

ORDINANCE NO. 041 - 2026

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1B) ZONE TO A MEDIUM DENSITY RESIDENTIAL (R-4) ZONE, FOR 5.45 NET (5.59 GROSS) ACRES, FOR PROPERTY LOCATED AT 3000 CLAYS MILL ROAD. (BOARD OF TRUSTEES, CLAYS MILL ROAD BAPTIST CHURCH; COUNCIL DISTRICT 10).

WHEREAS, at a Public Hearing held on April 23, 2026, a petition for a zoning ordinance map amendment for property located at 3000 Clays Mill Road, changing the zone from a Single Family Residential (R-1B) Zone to a Medium Density Residential (R-4) Zone, for 5.45 net (5.59 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 3000 Clays Mill Road, from a Single Family Residential (R-1B) Zone to a Medium Density Residential (R-4) Zone, for 5.45 net (5.59 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: June 4, 2026



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

0412-26:BGS:4897-5594-3085, v. 1

Rec'd by _____
Date: _____

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

IN RE: PLN-MAR-26-00006: BOARD OF TRUSTEES CLAYS MILL BAPTIST CHURCH – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone for 5.45 net (5.59 gross) acres for property located at 3000 Clays Mill Road. (Council District 10)

Having considered the above matter on April 23, 2026, 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 requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The addition of residential units will help meet housing demand (Theme A, Goal #1.c).
 - b. The proposal will expand housing variety and choice (Theme A, Goal #1.b).
 - c. The proposal will result in minimal environmental impact (Theme A, Goal #3.c).
 - d. The request will increase the utility of an underutilized parcel (Theme A, Goal #2.a and Goal #2.d).
2. The requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal will comply with the Multi-Family Design Standards (Design Policy #3).
 - b. The project would provide infill residential units (Density Policy # 2).
 - c. The applicant stated that these units are intended to meet a wide range of income levels (Equity Policy #3).
 - d. The new use would integrate well with the existing community (Equity Policy #9).
 - e. The project would involve the reuse of an existing structure (Growth Policy #9).
3. The requested Medium Density Residential (R-4) zone is 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 by increasing density with a mixed-use infill project (A-DN2-1 & B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability by providing pedestrian access (A-DS4-1) and utilizing shared parking (C-PS10-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency as the proposed plan does not require removal any trees (B-PR7-1), could be accomplished with minimal grading (B-PR9-1) and will incorporate native plants and trees (B-SU11-1) and increase the tree canopy (B-RE1-1) .
 - d. The request meets the requirements for Site Design by providing pedestrian access to Clays Mill Road (A-DS5-4) and utilizing the existing parking located at the rear of the property (A-DS7-1).
 - e. The request meets the requirements for Building Form by retrofitting an existing structure (E-GR5-1) that minimizes contrasts in scale with the surrounding neighborhood (A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-26-00016: CLAYS MILL ROAD BAPTIST CHURCH HOUSING PROJECT 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 15th day of May, 2026.


Secretary, Jim Duncan

ZACH DAVIS
CHAIR

KRS 100.211(7) requires that the Council take action on this request by July 22, 2026.

Note: A dimensional variance was approved by the Planning Commission on April 23, 2026.

Note: A conditional use permit for a place of religious assembly was approved by the Planning Commission on April 23, 2026.

Note: The corollary development plan PLN-MJDP-26-00016 CLAYS MILL ROAD BAPTIST CHURCH HOUSING PROJECT was approved by the Planning Commission on April 23, 2026, and certified on May 7, 2026.

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

OBJECTORS

- Stephen Trotter, Neal Drive
- Vinny Paiva, 592 Longview Drive

OBJECTIONS

- Concerned about future large scale developments resulting from the requested zone change
- Urged the Commission to consider the future impact of the requested zone change.

VOTES WERE AS FOLLOWS:

AYES: (9) Barksdale, Z. Davis, Forester, Owens, Nicol, Michler, Penn, M. Davis and Worth

NAYS: (0)

ABSENT: (2) Wilson and J. Davis

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-26-00006** carried.

- Enclosures:
- Application
 - Justification
 - Supplemental Justification
 - Legal Description
 - Notification Map
 - Development Snapshot
 - 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: BOARD OF TRUSTEES CLAYS MILL ROAD BAPTIST CHURCH, 3000 CLAYS MILL RD, LEXINGTON, KY 40503
Owner(s): CLAYS MILL RD BAPTIST CHURCH, 3000 CLAYS MILL RD, LEXINGTON, KY 40503
Attorney: Scott Schuette, 201 East Main Street, Lexington, KY 40507

2. ADDRESS OF APPLICANT'S PROPERTY

3000 CLAYS MILL RD, LEXINGTON, KY 40503

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

Zoning	Existing Use	Zoning	Requested Use	Acreage	
				Net	Gross
R-1B	CHURCH	R-4	CHURCH W/ RESIDENTIAL UNITS	5.33	5.58

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? If yes, how many units? If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing.	<input type="checkbox"/> YES <input type="checkbox"/> NO

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

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
Utilities:	<input checked="" type="checkbox"/> Electric <input checked="" type="checkbox"/> Gas <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Phone <input checked="" type="checkbox"/> Cable



March 2, 2026

Mr. Zach Davis, Chair
Lexington-Fayette Urban Co Planning Commission
200 E. Main Street
Lexington, KY 40507

RE: Request for Zone Change, Conditional Use Permit and Variance at 3000 Clays Mill Road

Dear Chair Davis:

Earthcycle Design, LLC represents Clays Mill Road Baptist Church Board of Trustees, Lexington, Kentucky, which has filed a Zone Change Application and an associated Final Preliminary Development Plan for a property located at 3000 Clays Mill Road in Lexington, Kentucky. The site is a single lot of 5.58 acres (gross area), 5.33 acres (net area), currently zoned Single Family Residential (R-1B), and utilized as a place of religious assembly and childcare center for Clays Mill Road Baptist Church. The property is bound by right-of-way on west side: Clays Mill Road, with Single Family Residential (R-1D) to plan north and Single Family Residential (R-1B) to plan east and south. The property is within the Open Gate Neighborhood Association and adjacent to Pasadena Neighborhood Association. Clays Mill Road Baptist Church has been a fixture in the Clays Mill Road Community for over 60 years. The proposed project will maintain the half-century long traditional use of the Clays Mill Road Baptist Church while offering a sustainable and practical future for the property, in keeping with the Church's core values and within the contextual surroundings of the neighborhood with five affordable, adaptive reuse, housing units for church members.

Goals and Objectives:

Our team firmly believes the proposed development (the adaptive reuse of mixed-use housing with place of religious assembly and childcare/preschool center) is in conformance with the 2045 Comprehensive Plan, specifically, Goals and Objectives that: encourage the expansion of housing choices (Theme A, Goal #1); support infill and redevelopment throughout the urban service area (Theme A, Goal #2); Provide for well-designed neighborhoods & communities (Theme A, Goal #3); address community facilities at a neighborhood scale (Theme A, Goal #4); Ensure equitable development and rectify Lexington's segregation by race and socioeconomic status (Theme A, Goal #5); Reduce Lexington-Fayette Urban County's carbon footprint (Theme B, Goal #2); Apply environmentally sustainable practices to protect, conserve and restore landscapes and natural resources (Theme B, Goal #3); Support and showcase local assets to further the creation of a variety of jobs (Theme C, Goal #1); Encourage an entrepreneurial spirit and enhance a talented, creative workforce by establishing opportunities that embrace diversity with inclusion in our community (Theme C, Goal #2); Work to achieve an effective and comprehensive transportation system (Theme D, Goal #1); Support a model of development that focuses on people-first to meet the health, safety and quality of life (Theme D, Goal #2); Uphold the urban service area concept (Theme E, Goal #1). This proposed project, more specifically, will

accommodate the demand for diverse, affordable and attainable housing in Lexington, prioritizing higher-density residential and a mixture of housing types (Theme A, Goal #1, Objectives b, c & d, Theme A, Goal #2, Objectives a, b, c & d, Theme A, Goal #3, Objectives a, b, d & e and Theme A, Goal #5, Objective a & b).

Engagement:

Clays Mill Road Baptist Church has been a bedrock of the Open Gates and Pasadena Neighborhoods for over 60 years, physically, socially, and spiritually. As a part of Clays Mill Road Baptist Church's presence in the community, the neighborhood association hold their regular meetings at the Church. This tradition of community engagement provided the setting for a meeting held on February 23, at 6:00 pm to discuss the proposed zone change at the Church and the housing project. Members of the church leadership, Scott Schuette with McBrayer, PLLC, legal counsel, and design team members from REB Architecture and earthcycle design, llc outlined the zone change proposal to keep the Church and Daycare Facility operations and its services, while providing for a sustainable and viable housing project for church members. The renovation of approximately 3,700 sf of existing meeting/classroom space into three (3) one-bedroom units (approx. 650 sf each) and two (2) two-bedroom units (approx. 750 sf & 950 sf). The 5 single-story multi-family units will be constructed as affordable housing for church members. During the hour-long meeting several questions were raised by the 7-8 attendees ranging from the Church's future activities to the occupants of the housing units and the future of the Church property with proposed zone change. At the end of the meeting, the consensus offered support for the proposed housing project while expressing concern over the long-term impact of the proposed zone.

