

ORDINANCE NO. 042-2024

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1B) ZONE TO A MEDIUM DENSITY RESIDENTIAL (R-4) ZONE, FOR 2.462 NET AND GROSS ACRES FOR PROPERTY LOCATED AT 766 PARADISE LANE. (RED DRAW DEVELOPMENT, LLC; COUNCIL DISTRICT 7).

WHEREAS, at a Public Hearing held on March 28, 2024, a petition for a zoning ordinance map amendment for property located at 766 Paradise Lane from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone for 2.462 net and 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 766 Paradise Lane from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone for 2.462 net and gross acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

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

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

PASSED URBAN COUNTY COUNCIL: May 9, 2024


MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: May 16, 2024-1t
0416-24:TWJ:4876-9208-5943, v. 1

Rec'd by _____

Date: _____

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

IN RE: **PLN-MAR-24-00004: RED DRAW DEVELOPMENT, LLC** – a petition for a zone map amendment from Single Family Residential (R-1B) to Medium Density Residential (R-4) zone, for 2.462 net and gross acres for property located at 766 Paradise Lane. (Council District 7)

Having considered the above matter on **March 28, 2024**, at a Public Hearing, and having voted **9-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The proposed Medium Density Residential (R-4) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning encourages the expansion of housing choices by providing for higher density residential development in an area characterized by detached and attached single-family residential uses (Theme A, Goal #1.b and c).
 - b. By adding additional dwelling units to a large 2.462-acre parcel, the request intensifies an underutilized piece of property (Theme A, Goal #1.a).
 - c. The development will provide for safe social interactions by providing connectivity to nearby transit stops and the surrounding neighborhoods (Theme A, Goal#3.b).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request provides sidewalk connections to the Liberty Road and Fortune Drive intersection, and the nearby transit stop along Fortune Drive (Theme A, Design Policies #1, 2, and 5).
 - b. The request complies with the requirements for the Multi-Family Design Standards (Theme A, Design Policy #3).
 - c. The development orients parking to the interior of the development (Theme A, Design Policy #7).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the recommendations for Land Use, as the applicant's proposal increases density (A-DN2-1), and creates a development oriented around centralized community amenities and open space (E-ST8-2).
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as it provides safe multi-modal connections to the surrounding development that will be further improved with planned improvements along Liberty Road (A-DS4-1), and orients their buildings and landscaping to provide a vertical edge along the project's Liberty Road frontage (A-DS5-2).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as the development does not impact environmentally sensitive areas (B-PR2-1), will increase the tree canopy present on-site (B-RE1-1), and the applicant has indicated that the lighting provided will be shielded and located to avoid providing spillover lighting (B-PR10-1).
 - d. The request meets the requirements for Site Design, as it provides for centralized amenities and open space (A-DS9-1; D-PL10-1), and provides for pedestrian and multi-modal connections to Liberty Road (C-LI8-1).

- e. The request meets the criteria for Building Form, as the proposal is in agreement with the Multi-Family Design Standards (A-DS3-1), and is an appropriate increase in density from the single-family residential development present along Wilderness Road and Paradise Lane (A-DS4-2; A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00008: PLEASANT RIDGE SUBDIVISION LOT 127 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 12th day of April, 2024.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by June 26, 2024

Note: The corollary development plan, PLN-MJDP-24-00008: PLEASANT RIDGE SUBDIVISION LOT 127 was approved by the Planning Commission on March 28, 2024 and certified on April 11th, 2024.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Matt Carter, engineer.**

OBJECTORS

- Kevin Fredrick, 716 Wilderness Road.
- John Brenock, 711 Wilderness Road.

OBJECTIONS

- Stated that he completely opposed this development and favored having single-family homes with a cul-de-sac because it would be safer.
- Stated this development was a bait and switch and had grave concerns about safety and the character of the neighborhood.

VOTES WERE AS FOLLOWS:

AYES:	(9)	Nicol, Meyer, Barksdale, Pohl, Worth, Zach Davis, Wilson, Michler, Owens
NAYS:	(0)	
ABSENT:	(2)	Forester and Johnathon Davis
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-24-00004** carried.

