type:

Enhanced Neighborhood/Medium Density Residential

For more information about the Enhanced Neighborhood Place-type see Imagine Lexington page 269. For more information on the Medium Density Residential Development Type see page 270.

Description:

The applicant is seeking to rezone the subject property in order to construct 20 single-family townhouse units, for a residential density of approximately 8 units per acre.



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.

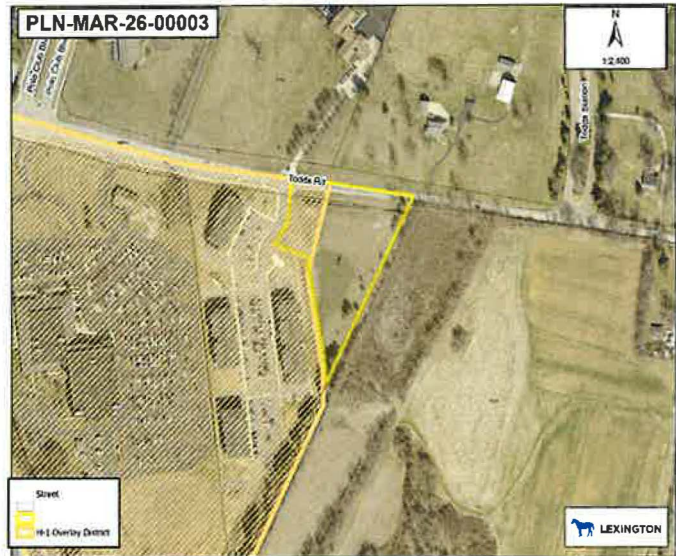
STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-26-00003: 4184 TODDS LLC

DESCRIPTION OF ZONE CHANGE

Zone Change: From: Expansion Area Residential-1 (EAR-1) & Agricultural Rural (A-R)
To: Expansion Area Residential-2 (EAR-2) & Medium Density Residential (R-4)

Acreage: 2.33 net (2.77 gross) acres

Location: 4184 Todds Road



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	
Subject Property	EAR-1/A-R	Vacant
To North	A-R	Church
To East	A-R	Agricultural
To South	A-R	Agricultural
To West	EAR-2	Multi- Family Residential

URBAN SERVICE REPORT

Roads - The subject property fronts on Todds Road, in an area where the road transitions from a Rural Urban Collector to an Urban Minor Arterial. To the west, Todds Road is an urban, multi-lane road with curb, gutter and sidewalks while the eastern section is a rural two-lane road without curb, gutter or sidewalks. The roadway system east of the subject property is expected to be improved as development occurs within the 2024 Urban Growth Master Plan expansion areas. Access to the site is via easement through the adjacent residential development at 4176 Todds Road.

Curb/Gutter/Sidewalks - The rural section of Todds Road is a narrow, rural roadway with no gutter, curbing or sidewalks while the developed

Storm Sewers - The subject property is located within the Baughman Fork area of the Boone Creek 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 is located within the East Hickman sewershed and will be serviced by the West Hickman sewage treatment facility located in northern Jessamine County. The applicant stated that this site would access the pump station located on the adjacent property.

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

Refuse - The Urban County Government provides refuse collection on Fridays to residences within this portion of the Urban Service Area. Additional refuse collection services may be contracted for the proposed development, as necessary.

Police - The property is located within Police Sector 3 and will be served by the East Sector Roll Call Center. This police station is located off Centre Parkway in the Bates Creek area, about six miles to the northwest of the subject property.

Fire/Ambulance - Fire Station #21, located on Mapleleaf Drive, is the nearest station to the subject property. It is south of Man O War Boulevard, approximately two miles west of the subject property. An additional fire station has been proposed near the intersection of Hays Boulevard and Athens-Boonesboro Road.

Transit - There is no Lextran service in the area.

Parks - The subject property is located approximately 1.3 miles south of Deer Haven Park.

SUMMARY OF REQUEST

The petitioner has requested a zone change from an Expansion Area Residential-1 (EAR-1) zone to an Expansion Area Residential (EAR-2) zone and from an Agricultural Rural (A-R) zone to Medium Density Residential (R-4) zone for property located at 4184 Todds Road, in order to construct 20 single-family townhomes.