Site Description:

The subject site is a single 5.58 acres (gross area), 5.33 acres (net area) lot along Clays Mill Road across the street from the intersection with Waco Road. Clays Mill Road Baptist Church (formerly known as Arnold Baptist Church) has been located at this site since 1963, which campus includes a sanctuary, office and Sunday school classroom/office building, a parsonage and daycare/preschool/multi-purpose facility. The church has provided services to the walkable neighborhoods of Open Gates and Pasadena for more than 60 years. Over the past 30 years, the residential single-family housing immediately surrounding the property has continued to develop with the expansion of the Pasadena Neighborhood along Waco Road in the mid-1990's. In addition to the single-family residential zones within one-quarter mile of the subject property, neighborhood business (B-1), professional office (P-1) and public open space (Wellington Park) are accessible via pedestrian and bicycle connections. In 2024, the church received an updated Board of Adjustment approval to operate a daycare/preschool facility for 122 participants and twenty (20) employees in addition to the existing place of religious assembly per PLN-BOA-24-00087.

Place-Type, Development Type & Requested Zone:

The 2045 Imagine Lexington Placebuilder defines seven place-types within the Urban Service Area boundary. Based upon the surrounding land-use type and zoning, the subject property is best suited for the *Enhanced Neighborhood place-type*, which is defined as:

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. (Page 342)

Further, the *Enhanced Neighborhood place-type* identifies low, medium, and medium/high density residential as well as low density non-residential / mixed-use land use within this place-type. The 3000 Clays Mill Road property fits the place-type criteria for Enhanced Neighborhood since the nature of the proposed multi-family housing with a place of religious assembly and daycare/preschool contributes contextually to the Open Gates and Pasadena Neighborhoods community fabric as: the proposed development offers the needed diverse housing unit type in this area; the proposed housing increases density within the infill and redevelopment overlay district; the project will support the increased use of the existing multi-modal transportation network; and the proposed project will ensure the long-term sustainability of Clays Mill Baptist Church as a cornerstone of the neighborhood with the adaptive reuse of an existing building at a high density.

Our team has selected *Medium Density Residential (MR)* as the most suitable development type due to the fact the surrounding residential zones offer few options for diversity in housing types and the adaptive reuse of the existing structure for multi-family housing. We believe that the immediate area is well-served with single and two-family housing, employment opportunities, neighborhood businesses and educational facilities. This project will increase the availability of the housing type options that are needed within the neighborhood with this adaptive reuse project. The proposed project will meet the community's needs for affordable housing and support the Comprehensive Plan's goals associated with infill and redevelopment.

Furthermore, Placebuilder recommends the following potential zoning categories associated with the proposed Enhanced Neighborhood place-type: Mixed Low Density Residential (R-2), Medium Density Residential (R-4), and Neighborhood Business (B-1) zones. The proposed adaptive reuse project at 3000 Clays Mill Road property aligns with Placebuilder's recommendations for *enhanced neighborhood* with medium density residential (MR). Based upon the number of planned housing units, 5 affordable apartments within an existing adaptive reuse structure, our team is requesting a zone change to Medium Density Residential (R-4) zone.

The Final Development Plan illustrates the existing sanctuary, daycare/preschool/multi-purpose building, a parsonage, office & Sunday school building, existing parking and vehicle circulation and stormwater management system. The proposed multiple family housing component will consist of the renovation of approximately 3,700 sf of existing meeting/classroom space into three (3) one-bedroom units (approx. 650 sf each) and two (2) two-bedroom units (approx. 750 sf & 950 sf). The 5 single-story multi-family units will be constructed as affordable housing for church members and staff. The renovation for the multi-family unit will be contained within the existing building footprint. Existing parking spaces will also be utilized for the project. Sidewalks connecting the individual units to parking and public right-of-way at Clays Mill Road will be added for multimodal connectivity as well as bike parking for the units.

Based upon the proposed 5 multi-family residential units with the existing parsonage for the 5.33 net acre site, this represents a density of 1.13 dwelling units per acre. While this proposed housing unit density does not reflect the typical *medium density residential (MR)* identified in the 2045 Comprehensive Plan. The proposed

multi-family housing units do reflect a significant increase in housing units on the property with the mixed-use campus. The proposed project, also, increases a diverse housing type for the community with multimodal connectivity to supporting services.

The applicant understands the vision of the community, as outlined in Imagine Lexington: The 2045 Comprehensive Plan. The mission statement, goals and objectives, and the Placebuilder criteria are well-served by the proposed property redevelopment. The applicant believes that the request is in accord with the Comprehensive Plan, based upon the context of the site location, and that the site most closely aligns with the *Enhanced Neighborhood place-type* and *medium density residential development type*. We consider the proposed Medium Density Residential (R-4) zoning to be appropriate for this project.

Development Criteria:

To further address the Placebuilder development criteria, the design team has prepared an annotated graphic of the proposed Development Plan. However, additional development criteria deserve further explanation, and the information on the following pages shows that the requested zone change agrees with the Comprehensive Plan. The following enhanced neighborhood medium density residential design standards are being met, and are annotated on the Development Criteria Plan and the attached architectural renderings:

<i>Land Use</i>	<i>Transportation & Pedestrian Connectivity</i>	<i>Environmental Sustainability & Resiliency</i>	<i>Site Design</i>	<i>Building Form</i>
A-DS12-1	A-DS4-1	B-PR7-1	A-DS5-4	A-DS3-1
A-DN2-1	A-DS5-1	B-PR9-1	A-DS7-1	A-DN2-2
B-SU3-1	C-PS10-1	B-PR10-1	A-DS9-1	D-PL2-1
C-L17-1	D-CO2-1	B-SU4-1	A-EQ9-2	E-GR4-1
D-SP9-1		B-SU11-1	C-L18-1	
E-ST8-2		B-RE1-1	D-PL4-1	
E-GR3-1				

The following information supports our assertion that the proposed zone change is in concurrence with Imagine Lexington: The 2045 Comprehensive Plan.

Land Use	
D-PL7-1	<i>Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application. A neighborhood meeting was held at the church on February 23, 2026.</i>
Building Form	
A-DS3-1	<i>Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.</i> The applicant intends to meet the multi-family design standards as the standards apply to the redevelopment of the proposed Medium Density Residential (R-4) zone change. The final development plan annotates the

	<p>proposed site improvements related to the Multi-Family Standards. The following outlines the proposed site and building elements included in this mixed-use development project:</p> <p>Site Planning:</p> <ul style="list-style-type: none">• The proposed redevelopment project retains the church as the primary focal point for the site with the renovation complementing and reinforcing the church’s street presence. (SP.1)• The proposed plan envisions multiple secure ground level access points to each housing unit while maintaining the entrance to the church as a part of the proposed project. (SP.2)• The proposed entrances will provide an accessible, secure, and visible means of egress to Clays Mill Road to enhance the sense of arrival to the property. (SP.3)• The proposed renovation retains the existing setbacks of the buildings. (SP.4)• Sidewalks are proposed to connect from the renovation to Clays Mill Road. (SP.5)• Existing site conditions include the location of the parking lot to the side and rear of the site with sidewalks linking the units to the parking lot. (SP.7, SP.8)• The renovation provides direct access to courtyard open space with pedestrian links to Wellington Park. (SP.9)• The proposed Final Development Plan annotates multimodal connections to the surrounding rights-of-way. (SP.10)• While this development does not propose additional public rights-of-way, the proposed development encourages use of existing sidewalk system to access common areas within the property. (SP.11)• The proposed project provides links to pedestrian and bike paths along Clay Mill Road. (SP.13)• The proposed development will employ universal design principles to the maximum extent practicable. (SP.16) <p>Open Space & Landscaping:</p> <ul style="list-style-type: none">• As noted in the site planning section, the proposed site plan will include physical and visual connections to open spaces on the property and physical connections public open spaces. (OS.1)• The proposed project will include a common open space for the residents as well as open space surrounding the perimeter of the site. (OS.2, OS.3)• A new landscape planting will be implemented as a part of this proposed project to differentiate and define public, private, and intimate outdoor spaces. (OS.4)• Canopy and flowering trees will be installed as a part of the increase tree canopy zoning requirements. (OS.5)
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	<ul style="list-style-type: none"> • Enhanced perimeter landscape screening will be a part of the proposed development. (OS.6, OS.7) • The existing stormwater management for the project includes connections to open space areas. (OS.8) • Universal design principles will be the goal for all accessible routes. (OS.9) • Proposed landscape will help to create a sense of arrival to the property and define the entry points to each building. (OS.11) <p>Architecture Design:</p> <ul style="list-style-type: none"> • The height, size, and character of the existing buildings will be retained. New doors and windows will be the only exterior work for this renovation project. (AD.1, AD.2) • The building mass and facades of the existing building is in keeping with the church and surrounding single family housing. (AD.3) • The window location and size shall remain to enhance views to the exterior. (AD.4) • The building renovation will increase the number of entrances thus breaking up the building's facade. (AD.5) • Both the side and rear facades are of similar detail as it relates to the front of the existing building and church that it is adjacent to. (AD.8) • The site layout of the existing building provides open spaces and pedestrian circulation between the renovations and existing church. (AD.9)
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Since this proposed project is a mixed-use development, a number of the Placebuilder development criteria are not applicable to the proposed zone change. Those are listed below, along with a brief explanation of why they are not pertinent to proposed redevelopment of the building and/or the site.