Enclosures: Application

Justification
Legal Description
Plat
Development Snapshot
Staff Reports
Applicable excerpts of minutes of above meeting

MAP AMENDMENT REQUEST (MAR) APPLICATION**1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)****Applicant:**

RED DRAW DEVELOPMENT, LLC, 1500 DELAWARE AVENUE, LEXINGTON, KY 40505

Owner(s):

Melanie Ann McMenama, Stephanie Lynn Merideth, Debra Lynn Merideth, 925 IDLEWILD COURT, LEXINGTON, KY 40505

Attorney:

NONE

2. ADDRESS OF APPLICANT'S PROPERTY

776 PARADISE LANE, LEXINGTON, KY 40509

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
R-1B	SINGLE FAMILY RESIDENCE	R-4	MULTI-FAMILY RESIDENTIAL	2.462	2.462

4. COMPREHENSIVE PLAN

a. Utilizing Placebuilder, what Place-Type is proposed for the subject site?	ENHANCED NEIGHBORHOOD
b. Utilizing Placebuilder, what Development Type is proposed for the subject site? If residential, provide the proposed density	MEDIUM DENSITY RESIDENTIAL

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input checked="" type="checkbox"/> YES <input 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

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

Roads:	PUBLIC
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







128 E Reynolds Rd, Suite 150
Lexington, Kentucky 40517
Phone: 859-559-0516

Date: February 5, 2024

Lexington-Fayette Urban County Planning Commission
Lexington-Fayette Urban County Government
101 East Vine Street
Lexington, KY 40507

Re: 766 Paradise Lane Zone Change Request

Dear Members of the Planning Commission:

We represent Red Draw Development, LLC ("Applicant") and on their behalf and are filing a zone change request for property located at 766 Paradise Lane (Property). The Property consists of 2.462 net (2.462 gross) acres and is currently zoned as R1-B with single-family resident.

The Applicant's request is to rezone the Property to Medium Density Residential (R-4) zone to construct a total of nine (9) apartment buildings and a Club House with the adjoining 7.44 net acres of R-4 zoning at 2156, 2176 and 2184 Liberty Road. Urban County Council recently approved the R-4 zoning on the Liberty Road properties on December 7, 2023 with Ordinance No. 151-2023.

The Property is located south of the intersection of Liberty Road and Wilderness Road. The proposed development consists of 216 apartment units / 372 beds in nine (9) buildings. The surrounding area is made up of single-family residential areas, one (1) light industrial property on East New Circle Road, townhouse residential area across Liberty Road east of Fortune drive and a duplex development across Liberty west of Fortune Drive.

The proposed development is consistent with the existing land use north of the property and will complete the residential areas that surround the Property. This will ensure that much-needed residential development on underutilized land.

This request is in agreement with the Comprehensive Plan with reasons outlined below. Primarily the Zone Map Amendment Request offers a chance to intensify underutilized properties and fill gaps within neighborhoods inside the Urban Service Area for much needed residential use. This is an ideal property for the proposed multi-family residential use as it will maximize the use of the property for residential use rather than a lower density residential use on a very challenging site for development.

This well-designed project upholds the Urban Service Area varied housing choices with the adjacent residential development which meet several community needs, encourages community interaction through pedestrian connectivity, and while respecting its neighbors with landscaping buffer and useable greenspace.

This project aligns with the aspects of a desirable community and the place making concepts that the Comprehensive Plan stresses such as openness, social offerings, aesthetics, amenities, and tie-ins to adjacent pedestrian facility and future connection to the bike lanes with the Kentucky Transportation Cabinet Liberty Road widening project (Item 7-8902.00) currently in the right of way acquisition phase and construction scheduled in 2027.

The proposed development follows many of the Comprehensive Plan specific recommendations on growing successful neighborhoods while protecting the environments as we expanding the housing types and choice in the area by providing multi-family units without impacting adjacent neighborhood; supporting infill and redevelopment throughout the Urban Service Area and providing well designed community that furthers the commitment to mixed type housing with locations for safe and positive social interactions.

