

3. **TURNER MANAGEMENT, LLC ZONING MAP AMENDMENT AND GDK FARM, LLC (TURNER PROPERTY) DEVELOPMENT PLAN**

- a. **PLN-MAR-23-00021: TURNER MANAGEMENT, LLC** (3/5/24)* – a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, 13.075 net (15.479 gross) acres for property located at 5447 Tates Creek Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 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 develop a single-family residential development that includes a total of 29 townhome units, and 9 detached single family residential lots at a density of 2.82 dwelling units per acre. The units are proposed to be oriented towards centralized open space, near the center of the property. The lots are currently proposed to front along private access easements, which are proposed to be gated where they connect to the public roads at Tykes Pass and Tates Creek Road. The southern portion of this development features a connection to future large lot single-family residential development anticipated in the Jessamine County portion of the property. The use will be connected internally with a sidewalk network that will connect to the existing network along Tykes Pass, and extend out to Tates Creek Road.

The Zoning Committee Recommended: **Postponement**.

The Staff Recommends: **Postponement**, for the following reasons:

1. The application as submitted does not adequately address the following Goals and Objectives of the 2045 Comprehensive Plan:
 - a. Improve Lexington's transportation network through ample street and sidewalk connections between new and existing development (Theme A, Goal #3.e).
 - b. 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).
 2. The application does not provide any information relating to the policies of the 2018 Comprehensive Plan that are being met with this request.
 3. 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 Low Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS13-1 Stub Streets should be connected.
- b. **PLN-MJDP-23-00074: GDK FARM, LLC PROPERTY (TURNER PROPERTY)** (3/5/24)* - located at 5447 TATES CREEK ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Eagle Engineering

Note: The purpose of this plan is to depict the proposed development of the site, in support of the requested zone change from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone.

Note: The applicant submitted a revised plan on December 4, 2023. Based on that submittal, staff can offer the following revised conditions.

The Staff Recommends: **Approval**, subject to the following conditions:

* - 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 R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Denote: Access to Tates Creek Road shall be resolved at time of Preliminary Subdivision Plan/Final Development Plan.
8. Submit TIM (tree inventory map) per Articles 21 and 26 requirements.
9. Denote stormwater detention area shall be determined at time of Preliminary Subdivision Plan/Final Development Plan.
10. Denote timing of sanitary sewer improvements relative to pump station capacity shall be determined at time of Preliminary Subdivision Plan/Final Development Plan.
11. Discuss use of access easements for detached single family dwellings per Article 6-8(m) of the Land Subdivision Regulations.
12. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendation for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, 13.075 net (15.479 gross) acres for property located at 5447 Tates Creek Road. The applicant is seeking to build a single family residential development with the Enhanced Neighborhood Place-Type and the Low Density Residential Development Type. Mr. Crum indicated that based on the applicant's location, both the Place-Type and Development Type are appropriate.

Mr. Crum showcased the development plan and identified the townhomes and single family residential lots that the applicant proposes to develop the extension of Tykes Pass, detailed how the request is keeping the natural features intact, and minimizing parking. Additionally, Mr. Crum stated that the applicant had done significant outreach, and had not heard any opposition to the application.

Mr. Crum concluded his presentation by stating that Staff was recommending approval and could answer any questions from the Planning Commission.

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location and characteristics of the subject property. Mr. Martin stated that the applicant is intending to extend Tykes Pass further for the neighborhood that will intersect with Tates Creek Road. Mr. Martin highlighted the location of a sinkhole, and a natural spring where stormwater will likely run to. Mr. Martin noted a change from a previous development plan that included a gate into the neighborhood, but stated that was removed and the previous proposed access easements are now proposed to be the public streets. Additionally, Mr. Martin stated that the pump station near the development might have to be moved, and that is a significant engineering question that would be addressed at the next stage of the development process.

Mr. Martin concluded his presentation by stating that Staff was recommending approval and could answer any questions from the Planning Commission.

Commission Questions – Mr. Wilson asked if condition #12 had been fulfilled, and Mr. Martin indicated that it had.

Applicant Representation – Mr. Nathan Billings, attorney for the applicant, stated that the applicant was in agreement with Staff's revised staff report, and could answer any questions from the Planning Commission. Additionally, Mr. Billings informed Mr. Owens that growing tobacco was no longer viable on this property, addressing a question Mr. Owens asked at the subdivision committee meeting.

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Action – Ms. Meyer made a motion, seconded by Mr. Owens, and carried 9-0 (Davis absent), to approve PLN-MAR-23-00021: TURNER MANAGEMENT, LLC as recommended by Staff.

Action – Ms. Meyer made a motion, seconded by Mr. Owens, and carried 9-0 (Davis absent), to approve PLN-MJDP-23-00074: GDK FARM, LLC PROPERTY (TURNER PROPERTY) with the 10 conditions recommended by Staff, deleting conditions #11 and #12.

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