Land Use	
C-PS15-2	<i>Improve options for affordable and nutritious food where not currently available.</i> Proposed project does not include this element.
D-SP1-1	<i>Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets.</i> Proposed project does not include this element.

Transportation, Connectivity & Walkability	
A-DS1-1	<i>Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.</i> No additional mass transit infrastructure is proposed for this project.

A-DS1-2	<i>Accessible pedestrian linkages to transit should be provided. No transit route currently is along Clays Mill Road. Pedestrian infrastructure is in place for future routes.</i>
A-DS10-1	<i>New developments should incorporate clear and dedicated connections to nearby community anchors. The proposed redevelopment will not include a public focal point.</i>
A-DS11-1	<i>Street layouts should provide clear, visible access to neighborhood focused open space and greenspaces. The proposed redevelopment project has no new streets.</i>
A-DS13-1	<i>Stub streets should be connected. Past efforts to connect the property to Noel Court has met with strong neighborhood opposition during public input.</i>
D-CO1-1	<i>Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type. The proposed redevelopment project currently has adequate ROW and multimodal facilities for the proposed zone change.</i>
D-CO2-2	<i>Development should comply with Lexington's Complete Streets Policy. No additional public right-of-way is proposed with this project.</i>
D-CO4-1	<i>Dead-end streets and cul-de-sacs should be discouraged. No dead-end streets or cul-de-sacs are proposed for this development project.</i>
D-CO4-2	<i>Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways. Past efforts to connect the property to Noel Court has met with strong neighborhood opposition during public input.</i>
D-CO4-3	<i>Street pattern and design should consider site topography and minimize grading where possible. No additional public streets are anticipated for this redevelopment project.</i>
D-CO5-1	<i>Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. No additional public streets are anticipated for this redevelopment project.</i>

Environmental Sustainability and Resiliency	
B-PR2-1	<i>Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site. For this redevelopment project, no environmentally sensitive areas have been identified.</i>
B-PR2-2	<i>Development should include regularly spaced access with an adequate width to the greenway network and conservation areas. For this redevelopment project, pedestrian access to greenway network is already provided along Clays Mill Road.</i>
B-PR3-1	<i>Minimize impact of development adjacent to land conservation properties through buffering. For this redevelopment project, no land conservation property is located on or near the property.</i>
B-SU5-1	<i>Developments should incorporate energy efficient systems and renewable energy resources (i.e. wind, solar, etc.). For this redevelopment project, no renewable energy is proposed.</i>

B-SU9-1	<i>Green Stormwater Infrastructure (GSI) should be implemented in new development. The redevelopment project does not substantially increase impervious area.</i>
B-RE2-1	<i>Lexington's green infrastructure network, including parks, trails, greenways, or natural areas should be highly visible and accessible. Project does not impact this element.</i>
B-RE5-1	<i>Dividing floodplains into privately owned parcels with flood insurance should be avoided. Project does not impact this element.</i>
B-RE5-2	<i>Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. Project does not impact this element.</i>
B-RE5-3	<i>Developments within the Royal Springs Aquifer should consult with the Royal Springs Water Supply Protection Committee. Project is not in the Royal Springs Aquifer Area.</i>
D-SP10-1	<i>Prioritize street trees in the planting strip. Street trees location have been proposed behind sidewalk to improve survivability of the trees.</i>

Site Design	
A-DS9-2	<i>Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities. Wellington Park is within ¼ mile walking distance from property.</i>
D-SP3-2	<i>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. Not applicable to this project.</i>
A-EQ9-1	<i>School sites should be appropriately sized. Not applicable to this project.</i>
C-PS10-2	<i>Over-parking of new developments should be avoided. Not applicable to this project</i>
D-PL10-1	<i>Activate the streetscape or publicly visible areas by designating public art easements in prominent locations. Not applicable to this project</i>
D-SP1-2	<i>School design should prioritize a high percentage of open and accessible street frontage. Not applicable to this project</i>
D-SP2-1	<i>Visible, usable greenspace and other natural components should be incorporated into school sites. Not applicable to this project</i>
D-SP3-1	<i>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. Not applicable to this project</i>

Building Form	
A-DS4-2	<i>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. Not applicable to this project</i>

A-DS5-3	<i>Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere. Not applicable to this project.</i>
A-DS8-1	<i>Where single family detached residential units are provided, a variety of other housing types should be regularly interspersed along the street frontage. Not applicable to this project.</i>
E-GR5-1	<i>Structures with demonstrated historic significance should be preserved or adapted. Not applicable to this project</i>

Proposed Conditional Use:

As a part of the zone change application for the above referenced property, the applicant and property owner, (Clays Mill Road Baptist Church Board of Trustees) proposes the continuous operation of the Clays Mill Road Baptist Church as a place of religious assembly and childcare center accessory to a place of religious assembly for this redevelopment project.

Under Lexington-Fayette Urban County Zoning Ordinance Section 8-13(d) Medium Density Residential (R-4) Zone, Conditional Uses: Places of religious assembly and childcare center accessory to places of religious assembly are permitted with a conditional use permit. The following supplements the justification for the requested zone change from the existing Single Family Residential (R-1B) zone to the Medium Density Residential (R-4) zone with the requested conditional use permit. Clays Mill Road Baptist Church has requested and received a total of nine (9) previous conditional use permits. The last in June of 2024 for the childcare center accessory to places of religious assembly (PLN-BOA-24-00087). We have referenced the 2045 Comprehensive Plan’s goals and objectives that are relevant to the requested zone change for the subject property. This summary identifies 2045 Comprehensive Plan Themes, Pillars and Policies that support the conditional use permit, as follows:

Themes, Pillars and Policies:

Our team believe that the proposed adaptive redevelopment of a portion of church property into an affordable housing development with a place of religious assembly and childcare center accessory to places of religious assembly is in agreement with the 2045 Comprehensive Plan for the zone change and the issuance of a conditional use permit, specifically the Themes, Pillars and Policies:

THEME A: BUILDING AND SUSTAINING SUCCESSFUL NEIGHBORHOODS:

PILLAR I: DESIGN

Design policy #1: Utilize a people-first design, ensuring that roadways are moving people efficiently & providing equitable pedestrian infrastructure.

Design policy #3: Multi-family residential developments should comply with the Multi-Family Design Standards in Appendix A.

Design policy #4: Provide development that is sensitive to the surrounding context.

Design policy #8: Provide varied housing choice.

Design policy #10: Reinvest in neighborhoods to positively impact Lexingtonians through the establishment of community anchors.

PILLAR II: DENSITY.

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

Density policy #2: Infill residential can & should aim to increase density while enhancing existing neighborhoods through context sensitive design.

Density policy #3: Provide opportunities to retrofit incomplete suburban developments with services and amenities to improve quality of life and meet climate goals.

PILLAR III: EQUITY.

Equity policy #3: Meet the demand for housing across all income levels.

Equity policy #8: Improve access to and promote accessory dwelling units as a more affordable housing option in Lexington.

Equity policy #9: Community facilities should be well integrated into their respective neighborhoods.

Equity policy #10: Housing developments should implement universal design principles on a portion of their units.

THEME D: IMPROVING A DESIRABLE COMMUNITY

PILLAR I: CONNECTIVITY

Connectivity policy #2: Create multi-modal streets that satisfy all user needs and provide equitable multi-modal access for those who do not drive due to age, disability, expense, or choice.

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

Connectivity policy #6: Develop a multi-modal transportation network and infrastructure; seek collaboration with regional transit partners for the commuting public.

PILLAR II: PLACEMAKING.

Placemaking policy #1: Create development standards and best practices for land adjacent to shared use trails and trail corridors.

Placemaking policy #4: Create quality & usable open space for all developments.