The proposed development is located along a mass transit Lextran Hamburg Pavilion 10 route, where the site is located approximately 400 feet from cover bus stop along Fortune Drive. In addition to increasing the density of residential land along Liberty Road for an underutilized property. The proposed development will not put an undue strain to the surrounding infrastructure, the site will be access from an existing signal at the intersection of the Fortune Drive and Liberty Road and the proposed entrance to the site will have a boulevard setting.

The proposed development is well designed project as it exceeds many of the design policies presented in the Comprehensive Plan. By providing ample pedestrian and bike connection within the apartment complex and the surrounding area. The proposed development presents a pedestrian friendly network of sidewalks within the complex, Fortune Drive, and to the future widening of Liberty Road, while creating an inviting streetscape (Design Policy # 1, 2, 5, 6, and 13). The parking areas for the multi-family are mainly interior to the development, they aren't a primary visual component to the neighbors, or we are proposing enhances landscaping to help buffer the area (DP #7). As previously stated, the proposed development will be well connected to the amenity area and open space for the residents and located within the center of the property.

In summary, this well-designed project upholds the Urban Service Area preservation strategy, is appropriate development of a long-underutilized parcel, provides additional housing units with a mix of housing types, encourage community interaction through pedestrian connectivity, encourage a more comprehensive transportation system, all while respecting its neighbors and protecting the environment with landscaping buffers and useable green space. As a result, the proposed zone change is in compliance with the 2018 Comprehensive Plan. As mentioned above, the proposed zone change meets the following Goals and Objectives of the Comprehensive Plan.

Theme A-Growing Successful Neighborhoods

Goal 1: Expand housing choices.

Objectives:

- b. Accommodate the demand for housing in Lexington responsibly, prioritizing higher density and mixture of housing types.
- c. Plan for safe, affordable, and accessible housing to meet the needs of Lexington's aging population residents with disabilities.

Goal 2: Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.

Objectives:

- a. Identify areas of opportunity for infill, redevelopment, adaptive reuse, and mixed-use development.
- b. Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban forms.
- c. Incorporate adequate greenspace and open space into all development projects, which serve the needs of the intended population.

Goal 3: Provide well-designed neighborhoods and communities.

Objectives:

- a. Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expand options for mixed-use and mixed-type housing throughout Lexington-Fayette County.
- b. Strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation.
- c. Minimize disruption of natural features when building new communities.
- d. Encourage the use of neighborhood-enhancing elements, such as green infrastructure, street trees.
- e. Improve Lexington's transportation network through ample street and sidewalk connections between new and existing development.

Goal 4: Address community facilities at a neighborhood scale.

Objectives:

- c. Establish and promote road network connections in order to reduce police, EMS, and fire response times.

Theme B - Protecting the Environment

Goal 2: Identify and mitigate local impacts of climate change by tracking and reducing Lexington-Fayette County's carbon footprint and greenhouse emissions.

Objectives:

- d. Prioritize multi-modal options that de-emphasize single-occupancy vehicle dependence.

Goal 3: Apply environmentally sustainable practices to protect, conserve and restore landscapes and natural resources.

Objectives:

- b. Identify and protect natural resources and landscapes before development occurs.

Theme D - Improving a Desirable Community

Goal 1: Work to achieve an effective and comprehensive transportation system.

Objectives:

- a. Support the Complete Streets concept, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit, and other vehicles.
- b. Expand the network of accessible transportation alternatives for residents and commuters, which may include the use of mass transit, bicycles, walkways, ridesharing, greenways and other strategies.

Goal 2: Support a model of development that focuses on people-first to provide accessible community facilities and services to meet the health, safety and quality of life needs of Lexington-Fayette County's residents and visitors.

Objectives: Ensure built and natural environments are safe and accessible thought activated and engaging site design.

Goal 3: Protect and enhance the natural and cultural landscapes that give Lexington-Fayette County its unique identity and image.

Objectives:

- a. Protect historic resources and archaeological sites.

Theme E - Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land

Goal 1: Uphold the Urban Service Area concept.

Objectives:

- b. Continue to monitor the absorption of vacant and underutilized land within the Urban Service Area.
- c. Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.
- d. Emphasize redevelopment of underutilized corridors.
- e. Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features.
- f. Pursue strategies to activate large undeveloped landholdings within the Urban Service Area.