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

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

EAR-2

Expansion Area Residential 2 (EAR-2) zoning is intended to accommodate residential uses of all types and sizes with a minimum density of (3) three dwelling units per acre and a maximum of (6) six units per acre. The maximum density is extended to (9) nine units per acre with transferable development rights.

Expansion Area Residential 2 is listed as Medium Density Residential by the 1996 Expansion Area Master Plan, but the density range more closely aligns with the Low Density Residential Placebuilder Development type.

R-4

The intent of this zone is 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. Medium to medium-high density multi-family dwellings should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

PROPOSED USE



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

APPLICANT & COMMUNITY ENGAGEMENT



On November 24, 2025, the Applicant held a public meeting at Crossroads Church for the purpose of obtaining neighbor feedback. Staff did not attend the meeting.

PROPERTY & ZONING HISTORY

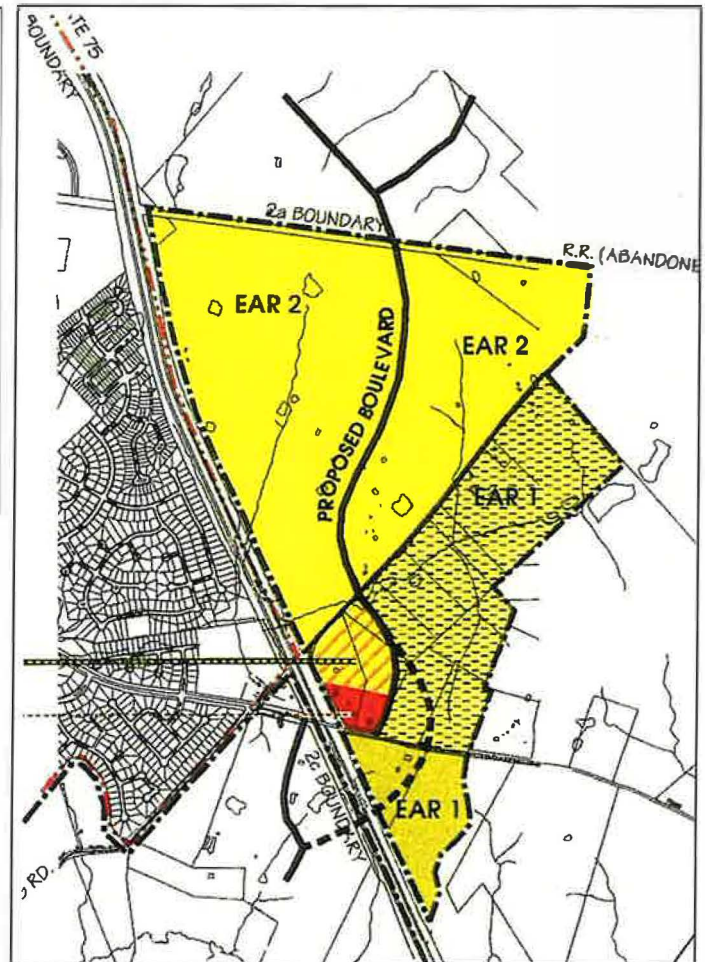


The majority (1.97 net acres) of the subject property has been located within the Agricultural Rural (A-R) zone since before the comprehensive rezoning of the City and County in 1969. A small portion (0.36 net acres) was incorporated into the Urban Service Area during the 1996 expansion and rezoned to the Expansion Area Residential-1 (EAR-1) zone in 2001. The remainder of the property was brought into the Urban Service Area as a part of the 2024 Urban Growth Master Plan. Despite being included within the scope of the 2024 boundary expansion, the property did not receive any land use recommendations within the plan.

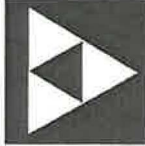
EXPANSION AREA

Expansion Area 2 is an area of approximately 4,213 acres of land which is located between Winchester Road and the western end of Jacobson Reservoir. The future land use element divides Expansion Area 2 into three subareas - Expansion Area 2a, Expansion Area 2b and Expansion Area 2c.