Placemaking policy #6: Promote a more resilient power grid while maintaining urban canopy and enhancing the visible characteristics of Lexington.

Support policy #10: Incorporate street trees as essential infrastructure.

THEME E: URBAN AND RURAL BALANCE

PILLAR III: GROWTH.

Growth policy #1: Modernize regulations that support infill and redevelopment.

Growth policy #4: Promote the adaptive reuse of existing structures.

Growth policy #9: Support missing middle housing types throughout Lexington.

Growth policy # 14: Identify and provide mechanisms that produce affordable housing

The successful implementation of this proposed affordable housing for church members and staff with a place of religious assembly project meets many of the stated elements within the 2045 Comprehensive Plan. While many of the stated themes, pillars and policies center on increased density along major corridors, create connected neighborhoods and provide affordable and accessible housing, this overall project accomplishes just that, thus providing Clays Mill Road Baptist Church the opportunity to continue its mission. This adaptive reuse project will provide the Church with the opportunity to serve its church members while maintaining the connection to their

neighborhoods and community. There is abundance of support for a conditional use permit to be granted for Clays Mill Road Baptist Church under the 2045 Comprehensive Plan. One additional fact to support the granting of a conditional use permit for this project is that Clays Mill Road Baptist Church (formerly known as Arnold Baptist Church) has existed on this property since its doors opened in 1963 and has been a part of the Open Gates Neighborhood ever since. The church operated prior to the adoption of planning and zoning within Lexington and prior to the urban county merger in 1972.

Proposed Variance:

In addition to the zone change and conditional use permit, we are requesting a variance of Landscape & Land Use Buffers Section 18.3 (a) (1) (7) Perimeter Landscaping Requirements of the Zoning Ordinance, which requires minimum zone to zone landscape buffer of 8 feet. Based upon the existing vehicular parking and circulation for the property, the applicant requests a reduction in the zone-to-zone landscape buffer from 8 feet to the existing minimum condition of 1.7 feet.

We are requesting a variance to reduce in the zone-to-zone landscape buffer from 8 feet to 1.7 feet for the following reasons:

- The Church has operated since 1963 with the current vehicular circulation at the narrowest buffer condition since 1971 prior to urban county merger.
- Meeting the required zone to zone buffer would require significant redesign of the vehicular circulation for the property.
- The requirement would place a significant financial burden on the Church.
- The stated goals, pillars, and policies of 2045 Comprehensive Plan for a more inclusive, dense, and walkable community.

Conclusion:

We ask, on behalf of the Clays Mill Road Baptist Church Board of Trustees, that the Planning Staff and Planning Commission favorably consider the proposed zone change and its relationship to fulfilling the mission, goals, objectives and policies of Imagine Lexington: The 2045 Comprehensive Plan. The applicant will implement the proposed redevelopment to enhance the quality of community in the Open Gates & Pasadena Neighborhoods. Thank you for your consideration of our proposed zone change and we look forward to presenting our case in full at the public hearing on April 23, 2026. We will be pleased to answer any questions about our proposal between now and the public hearing.

Sincerely,
earthcycle design, llc



B. Scott Southall, PLA, ASLA, AICP, LEED AP BD+C
Principal
Project #25-0009

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-PS15-2** Improve options for affordable and nutritious food where not currently available.
- D-PL7-1** Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-SP1-1** Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets.
- D-SP9-1** 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.
- F-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-DS4-2** New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context.
- A-DS5-3** Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.
- A-DS8-1** Where single family detached residential units are provided, a variety of other housing types should be regularly interspersed along the street frontage.
- A-DN2-2** Development should minimize significant contrast in scale, massing and design, particularly along the edges of historic areas and neighborhoods.
- D-PL2-1** Development should provide active first floor uses whenever adjacent to a street, pedestrian facility, or community focused open space.
- E-GR4-1** Developments should incorporate reuse of viable existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.

LEGAL DESCRIPTION

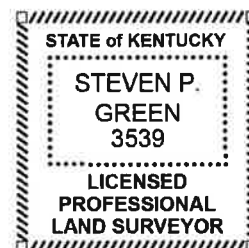
BOARD OF TRUSTEES OF CLAYS MILL ROAD
BAPTIST CHURCH
DEED BOOK 1377, PAGE 434
SEE DEED BOOK 2127, PAGE 194; PLAT CABINET L, SLIDE 142
3000 CLAYS MILL ROAD
LEXINGTON, FAYETTE COUNTY, KENTUCKY

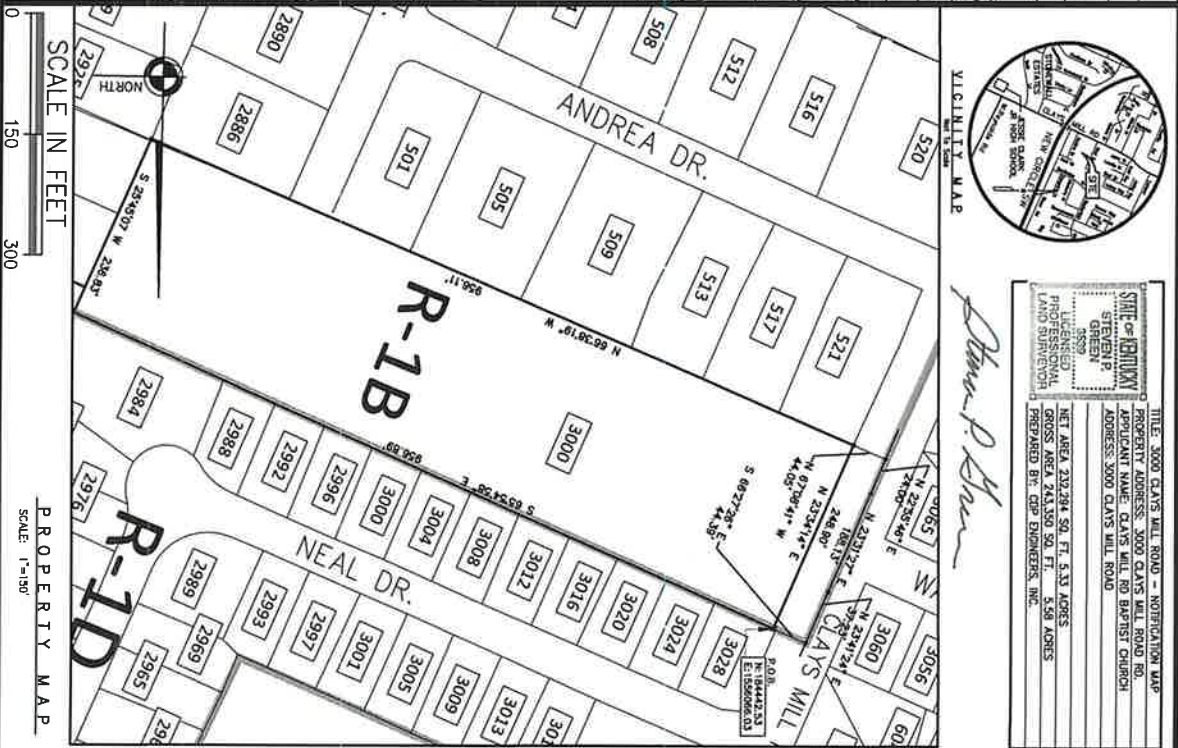
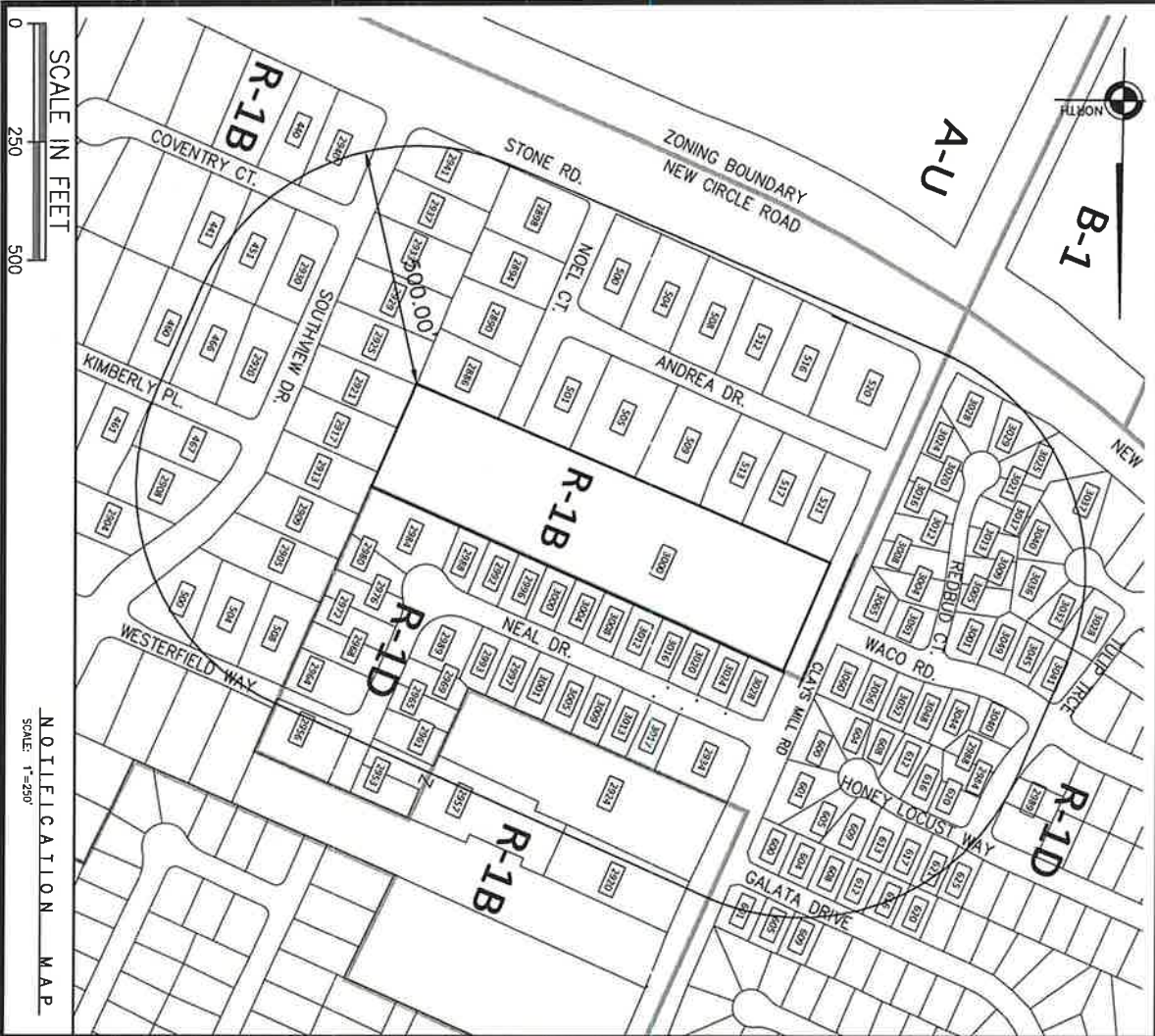
All that tract or parcel of land situated on the southeasterly side of Clays Mill Road between Andrea Drive and Neal Drive, in Lexington, Fayette County, Kentucky, and more fully described and bounded as follows, to-wit:

All bearings, distances and coordinates cited below are referenced to the State Plane Coordinate System, Kentucky North Zone, NAD 83, in US Survey Feet.

Beginning at an iron pin with cap set in the southeasterly right of way line of Clays Mill Road (all iron pins set this survey are 5/8-inch rebar, 18 inches in length with a plastic cap stamped "PLS 3539 CDP ENGINEERS"), said pin being a common corner of the Board of Trustees of Clays Mill Road Baptist Church (Deed Book 1377, Page 434, see also Deed Book 2127 Page 194 and Plat Cabinet L, Slide 142) and Christopher Blake Gibson and Amanda W. Gibson (Deed Book 3958, Page 71, being Lot 1 of the Clays Meadow Subdivision, Plat Cabinet "F", Slide 698) and said pin having State Plane Coordinates of N:184442.53 and E:1556066.03; thence leaving the southeasterly right-of-way of Clays Mill Road and running with the common line of Clays Mill Road Baptist Church and Gibson, and then continuing along the southwesterly line of Clays Meadow Subdivision, S 65° 54' 58" E 956.89 feet to an iron pin set at a common corner of Clays Mill Road Baptist Church and David A. and Sharon Hollon (Deed Book 1779, Page 562; Plat Cabinet "F", Slide 698, Lot 12), said pin also being in the rear line of Walter E. and Susan D. Fox (Deed Book 1263, Page 517) being Lot 8 of Block "F" of the Plat of Open Gate Estates, Unit No. 1A (Plat Cabinet "C", Slide 144); thence leaving the southwesterly line of Clay Meadows Subdivision and running with the common line of Clays Mill Road Baptist Church and Fox, and then continuing with the northwesterly line of Block "F" of the Open Gate Estates, S 23° 45' 07" W 236.83 feet to an iron pin set, said pin being a common corner of Clays Mill Road Baptist Church and Christopher Blake Gibson and Amanda W. Gibson (Deed Book 3958, Page 71) being Lot 4 of Unit No. 1 of the Record Plat of Millstone Subdivision (Plat Cabinet "C", Slide 548), and being in the rear line of Gerald Raymond Adams (Deed Book 4144, Page 711; Plat Cabinet "C", Slide 151, Block "F", Lot 5); thence leaving the northwesterly line of Block "F" of Open Gate Estates and running with the common line of Clays Mill Road Baptist Church and Gibson, and continuing along the northeasterly line of Millstone Subdivision, Unit No. 1, N 66° 38' 19" W 956.11 feet to an iron pin set in the southeasterly right-of-way of Clays Mill Road, aforesaid; thence running through the right-of-way of Clays Mill Road, N 67° 03' 41" W 44.05 feet to a point in center line of Clays Mill Road; thence along the center line of Clays Mill Road for three calls, N 22° 55' 46" E 24.00 feet to a point, N 23° 31' 27" E 188.13 feet to a point, and N 23° 41' 24" E 37.23 feet to a point; thence, S 66° 27' 26" E 44.39 feet to the point of beginning and containing a gross area of 243,347 square feet (5.587 acres) and a net area of 232,291 square feet (5.333 acre) as shown by the attached Notification Map prepared by CDP Engineers, Inc., in February 2026.

Being the same property conveyed to grantors by deed dated July 29, 1985, and recorded in Deed Book 1377, Page 434; less the excepted area of right-of-way dedicated to the Lexington Fayette Urban County Government by deed dated May 2, 2000, and recorded in Deed Book 2127, Page 194. All of the above-referenced instruments are of record in the Fayette County, Kentucky, Clerk's office.





STATE OF KENTUCKY STEVEN P. GREEN LICENSED PLANNING LAND SURVEYOR	TITLE: 3000 CLAYS MILL ROAD - NOTIFICATION MAP PROPERTY ADDRESS: 3000 CLAYS MILL ROAD RD. APPLICANT NAME: CLAYS MILL BAPTIST CHURCH ADDRESS: 3000 CLAYS MILL ROAD
NET AREA 232,294 SQ. FT. 5.33 ACRES GROSS AREA 243,350 SQ. FT. 5.58 ACRES PREPARED BY: CDP ENGINEERS, INC.	

PROJECT NO: 26002
SCALE: AS SHOWN
DATE: 2/20/2026
DRAWN BY: RPB
CHECKED BY: SPG
DESIGNED BY: NA
SHEET: ZC1

CLAYS MILL BAPTIST CHURCH
3000 CLAYS MILL ROAD
LEXINGTON, KENTUCKY 40503

ZONE CHANGE
NOTIFICATION MAP
3000 CLAYS MILL ROAD
LEXINGTON, KENTUCKY 40503



BOARD OF TRUSTEES CLAYS MILL ROAD BAPTIST CHURCH (PLN-MAR-26-00006)

3000 CLAYS MILL ROAD

Rezone property to convert a portion of an existing church structure into five residential units.

Applicant/Owner

Board of Trustees Clays Mill Road Baptist Church
3000 Clays Mill Road
LEXINGTON, KY 40503
ATTORNEY: Scott Schuette
sschuette@mcbryerfirm.com

Application Details

Acreage:

5.33 net (5.58 gross) acres

Current Zoning:

Single Family Residential (R-1B)

Proposed Zoning:

Medium Density Residential (R-4)

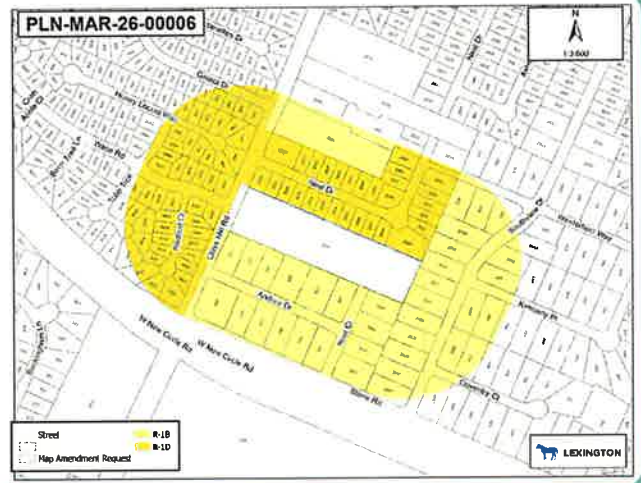
Place Type/Development Type:

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 convert a portion of the church structure into five residential units.