THE PLACEBUILDER

The Property is located outside of New Circle Road and is adjacent to a residential and townhouses neighborhood. As such, the natural Place Type is Enhanced Neighborhood, and the Development Type is Medium Density for the multi-family component. We submit that this classification is appropriate due to the location of the Property well outside the downtown core and the surrounding 2nd Tier Urban Neighborhoods and the proposed use is adding additional units to an underutilized and challenging site. The R-4 zone is one of the suggested zoning categories for this Place Type.

Standards That Are Applicable to Our Proposal

SITE DESIGN, BUILDING FORM, & LOCATION

A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1. While we do not have specific architectural designs for the multi-family structures at this time, we will use our best efforts to comply with required design standards in the Subdivision Regulations and Zoning Ordinance.

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 in accordance with other Imagine Lexington corridor policies and Place builder priorities. The proposed development is located south side of Liberty Road, the grade change between Liberty Road and the site is approximately 10 feet in elevation an equivalent to 1 floor, given the topographic between the north side and south side of Liberty Road, the 3 story buildings will be of appreciate scale and height to the surrounding townhouses and duplex development.

A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere. The proposed development ensures its residents will be well connected into the existing site, the site and the surrounding area in a pedestrian friendly manner, while not overburdening the surrounding road system.

A-DS5-4: Development should provide a pedestrian-oriented and activated ground level. The development plan shows the necessary pedestrian connections with our structures having an activated ground level.

A-DS7-1: Parking should be oriented to the interior or rear of the property for nonresidential or multi-family developments. This is being done where feasible for the vast majority of the site.

A-DS7-2: Any non-residential or multi-family parking not buffered by a building should be screened from the streetscape view and adjacent properties. There is appropriate landscape screening proposed on site in the locations of the multi-family parking areas.

A-DS10-1 Residential units should be within reason able walking distance to a focal point. The proposed units are within walking distance of the apartment amenity areas, proposed clubhouse, pool, and usable open space are located within the center of the property.

A-DN2-1: Infill residential should aim to increase density. The proposed development is adding 168 apartment units which will increase the density in the area without overburdening the transportation system or infrastructure.

B-PR9-1: Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible. This has been done where feasible.

B-SU11-1: Green infrastructure should be implemented in new development. (E-GR3). We will be providing green infrastructure through our water quantity and quality components in the proposed stormwater management facility, tree canopy requirements, and routing runoff from parking and impervious area to exiting vegetative/grass area to enhance infiltration and filtration of runoff.

C-PS10-3 Over-parking of new developments should be avoided. (B-SU5). This development is not overparked. The proposed development adds 5 bike racks spreads along the development.

D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application. Letters have been sent out to the surrounding property owners prior to submitting this application. We've yet to be contacted by property owners to schedule a neighborhood meeting.

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. Apartment located along Liberty Road had been located further from the right of line anticipating the dedication of the right of way for the widening of Liberty Road.

E-GR9-4: Development should intensify underutilized properties and develop vacant and underutilized gaps within neighborhoods (E-GR6). The Property is underutilized and surrounded by developments that were constructed a long time ago. This Property has many challenges which include topographic, geotechnical, and stormwater challenges.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

A-DS1-1: Mass transit infrastructure such as seating and shelters should be provided/enhanced long transit routes. (A-EQ7). The proposed development is located approximately 400 feet from a cover shelter, a proposed sidewalk will be constructed to connect to the sidewalk along Fortune Drive.

A-DS1-2: Direct pedestrian linkages to transit should be provided. sidewalks will be constructed from the proposed development to the bus shelter located at Fortune Drive.

A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments, and complementary uses should be provided. (A-DS2, A-DN1, B-SU1, B-SU2, C-LI7, E-AC5). Sidewalks will be constructed as part of the development to create appropriate connectivity to surrounding pedestrian infrastructure. In addition, with the widening of Liberty Road with bikes and sidewalk added, this will improve the connectivity to larger scale in the area.

A-DS5-1: Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport. The development is appropriately connected to surrounding pedestrian infrastructure, amenity area, and bus stop.