The subject property is located within Expansion Area 2b which was envisioned to be a low-to mid-density residential area that served as a transitional buffer between existing urbanized areas and the agricultural areas in the eastern portion of the county. Expansion area 2b is approximately 486 acres in size, and large areas remain undeveloped since 1996.



COMPREHENSIVE PLAN COMPLIANCE



EXPANSION AREA MASTER PLAN

In 1996, a portion of the subject property was added to the Urban Service Area with the approval of the Expansion Area and adoption of the Expansion Area Master Plan (EAMP). During the 1996 expansion, the Planning Commission initiated and recommended approval of a zone change for the entire 5,400 acres of the Expansion Area to update the zoning across the county. However, at that time, the Urban County Council denied the zone change because of community concerns and a want to have a broader discussion regarding the potential zoning in the area. In 2001, the EAMP became an adopted element of the Comprehensive Plan, and its future land use recommendations have been carried forward to the 2045 Comprehensive Plan.

Within the 1996 Expansion Area Master Plan, the subject property was recommended for Expansion Area Residential 1 (EAR-1) land uses, which allows for residential development of 0-3 units per gross acre. When the EAMP was drafted, the EAMP envisioned the area around the subject property as a low density residential development.

While the majority of the land within Expansion Area #2.b have developed in line with the EAMP's land use recommendations, there are a couple of areas with land uses that differ from the recommendations. In particular, the Community Center area that was called for within the plan to be located along Todds Road between I-75 and Polo Club Boulevard never developed the commercial component described in the CC zone. As a result of the shift to predominantly residential construction in the area zoned CC, the intended Transition Area north of the Community Center failed to develop the secondary uses designed to accompany commercial areas.

In their letter of justification, the applicant acknowledges that the Expansion Area Master Plan calls for EAR-1 zoning in this area, but opines that such zoning is inappropriate due to the increased need for housing and a higher density zone change on the adjoining property. Absent from the applicant's discussion of the zone change request is any mention of the Community Design Element of the Expansion Area Master Plan, an adopted element of the 2045 Comprehensive Plan. The applicant should provide further detail on how the plan addresses these elements.

GOALS AND 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.

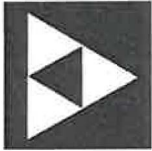
The applicant opines that they are in compliance with the adopted Goals and Objectives of the 2045 Comprehensive Plan. They state that the request will allow for the site to redevelop into a higher density housing product that will help meet an increase in the demand for housing while providing variety in housing types (Theme A, Goal #1.a, #1.b and #1.d; Theme A, Goal #2.a; Theme A, Goal #2.b). The applicant's justification letter also states that the development will maximize utility of the development while maintaining the character of adjacent development (Theme E, Goal #1.e) by providing connections to adjacent and future developments (Theme A, Goal #3.b, #3.c, and #3.e). By providing pedestrian connections to neighboring parcels, the applicant also cites compliance with the Comprehensive Plan's recommendations for people-first designs (Theme D, Goal #1.a, #1.b).

POLICIES

Within the letter of justification, the applicant opines the request meets many of the design and density policies laid out in the Comprehensive Plan. The applicant states that the proposal increases residential density while still being sensitive to the surrounding context and connecting into the adjacent developed properties (Design Policy #4; Density Policy #1 and #2). The applicant states that many of the neighborhoods in the area are dominated by single-family residences, this proposal will increase the stock of much-desired

townhomes that are available for home ownership into the immediate area to help diversify the housing options (Design Policy #8).

Staff agrees that the Goals, Objectives and Policies of the Comprehensive Plan can be met with this request.



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 indicates that the project is located within the Enhanced Neighborhood Place-Type and is a Medium Density Residential Development Type. While Staff agrees with the Place-Type, the density range of three to six dwelling units per acre more closely aligns with Low Density Residential in the current Comprehensive Plan. Staff has determined that assessing the proposal by Low Density Residential standards is more appropriate, acknowledging that the significant overlap between the two should not affect the recommendation from Staff.

The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. These developments primarily consist attached and detached single-family homes of varying formats, including accessory dwelling units. This Development Type should avoid homogeneous neighborhoods and should be supplemented by a variety of uses and housing options to create sustainable places. The staff agrees that the subject property is located adjacent to existing residential development, and the proposed development would provide another housing form within the area.