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

On February 23rd, the applicant held a public engagement meeting to discuss the proposal and solicit feedback.

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-26-00006: BOARD OF TRUSTEES CLAYS MILL ROAD BAPTIST CHURCH

DESCRIPTION OF ZONE CHANGE

Zone Change: From: Single Family Residential (R-1B) Zone
To: Medium Density Residential (R-4) Zone

Acreage: 5.33 net (5.58 gross) acres

Location: 3000 Clays Mill Road



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-1B	Residential
To North	R-1C	Residential
To East	R-1C	Residential
To South	R-1C	Residential
To West	R-1C/R-1D	Residential

URBAN SERVICE REPORT

Roads - Clays Mill Road is a three-lane major arterial road that connects Harrodsburg Road (US 68) to Brannon Road in Jessamine County. A multi-year enhancement project was recently completed which widened motorized travel lanes, added a center turn lane and added sidewalks and bike lanes to most of Clays Mill Road. Noel Court terminates at the southern end of the subject property, but no connection to the parking lot has been constructed.

Curb/Gutter/Sidewalks - Clays Mill Road was improved with curb, gutter and sidewalks within the past two years. All local streets are required to install the same at the time of development.

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

Storm Sewers - The subject property is located within the South Elkhorn 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 property located in the South Elkhorn sewershed and is served by the West Hickman Wastewater Treatment Plan located approximately 8 miles southeast of the site.

Refuse - The Urban County Government serves this portion of the Urban Service Area with refuse collection on Mondays.

Police - The nearest police station is located about 4½ miles northeast of the subject property on East Main Street.

Fire/Ambulance - The property is situated approximately 1.5 miles from Fire Station #12 on Southland Drive and approximately 1.8 miles from both Fire Stations #15 and #20 located on Shilito Park Road and Arrowhead Drive respectively.

Transit - There is no LexTran service available within close proximity of the subject property.

Parks - Hill N Dale Park is located approximately one mile to the northeast of the subject property.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property in order to convert a portion of an existing structure into five apartment units. In addition to the rezoning request described above, the applicant is requesting to amend their existing conditional use for a place of religious assembly and childcare center to reflect the proposed residential component. Lastly, the applicant is requesting a variance of Section 18.3(a)(1)(7) to reduce the required property perimeter landscape buffer from 8 feet to 1.7 feet.

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



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 applicant is proposing the rezoning of the subject property to convert a portion of an existing structure into five apartment units.

APPLICANT & COMMUNITY ENGAGEMENT



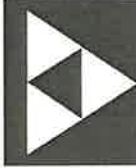
On February 23rd, the applicant held a public engagement meeting to discuss the proposal and solicit feedback. The neighborhood provided comments relating to connectivity, the number of units being proposed, and the potential for further redevelopment of the site.

PROPERTY & ZONING HISTORY



The subject property was originally zoned Single Family Residential (R-1B) prior to the comprehensive rezoning of the city and county in 1969. Since that time many of the properties in the area have been rezoned to allow for denser development; however, the subject property has remained in the R-1B zone. The site currently contains three structures, which have been approved as a place of religious assembly since the 1960s. One structure is a 1,662 square foot single family residence built in 1945. The other two structures were built in 1976, are 21,254 square and 15,288 square feet in size, and are associated with the church and daycare uses that operate at this location.

COMPREHENSIVE PLAN COMPLIANCE



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

GOALS & OBJECTIVES

The applicant opines that they are in agreement with the adopted Goals, Objectives and Policies of the 2045 Comprehensive Plan. The applicant indicates that their proposal will add variety and expand choice in housing type (Theme A, Goal #1.b) by increasing residential density on an underutilized parcel (Theme A, Goal #2.a and Goal #2.d). The applicant states that adding housing on this parcel will add density to meet the demand in Lexington (Theme A, Goal #2.d).

POLICIES

The applicant opines that they are in agreement with the adopted Policies of the 2045 Comprehensive Plan. The applicant has indicated where the project complies with the Multi-Family Design Standards (Design Policy #3) while being sensitive to the neighborhood context by retaining the structure's existing footprint (Design Policy #4). Additionally, the request will provide infill residential units (Density Policy #2) which are accessible to a wider range of income levels (Equity Policy #3) that are well integrated into the existing community (Equity Policy #9). Finally, the applicant opines that the proposed change will support missing middle housing (Growth Policy #9) through adaptive reuse of an existing structure (Growth Policy #9).

PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject property. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2045 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant has indicated that the site is located within the Enhanced Neighborhood Place-Type, and the Medium Density Residential Development Type. Due to the property's location in close proximity to established neighborhoods along Clays Mill Road, staff agrees with the choice in Place-Type and Development Type. The applicant's requested Medium Density Residential (R-4) zone is recommended for the applicant's choice in Place-Type and Development Type.



DEVELOPMENT CRITERIA

The applicant has indicated that the site is located within the Enhanced Neighborhood Place-Type and is seeking to utilize the property as a Low Density Residential Development Type. Staff concurs with the applicant's assessment of the Place-Type and agrees that a can be appropriate for the subject property. Staff also agrees with the applicant's assessment that the Medium Density Residential (R-4) zone can be appropriate for this location as well. Staff has identified the following areas of Development Criteria compliance:

1. Land Use

Staff finds that this request meets the Development Criteria for Land Use. The applicant's proposal would increase density with a mixed-use infill project (A-DN2-1 & B-SU3-1).

2. Transportation and Pedestrian Connectivity

Staff finds that this request meets the Development Criteria for Transportation and Pedestrian Connectivity. The proposal calls for the residential component to use the existing parking area which would be shared by multiple uses (C-PS10-1). Although the sidewalk connecting the apartment units to Clays Mill Road provides pedestrian access (A-DS4-1), staff believes that a pedestrian connection via Noel Court would further improve the multi-modal network (D-CO2-1).

3. Environmental Sustainability and Resiliency

The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency as the proposal will preserve existing greenscape and trees (B-PR7-1) and improve tree canopy (B-RE1-1) while minimizing physical land disturbance by redeveloping an existing structure (B-PR9-1).

4. Site Design

Staff finds that this request meets the requirements for Site Design as the proposal will provide a pedestrian access to Clays Mill Road (A-DS5-4) and utilize the existing parking located at the rear of the property (A-DS7-1).

5. Building Form

Staff finds that this request meets the requirements for Building Form by retrofitting an existing structure (E-GR5-1) that minimizes contrasts in scale with the surrounding neighborhood (A-DN2-2).

STAFF RECOMMENDS: APPROVAL FOR THE FOLLOWING REASONS:



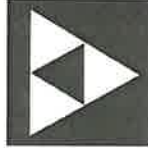
1. The requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The addition of residential units will help meet housing demand (Theme A, Goal #1.c).
 - b. The proposal will expand housing variety and choice (Theme A, Goal #1.b).
 - c. The proposal will result in minimal environmental impact (Theme A, Goal #3.c).
 - d. The request will increase the utility of an underutilized parcel (Theme A, Goal #2.a and Goal #2.d).
2. The requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal will comply with the Multi-Family Design Standards (Design Policy #3).
 - b. The project would provide infill residential units (Density Policy # 2).
 - c. The applicant stated that these units are intended to meet a wide range of income levels (Equity Policy #3).
 - d. The new use would integrate well with the existing community (Equity Policy #9).
 - e. The project would involve the reuse of an existing structure (Growth Policy #9).
3. The requested Medium Density Residential (R-4) zone is 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 by increasing density with a mixed-use infill project (A-DN2-1 & B-SU3-1).

STAFF RECOMMENDS: APPROVAL FOR THE FOLLOWING REASONS:



- b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability by providing pedestrian access (A-DS4-1) and utilizing shared parking (C-PS10-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency as the proposed plan does not require removal any trees (B-PR7-1), could be accomplished with minimal grading (B-PR9-1) and will incorporate native plants and trees (B-SU11-1) and increase the tree canopy (B-RE1-1) .
 - d. The request meets the requirements for Site Design by providing pedestrian access to Clays Mill Road (A-DS5-4) and utilizing the existing parking located at the rear of the property (A-DS7-1).
 - e. The request meets the requirements for Building Form by retrofitting an existing structure (E-GR5-1) that minimizes contrasts in scale with the surrounding neighborhood (A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-26-00016 CLAYS MILL ROAD BAPTIST CHURCH HOUSING PROJECT 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 REPORT ON VARIANCE REQUEST



As part of their application, the petitioner is also seeking dimensional variances that are requesting relief from the required property perimeter screening requirements for the portions of the property that abut Single Family Residential (R-1) zone. The applicant is seeking to reduce the minimum required property perimeter requirements as regulated in of Article 18-3(a)(1)(7) of the LFUCG Zoning Ordinance.