A-DS5-2: Roadways should provide a vertical edge, such as trees and buildings. This has been achieved were feasible.

A-DS10-2 New focal points should be designed with multi-modal connections to the neighborhood. The development is appropriately connected to surrounding pedestrian infrastructure, amenity areas, and cover bus stops.

A-EQ3-2 Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure and facilities). The development is dense, with an internal sidewalk, and appropriately connected to surrounding pedestrian infrastructure, amenity areas, and cover bus stop.

B-SU4-1: Where greenspace/community centers are not located within walking distance of a new development, applicants should attempt to incorporate those amenities. (A-DS9). Part of the development is to construct a club house, pool, and useable open space area.

D-CO1-1: Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type. This has been done where feasible.

D-CO2-1: Safe facilities for all users and modes of transportation should be provided. The development is appropriately connected to surrounding pedestrian infrastructure, amenity area, and cover bus stop.

D-CO2-2: Development should create and/or expand a safe, connected multimodal transportation network that satisfies all users' needs, including those with disabilities. The development is appropriately connected to surrounding pedestrian infrastructure, amenity areas, and bus stops.

GREENSPACE & ENVIRONMENTAL HEALTH

A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features. This has been done where feasible.

A-EQ7-3: Community open spaces should be easily accessible and clearly delineated from private open spaces. This has been done where feasible.

B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site. This has been done where feasible.

B-PR7-2 Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability. This has been done where feasible.

B-PR7-3 Developments should improve the tree canopy. This development intends to increase the total tree canopy on the site.

B-RE1-1 Developments should incorporate street trees to create a walkable streetscape. This has been done where feasible.

B-RE2-1 Green infrastructure should be used to connect the greenspace network. Roof drains and impervious areas to be routed to grass and vegetative buffer to increase infiltration and treatment of runoff.

E-GR3-2 New focal points should emphasize geographic features unique to the site. This has been done where feasible.

Standards That Are Not Applicable to Our Proposal

SITE DESIGN, BUILDING FORM, & LOCATION

A-DS7-3: Parking structures should activate the ground level. There are no proposed parking structures.

A-DS11-1: Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single loaded streets. There are no neighborhood focal points as part of this development. We are proposing appropriate amenity areas for the residents in the existing adjacent complex that will be consolidated.

A-DS12-1: Medium Density development should be located nearest to the neighborhood-serving commercial area. There is no commercial development that is adjacent to the proposed development.

A-DN2-2: Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods. The proposed development is not adjacent to a historic area or neighborhood.

A-DN3-2: Development should incorporate residential units in commercial centers with context sensitive design. This isn't a commercial center.

A-DN4-1: Medium Density development should be located nearest to neighborhood focal point. This is the only undeveloped property in the area.

A-EQ3-1: Development should create context sensitive transitions between intense corridor development and existing neighborhood. This is the only undeveloped and underutilized site in the area, all other areas surrounding the site are developed.

A-EQ7-1: School sites should be appropriately sized. There is no school site proposed.

C-LI6-1: Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors. The proposed development is located along atrial street but there is no commercial development within the vicinity of the development.

C-LI6-2: ADUs and/or affordable housing options should be incorporated into existing and new single-family residential development. (A-DN5). ADU's are still not permitted in the selected zone.

C-PS10-2: Development should explore options for share and flexible parking arrangement for currently underutilized parking lots. The proposed development is self-contained with parking and there are no parking lots surrounding the area.

C-LI7-1: Development should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping and entertainment. The site is surrounded by single-family, townhouse, and duplex development, there is no business, shopping, or entertainment facilities within the proximity of the site.

D-PL9-1: Historically, significant structures should be preserved. There are no historically significant structures on this site.

D-PL10-1: Activate the streetscape by designating public art easements in prominent locations. There are no public art easements proposed on this site as it is a private apartment complex.

D-SP3-2 Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping should be used to improve the visual impact from the roadway and residential areas. There are no proposed cellular tower antennae that are proposed as part of this development.

E-GR4-1: Development Should incorporate reuse of viable existing structure. All the on-site structures have no significant value, they are in bad shape.