With respect to the applicant's choice in zones, the Medium Density Residential (R-4) zone is a recommended zone within the Enhanced Neighborhood Place-Type; however, at this time the proposed lot configuration exceeds the maximum lot sizes allowable within the zone. The applicant's proposed Expansion Area Residential 2 (EAR-2) zone is not recommended for this area within the 1996 EAMP.

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 addresses a number of the development criteria within the submitted letter of justification; however, staff is requesting further information regarding the following:

A-DS5-3: Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.

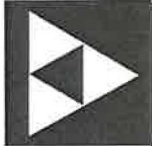
The applicant should provide information regarding the orientation of the townhome structures along Todds Road, and how the development will impact the streetscape in this area.

STAFF RECOMMENDS: POSTPONEMENT FOR THE FOLLOWING REASONS:



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

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-26-00003: 4184 TODDS, LLC



STAFF REVIEW

In the period following the March Subdivision and Zoning Committee meetings, the applicant has made changes to the application in response to 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.

COMPREHENSIVE PLAN COMPLIANCE

In the initial report, staff cited numerous ways in which the proposed development complies with the Goals, Objectives and Policies sections of the 2045 Imagine Lexington Comprehensive Plan. Additionally, the previous staff report agreed that the chosen Place-Type, Development-Type and zone were appropriate for the area. The supplemental justifications expanded on the Community Design Element of the 1996 Expansion Area Master Plan.

DEVELOPMENT CRITERIA

Although the original staff report was generally positive in terms of Development Criteria compliance, staff requested additional information on the following:

A-DS5-3: Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.

The Supplemental Justification Statement clarified that the units would be oriented inward, citing several factors for this decision. The applicant opines that the unusual shape of the lot combined with the easement access makes the proposed orientation preferable.

EXPANSION AREA MASTER PLAN

Staff requested additional information on how the plan complies with the Community Design Element of the 1996 Expansion Area Master Plan, which was provided by the applicant in the amended justifications. In that document, the applicant describes how this development would facilitate pedestrian access between existing neighborhoods and future development on adjacent parcels as well as provide a choice in housing type in the area. Additionally, the applicant opines that this proposal would create housing that is more attainable for a larger segment of the population than what is currently available in the vicinity.

While the Future Land Use Element of the 1996 Expansion Area Master Plan recommended this portion of the subject property for residential uses, the applicant opines that a slightly higher density is appropriate. The intent behind the limited density for this portion of the EAMP was in part to ensure that development adjacent to the Rural Service Area was limited, and to ensure that the agricultural viability of these areas was not compromised. In the time since the 1996 EAMP, there has been a subsequent expansion of the Urban Service Boundary, and as a result this parcel no longer adjoins the Rural Service Area. As a result, staff finds the shift from EAR-1 to EAR-2 to be appropriate.

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



1. The proposed Expansion Area Residential-2 (EAR-2) zone is in agreement with the 1996 Expansion Area Master Plan, for the following reasons:
 - a. The request provides additional variety in residential options within the area (Community Design Element #5).
 - b. The request expands an existing network of interconnected residential uses (Community Design Element #4).



- c. Due to the expansion of the Urban Service Boundary in 2024, the development is no longer adjacent to the Rural Service Area (Community Design Element #7), therefore, a higher density will not impact the agricultural land use in the area.
2. The proposed Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives for the following reasons:
 - a. The request will help meet an increase in the demand for housing and provide a variety of housing options (Theme A, Goal #1.a, #1.b and #1.d; Theme A, Goal #2.b).
 - b. The request increases residential density on an underutilized parcel (Theme A, Goal #2.a and #2.d).
 - c. The proposed pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal #2.d; Theme D, Goal #1.a).
 - d. The development will maximize utility of the development while maintaining the character of adjacent development (Theme E, Goal #1.e).
3. The requested Medium Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal increases residential density while still being sensitive to the surrounding context and connecting into the adjacent developed properties (Design Policy #4; Density Policy #1 and #2).
 - b. The request responds to the context of the corridor, providing additional density and intensity (Design Policy #4; Density Policy #1 and #2).
 - c. By locating the parking internally, within parking structures, the proposed development enhances walkability and bikeability (Design Policy #7).
 - d. The request will provide additional housing options for this area, which is predominately characterized by single-family detached structures or multi-family housing (Design Policy #8).
4. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases residential density in a compact development (A-DN2-1; B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it creates a pedestrian connection between existing residential development and future development (A-DS5-1; A-DS4-1).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and minimizes impact on adjacent development through the use of buffering elements (B-PR3-1).
 - d. The proposal meets the criteria for Site Design, as the development improves pedestrian connectivity in the area (C-LI8-1), and provides for programmed open space (D-PL4-1).
 - e. The plan meets the criteria for Building Form, as it scaled to respect the context of neighboring structures (A-DS4-2) and minimizes significant contrasts in scale, massing and design (A-DN2-2).
5. This recommendation is made subject to approval and certification of PLN-MIDP-26-00007: CROSSROADS CHRISTIAN CHURCH LOT 3, (GARDEN ESTATES), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