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)(1)(7) states that for any R-1T, R-3, R-4 or R-5 zone, except when developed as buildings for single-family or two-family occupancy, abuts any R-1 or R-2 zone, then a buffer of eight feet with one tree/40 feet of linear boundary, from Group A, B, or C of Plant List plus a continuous six feet high planting, hedge, fence, wall, or earth mound is required.

CASE REVIEW

The applicant is seeking a dimensional variance to reduce the width of the required property perimeter landscape buffer from 8 feet to 1.7 feet to match the current conditions on the property. The property currently features two vehicular access points to Clays Mill Road, located along the northernmost and southernmost portions of its road frontage. These access points transition into driveways and parking areas located along the immediately adjacent to the northern and southern property lines, and extends throughout much of the site. The site's parking lot was developed prior to the adoption of the current Zoning Ordinance, and is nonconforming with respects to several interior landscaping and buffering requirements.

The applicants request to rezone the property to the Medium Density Residential (R-4) zone will result in the need for the applicant to provide property perimeter screening where their zone adjoins single-family residential zones. This would require an eight foot wide buffer along three sides of the property, including trees, shrubs, and fencing. Implementing this buffer would require relocation or modification of both access points, as well as a complete redesign of the rear parking area. In their letter of justification, the applicant states that the variance is appropriate because the he Church has operated since 1963 with the current vehicular circulation and without this screening. They further note that meeting the required zone to zone buffer would require significant redesign of the vehicular circulation for the property and would place a significant financial burden on the Church.

Staff is supportive of this request. The proposal currently does not feature any external changes to the site, and will not introduce an increase in the intensity of the use that warrants additional screening. The existing site was developed prior to the adoption of current regulations, and there has been no information provided that indicates the current layout and operations of the church have resulted in a nuisance to the adjoining residences. Additionally, the majority of adjoining properties feature existing fences and vegetation that screens the use

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:

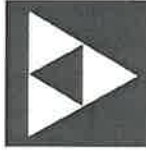


1. Approval of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations.
2. The requested variance is due to special circumstances that do not generally apply to land in the general vicinity, or in the same zone. The site features existing circulation patterns that predate the current Zoning Ordinance.
3. 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. Providing the required buffer would necessitate significant changes to the site's access, circulation, and parking areas.
4. The circumstances of the variance request are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

This recommendation of Approval is subject to the following conditions:

1. Provided the Planning Commission and Urban County Council approve the requested zone change to the R-4 zone, otherwise the requested variances shall be null and void.
2. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
3. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering and Building Inspection prior to construction and occupancy.
4. Action of the Planning Commission shall be noted on the Development Plan for the subject property.

STAFF REPORT ON CONDITIONAL USE PERMIT REQUEST



In association with the zone change request for the property, the applicant is seeking to amend an existing conditional use permit within the Medium Density Residential (R-4) zone to operate a place of religious assembly with an accessory childcare center. With any zone change, the Planning Commission shall have the power to hear and decide applications for conditional use permits. These permits are to allow the proper integration into the planning area of uses which are specifically named in this Zoning Ordinance, which may be suitable only in specific locations in the zone only if certain conditions are met and which would not have an adverse influence on existing or future development of the subject property or its surrounding neighborhood.

ZONING ORDINANCE

Article 6-4(c) states that the Planning Commission may hear and act upon requested conditional uses and variances associated with a zone change. If the Planning Commission should choose to hear a conditional use or variance request, the Planning Commission shall have all of the powers and responsibilities of the Board of Adjustment, as defined in Sections 7-6(a) and 7-6(b) of the Zoning Ordinance. All conditional use and variance applications shall be acted upon by the Planning Commission within ninety (90) days from the date of the application, unless postponed further by the applicant.

Article 8-5(d)(6) lists places of religious assembly as a conditional use in the R-1A zone.

Article 8-5(d)(2) states that childcare centers for four (4) or more children, when accessory to a place of religious assembly, are a conditional use in the R-1A zone.

All conditional uses in the R-1A zone are also conditional uses in the R-4 zone.

CASE REVIEW

The applicant is proposing to rezone property at 3000 Clays Mill Road from R-1B to R-4 in order to convert a portion of the existing structure into five residential apartment units. The applicant has a current conditional use permit to operate a church with an accessory childcare center on the property, dating back to the 1960s, and was most recently updated in 2024 (PLN-BOA-24-00087). With this request, the applicant seeks to continue the operation of those uses while adding the residential component to the westernmost structure on the site. The applicant indicates in their letter of justification that the five proposed residential units will be affordable units, and will utilize existing parking on the site. No expansion of the structures is proposed at this time, and the addition of the residential component is not anticipated to alter any other aspect of the previously approved operations of the site.

STAFF RECOMMENDS: APPROVAL FOR THE FOLLOWING REASONS:



1. Approval of the conditional use permit will not have any negative impacts on the surrounding community. Both of the uses associated with this request have existed at this location for a number of years, and no expansion of the existing structures is proposed at this time to accommodate the new residential component.
2. There is sufficient parking present on-site to accommodate the proposed users of the site.
3. All necessary public facilities and services are available and adequate for the proposed uses.

This recommendation of approval is made subject to the following conditions:

1. The uses shall be operated in accordance with the submitted application materials and the associated Development Plan.
2. All necessary permits, shall be obtained from the Divisions of Planning and Building Inspection prior to commencement of the use.
3. The applicant shall comply with all requirements of the State of Kentucky's Cabinet for Health and Family Services.

Ms. Gallt concluded by stating that the staff recommends approval of the preliminary development plan. She offered to answer any questions from the Planning Commission.

Applicant Presentation – Attorney Dick Murphy reminded the Commission that in 2019 the Anderson Andover Property was part of a successful zone change, becoming the home of Carson’s restaurant and their connected event space. He stated that due to that success, they are now seeking expansion through town homes and additional parking for the restaurant.

Mr. Murphy requested that item #3 under the requirements not met section of the revised staff report be amended to extend to the approval of the final development plan to allow more time for the developers to achieve this goal. He clarified that this extension would provide a safe time frame for the adjustment.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve **PLN-MAR-26-00005: ANDERSON ANDOVER COUNTRY CLUB, LLC** for the reasons given by staff.

Staff Comments – Ms. Gallt suggested that any change to the conditions, specifically item #3, be included in the motion.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve **PLN-MJDP-26-00015: LOCHMERE TRACT 4-B (A PORTION OF) (ANDOVER GOLF COURSE)**, with the revised conditions presented by staff, modifying item #3 under requirements not met to read: Denote: Approval of turn-around by the Division of Fire at the time of approval of the final development plan.

2. BOARD OF TRUSTEES CLAYS MILL BAPTIST CHURCH MAP AMENDMENT REQUEST AND CLAYS MILL ROAD BAPTIST CHURCH HOUSING PROJECT DEVELOPMENT PLAN

- a. **PLN-MAR-26-00006: BOARD OF TRUSTEES CLAYS MILL BAPTIST CHURCH (4/23/26)*** – a petition for a zone map amendment from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone for 5.45 net (5.59 gross) acres for property located at 3000 Clays Mill Road. In addition to the rezoning request, the applicant is requesting a conditional use permit for a place of religious assembly and childcare center accessory to a place of religious assembly and a variance to reduce the landscape and buffer from 8 feet to 1.7 feet.

COMPREHENSIVE PLAN AND PROPOSED USE

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

Note: The applicant is proposing the rezoning of the subject property to convert a portion of an existing structure into 5 apartment units.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval for the following reasons:

1. The requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan’s Goals and Objectives, for the following reasons:
 - a. The addition of residential units will help meet housing demand (Theme A, Goal #1.c).
 - b. The proposal will expand housing variety and choice (Theme A, Goal #1.b).
 - c. The proposal will result in minimal environmental impact (Theme A, Goal #3.c).
 - d. The request will increase the utility of an underutilized parcel (Theme A, Goal #2.a and Goal #2.d).

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

2. The requested Medium Density Residential (R-4) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal will comply with the Multi-Family Design Standards (Design Policy #3).
 - b. The project would provide infill residential units (Density Policy # 2).
 - c. The applicant stated that these units are intended to meet a wide range of income levels (Equity Policy #3).
 - d. The new use would integrate well with the existing community (Equity Policy #9).
 - e. The project would involve the reuse of an existing structure (Growth Policy #9).