E-GR5-1: Structures with demonstrated historic significance should be preserved or adapted. There are no historic structures on the site.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

D-CO4-2: Roadway capacity should be increased by providing multiple parallel streets, which alleviate traffic and provide multiple route options, in lieu of additional lanes. There are no streets as part of this development.

D-CO5-1: Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. There are no streets as part of this development.

D-SP1-3: Developments should provide multi-modal transportation infrastructure to school sites, including sidewalks, shared-use paths, and roadways that can accommodate the bus and vehicle traffic associated with the site. There are no school sites in close proximity, the property east of the site is owned by Fayette County Board of Education, but it is a regional bus stop.

E-ST3-1: Development along major corridors should provide for ride sharing pick up and drop off locations along with considerations for any needed or proposed park and ride functions of the area (E-GR10, E-GR7). There is no existing infrastructure along the corridor.

GREENSPACE & ENVIRONMENTAL HEALTH

B-PR2-2: Dividing floodplains into privately owned parcels with flood insurance should be avoided. This development does not have an effective floodplain as per FEMA Map.

B-PR2-3: Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. This development does not have an effective floodplain as per FEMA Map.

B-PR7-1: Connections to greenways, tree stands, and stream corridors should be provided. There are no greenways or stream corridor within the area of the development.

D-SP2-1: Visible, usable greenspace and other natural components should be incorporated into school sites. There are no proposed school sites.

D-SP2-2: Active and passive recreation opportunities should be provided on school sites. There are no proposed school sites.

E-GR3-1: Physical and visual connections should be provided to the existing greenway network. There is no greenway within the vicinity of the project area.

Multi-family Design Standards

Site Planning

- **SP-1** – This Enhanced Neighborhood project is still in the early design phase. However, this is being done where feasible. We will continue to work with Staff regarding the design of the street access and open space during the final development plan process.

- **SP-2** - This is being done where feasible. However, the Applicant provides apartment buildings with access to individual units through a center corridor for the safety of our tenants and building occupants.

- **SP-3** - This is being done where feasible.

- **SP-4** – Setback from Liberty Road is consistent as well as the setback from adjacent properties.

- **SP-5** – This is being done where feasible with pedestrian systems that run throughout the multi-family development connecting it to the surrounding area.

- **SP-6** – This is being done where feasible.

- **SP-7** - This Enhanced Neighborhood project is still in the early design phase. However, this is being done where feasible. The apartment site will be screened with landscaping and appropriately parked and we will continue to work with Staff throughout the final development plan process on this type of design issue.

- **SP-8** – The parking occurs interior to the proposed residential development and is spread out throughout the apartment site with ample open space. We will continue to work with Staff throughout the final development plan process on this type of design issue.

- **SP-9** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of design issue.

- **SP-10** – The site is well connected for vehicular and pedestrian access to the surrounding area, amenities, and open space. In addition to sidewalks there will be bike lanes from Liberty Road to the apartment complex with bike racks spread within the apartment complex area.

- **SP-11** - This is being done where feasible.

- **SP-12** – The Applicant is proposing an internal open space and pedestrian system to ensure the development is walkable and pedestrian friendly. We will continue to work with Staff throughout the final development plan process on this type of design issue.
- **SP-13** – The site is well connected for vehicular and pedestrian access to the surrounding area, amenities, and open space.
- **SP-14** – This is being done where feasible. The multi-family areas contain ample pedestrian facilities and open space. Additional landscaping is proposed as well as ensuring existing landscaping will be retained where feasible.
- **SP-15** – All parking and walking areas will be well lit as per LFUCG zoning ordinance.
- **SP-16** – This project will be built to ADA and Kentucky Building code requirements.
- **SP-17** – This Enhanced Neighborhood project is still in the early design phase. However, this is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of design issue.