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

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

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

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

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

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

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

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement for the following reasons:

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

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

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

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

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

1. The proposed Expansion Area Residential-2 (EAR-2) zone is in agreement with the 1996 Expansion Area Master Plan, for the following reasons:
 - a. The request provides additional variety in residential options within the area (Community Design Element #5).
 - b. The request expands an existing network of interconnected residential uses (Community Design Element #4).
 - c. Due to the expansion of the Urban Service Boundary in 2024, the development is no longer adjacent to the Rural Service Area (Community Design Element #7), therefore, a higher density will not impact the agricultural land use in the area.

2. The proposed Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives for the following reasons:
 - a. The request will help meet an increase in the demand for housing and provide a variety of housing options (Theme A, Goal #1.a, #1.b and #1.d; Theme A, Goal #2.b).
 - b. The request increases residential density on an underutilized parcel (Theme A, Goal #2.a and #2.d).
 - c. The proposed pedestrian connections and open space amenities of the design align with the environmental and quality of life components of the Comprehensive Plan (Theme B, Goal #2.d; Theme D, Goal #1.a).
 - d. The development will maximize utility of the development while maintaining the character of adjacent development (Theme E, Goal #1.e).

3. The requested Medium Expansion Area Residential-2 (EAR-2) and Medium Density Residential (R-4) zones are in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal increases residential density while still being sensitive to the surrounding context and connecting into the adjacent developed properties (Design Policy #4; Density Policy #1 and #2).
 - b. The request responds to the context of the corridor, providing additional density and intensity (Design Policy #4; Density Policy #1 and #2).
 - c. By locating the parking internally, within parking structures, the proposed development enhances walkability and bikeability (Design Policy #7).
 - d. The request will provide additional housing options for this area, which is predominately characterized by single-family detached structures or multi-family housing (Design Policy #8).

4. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases residential density in a compact development (A-DN2-1; B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it creates a pedestrian connection between existing residential development and future development (A-DS5-1; A-DS4-1).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and minimizes impact on adjacent development through the use of buffering elements (B-PR3-1).
 - d. The proposal meets the criteria for Site Design, as the development improves pedestrian connectivity in the area (C-LI8-1), and provides for programmed open space (D-PL4-1).
 - e. The plan meets the criteria for Building Form, as it scaled to respect the context of neighboring structures (A-DS4-2) and minimizes significant contrasts in scale, massing and design (A-DN2-2).

5. This recommendation is made subject to approval and certification of PLN-MJDP-26-00007: CROSSROADS CHURCH (LOT 3), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Commission Questions – Mr. Michler noted that it was uncharacteristic to request a Medium Density Residential (R-4) zone change alongside a preliminary development plan for townhomes and questioned the reasoning behind the decision.

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

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

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

Requirements Not Met:

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

Design Considerations:

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

Plan Questions or Concerns:

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

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

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

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

1. Provided the Urban County Council approves the zone change to EAR-2 and R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Open Space planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

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

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

Requirements Not Met:

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

Conditions of Approval:

1. Provided the Urban County Council approves the zone change to EAR-2 and R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Open Space planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct all noted deficiencies listed as "requirements not met" herein.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VII. COMMISSION ITEMS

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

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

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

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

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

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

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

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