3. The requested Medium Density Residential (R-4) zone is 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 by increasing density with a mixed-use infill project (A-DN2-1 & B-SU3-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability by providing pedestrian access (A-DS4-1) and utilizing shared parking (C-PS10-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency as the proposed plan does not require removal any trees (B-PR7-1), could be accomplished with minimal grading (B-PR9-1) and will incorporate native plants and trees (B-SU11-1) and increase the tree canopy (B-RE1-1) .
 - d. The request meets the requirements for Site Design by providing pedestrian access to Clays Mill Road (A-DS5-4) and utilizing the existing parking located at the rear of the property (A-DS7-1).
 - e. The request meets the requirements for Building Form by retrofitting an existing structure (E-GR5-1) that minimizes contrasts in scale with the surrounding neighborhood (A-DN2-2).

4. This recommendation is made subject to approval and certification of PLN-MJDP-26-00016 CLAYS MILL ROAD BAPTIST CHURCH HOUSING PROJECT 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 – Mr. Young oriented the Planning Commission to the location of the proposed zone change. He indicated that the applicant is seeking to rezone the subject property in order to retrofit an existing church structure with five apartment units. He also explained that the applicant is requesting both a variance and a conditional use permit.

Mr. Young clarified that while the apartments will not be labeled “affordable housing”, but that they will be offered to members of Clays Mill Baptist Church at a reduced rate. He stated that the proposal was in agreement with The Goals, Objectives, Policies, and Development Criteria of the 2045 Comprehensive Plan.

Mr. Young stated that the staff recommends **Approval** and offered to answer any questions from the Commission.

- b. **VARIANCE** – In addition to the rezoning request, the applicant is requesting a variance to reduce the landscape and buffer from 8 feet to 1.7 feet.

The Zoning Committee recommended: **Approval**.

The Staff Recommends: **Approval**, of the variance for the following reasons:

1. Approval 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.
2. The requested variance is due to special circumstances that do not generally apply to land in the general vicinity, or in the same zone. The site features existing circulation patterns that predate the current Zoning Ordinance.

3. Strict application of the provisions of the regulation would deprive the applicant of reasonable use of the land or would create an unnecessary hardship on the applicant. Providing the required buffer would necessitate significant changes to the site's access, circulation, and parking areas.
4. The circumstances of the variance request are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

This recommendation of **Approval** is subject to the following conditions:

1. Provided the Planning Commission and Urban County Council approve the requested zone change to the R-4 zone, otherwise the requested variances shall be null and void.
2. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
3. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering and Building Inspection prior to construction and occupancy.
Action of the Planning Commission shall be noted on the Development Plan for the subject property.

- c. **Conditional Use Permit:** The applicant is requesting a conditional use permit for a place of religious assembly and childcare center accessory to a place of religious assembly.

The staff recommends Approval for the following reasons:

1. Approval of the conditional use permit will not have any negative impacts on the surrounding community. Both of the uses associated with this request have existed at this location for a number of years, and no expansion of the existing structures is proposed at this time to accommodate the new residential component.
2. There is sufficient parking present on-site to accommodate the proposed users of the site.
3. All necessary public facilities and services are available and adequate for the proposed uses.

This recommendation of Approval is made subject to the following conditions:

1. The uses shall be operated in accordance with the submitted application materials and the associated Development Plan.
2. All necessary permits, shall be obtained from the Divisions of Planning and Building Inspection prior to commencement of the use.
3. The applicant shall comply with all requirements of the State of Kentucky's Cabinet for Health and Family Services.

Staff Presentation – Mr. Young oriented the Commission with the variance and conditional use permit. He noted that the applicant was requesting that the landscape buffer between adjacent parcels be reduced from 8 feet to 1.7 feet. He shared images of the site depicting vegetation that made it difficult to appropriately create a buffer of 8 feet.

He stated that staff recommends **Approval** of the variance for the reasons given by staff. He offered to answer any questions from the Commission.

Mr. Young then oriented the Commission with the applicants' request for a conditional use permit, noting that the previously granted permit applied in the current zone, and that the property owner was seeking approval with no changes within the proposed R-4 zone.

He stated that staff recommends Approval for the following reasons:

1. The uses shall be operated in accordance with the submitted application materials and the associated development plan.
2. All necessary permits shall be obtained from the Division of Planning and Building Inspection prior to the commencement of use.
3. The applicant shall comply with all requirements of the State of Kentucky's Cabinet for Health and Family Services.

Commission Questions – Chair Davis sought clarification that the Planning Commission would take action on three items: the zone change, the development plan, and the variance.

Daniel Crum, Principal Planner, stated that the Planning Commission will take action on four items: the zone change, the development plan, the variance, and the conditional use permit.

- d. **PLN-MJDP-26-00016: CLAYS MILL BAPTIST CHURCH HOUSING PROJECT** (6/1/26)* – located at 3000 CLAYS MILL ROAD, LEXINGTON, KY
Council District: 10
Project Contact: Earthcycle Design

Note: The purpose of this plan is to depict five residential units in an existing building, in support of the requested zone change from a Single-Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone.

Requirements Not Met:

1. Addition of all easements. (ZO Art. 21-6(a)(10)) (Planning)
2. Addition of residential uses in site statistics under uses. (ZO Art. 21-6(a)(13)) (Planning)
3. A portion of bicycle parking is required to be covered for multi-family development. (ZO Art. 16) (Bike/Ped)
4. Provide justification for any proposed removals and mitigation for significant trees removed. (ZO Sec. 26-4(c)) (Urban Forester)
5. Depict any Tree Protection Areas, if applicable. (ZO Art. 26-2) (Urban Forester)

Waiver(s) Necessary: None at this time.

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. Contact Addressing Office for reassignment of address(es)/suite numbers. (Addressing)
3. If impervious area is increasing, verify stormwater capacity for quality and quantity. (Engineering)
4. Contact SS tap-on-desk. Submit updated capacity assurance, if warranted. (Engineering)

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

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

Should the 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.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Department of Environmental Quality's approval of environmentally sensitive areas.
8. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
9. Open Space planner's approval of the treatment of open space and vegetative areas.
10. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
11. Division of Waste Management's approval of refuse collection locations.
12. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
13. United States Postal Service Office's approval of kiosk locations or easement.

Staff Presentation – Ms. Gallt oriented the staff with the layout of the final development plan. She shared a color rendering of the property with the Commission. An existing structure is being retrofit into the five apartments and she expressed the possibility of adding an additional sidewalk from the building to Clays Mill Road.

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

Commission Questions – Ms. Molly Davis noted that the space between the church property and the residents on Neal Drive was narrow, and asked Ms. Gallt if she had reviewed that element of the plan.

Daniel Crum, Principal Planner, mentioned that staff would answer questions pertaining to the variance after the presentation.

Applicant Presentation – Attorney Scott Schuette was present to represent the applicant. He stated that the variance was not a product of the zone change, but one that has already existed on the property. He also noted that it did not apply to the entirety of the property's driveway, but only on specific points.

He reminded the Commission that the conditional use permit was approved in 2024 and emphasized that the applicant was seeking reapproval for the new zone.

Mr. Schuette clarified that while the cost of the apartments would be in line with what would be considered low-income housing, the applicant is not seeking any federal funding for the project, and that the rent prices will be a product of the church staff that will occupy the units.

He stated that he and the applicant agreed with staff's recommendation.

Citizen Comments – Stephen Trotter, Neal Drive, read a letter written by two of his neighbors. He expressed concern that the proposed zone change would allow for future large-scale development.

Vinny Paiva, 592 Longview Drive, urged the Commission to think about how the proposed change to a R-4 zone could impact the future of the property.

Applicant Rebuttal – Mr. Schuette stated that there are no future plans to further develop the church property beyond what the applicant is currently proposing. He also clarified that if any major changes were to be made to the property, it is likely that any future developments would need to be presented to the Planning Commission for approval.

Staff Comments – Mr. Crum clarified that not all changes to the property would return to the Commission for approval. He stated that only those involving a new preliminary development plan or changes to stub streets would need further Commission approval.

Commission Comments – Ms. M. Davis stated that she thought it was wonderful when entities provide housing options for staff. She noted that sensitivity to neighbors is important and expressed concern regarding the addition of housing units without providing adequate green space.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve PLN-MAR-26-00006: BOARD OF TRUSTEES CLAYS MILL BAPTIST CHURCH for the reasons provided by staff.

Action – Mr. Forester made a motion, seconded by Mr. Nicol, and carried 9-0 (Wilson and J. Davis absent), to approve PLN-MJDP-26-00016: CLAYS MILL BAPTIST CHURCH subject to the 13 conditions recommended by staff.

Action – Mr. Forester made a motion, seconded by Mr. Michler, and carried 9-0 (Wilson and J. Davis absent), to approve the associated variance request with the four conditions provided by staff.

Action – Mr. Forester made a motion, seconded by Ms. Worth, and carried 9-0 (Wilson and J. Davis absent), to approve the associated conditional use permit with the conditions and findings provided by staff.

Note: Mr. Michler recused himself from the meeting, stating that he had a conflict of interest with the next agenda item. He exited the meeting at 2:23 pm.