Open Space & Landscaping

- **OS-1** - This is being done where feasible with the open space areas being easily accessible throughout the entire multi-family site. We will continue to work with Staff throughout the final development plan process on this type of design issue.
- **OS-2** – This is being done where feasible with multiple open space areas throughout the site, centralized open space, and easily accessed amenities.
- **OS-3** – This is being done where feasible as private balcony, porch, or yard amenities are included with this project. We will continue to work with Staff throughout the Final development plan process on this type of design issue.
- **OS-4** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- **OS-5** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- **OS-6** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- **OS-7** – This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- **OS-8** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on any stormwater detention plans.
- **OS-9** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on the design of the various paths in the multi-family section.
- **OS-10** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of design issue.
- **OS-11** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- **OS-12** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of lighting and design issue.
- **OS-13** - This is being done where feasible and we will continue to work with Staff throughout the final development plan process on this type of lighting and design issue.

Architectural Design

- **AD-1** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding building mass, form, and roof shapes.
- **AD-2** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding height, size, and character.

- **AD-3** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding building mass, roof shapes, exterior wall setback, materials, colors, building height, and landscaping.
- **AD-4** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding windows.
- **AD-5** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding wall faces.
- **AD-6** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding porches, stairs, railings, walls, and roofs.
- **AD-7** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding materials and colors for facades and roofing.
- **AD-8** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding side and rear facades.
- **AD-9** – This Enhanced Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. This project complies with all zoning and building code requirements regarding building spacing, landscaping, setbacks, building mass, building height, and building design.

In addition to compliance with the Comprehensive Plan, the request is justified because the existing zoning is inappropriate. The current zone is R-1B has been proved not to be desired and practical. A large R-1B zoned 2.462 acres is not practical in the urban service area and continue serve a single-family home.

On the other side, the proposed R-4 zone is clearly appropriate, the R-4 zoning for the entire site will make more homogenous development with higher density. The area north of the site is R-4 and R-3 zoning. The proposed development ensures continuity in neighborhood character. Finally, the property clearly fits the character of the medium-density residential R-4 zone, which is a more appropriate zone than the R-1B zone.

Thanks so much for considering the proposed zone change request, should you have any questions or need additional information, please do not hesitate to call. We will be in attendance at the March 2024 Planning Commission hearing in order to make a complete presentation and request your favorable consideration.

Sincerely,

Jihad Hallany

Jihad A. Hallany, P.E.

The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Fayette County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Melanie A. Mcmenama, Lynn S. Merideth & Lynn D. Merideth
Parcel**

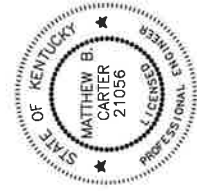
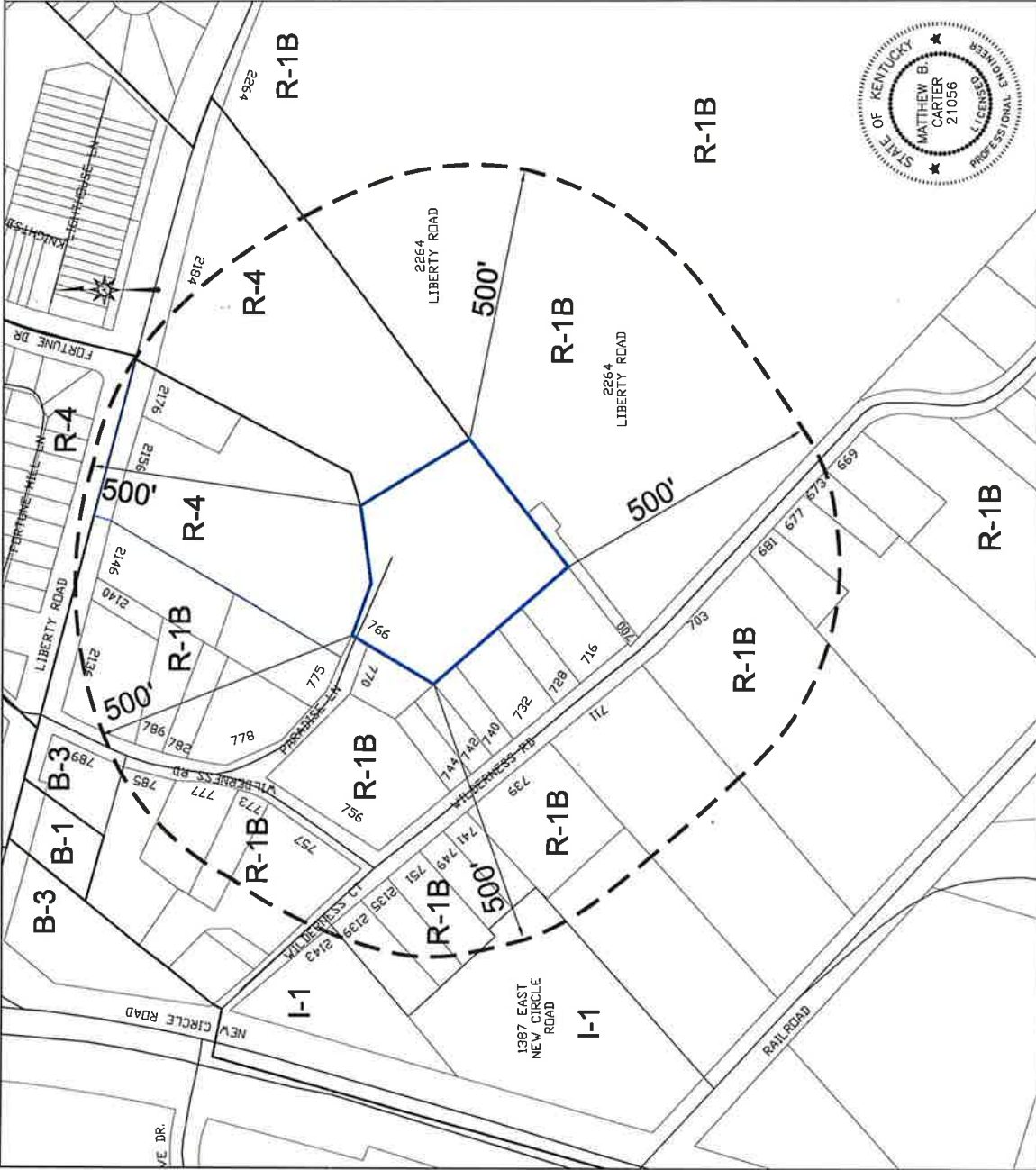
Zone Change from R-1B to R-4

**766 Paradise Lane
Lexington, Fayette County KY**

Beginning at a point on the centerline at the eastern terminus of Paradise Lane as depicted on Amended & Revised Plat of Lots 10-12, 14-21 of Pleasant Ridge Subdivision, Etc. as Recorded in Plat Book 3, Pages 150, 151, of record at Plat Cabinet E, Slide 686 of the Fayette County Clerk's record; thence with said eastern terminus line for one (1) call:

1. S 34°00'19" W a distance of 17.00' to the northeast corner of Lot 128 of aforesaid Amended & Revised Plat; thence with the line of said Lot 128 for one (1) call:
2. S 30°59'53" W a distance of 152.57' to the northwest corner of Lot 6 of Pleasant Ridge Subdivision of record at Plat Cabinet E, Slide 515; thence with the line of said Lot 6 and Lots 5, 4 and 3 of said Pleasant Ridge Subdivision for one (1) call;
3. S 41°30'27" E a distance of 327.58' to a point in the line of Parcel A of Public Acquisition and Easement Minor Plat for Paradise Lane Pump Station and Force Main Improvements of record at Plat Cabinet R, Slide 534; thence with the line of said Parcel A for one (1) call:
4. N 52°10'23" E a distance of 298.00' to the southeast corner of Lot 126 of aforesaid Amended & Revised Plat for one (1) call:
5. N 31°27'12" W a distance of 241.50' to a point in the line of Lot 125 of aforesaid Amended & Revised Plat for three (3) calls:
6. S 77°49'08" W a distance of 8.29';
7. S 82°23'31" W a distance of 127.96';
8. N 69°59'41" W a distance of 99.97 to a point on the northern right of way line at the eastern terminus of said Paradise Road' thence with said terminus line for one (1) call:
9. S 34°00'19" W a distance of 17.00' to the Point of Beginning having an area of 107232.455 square feet, or 2.462 acres.

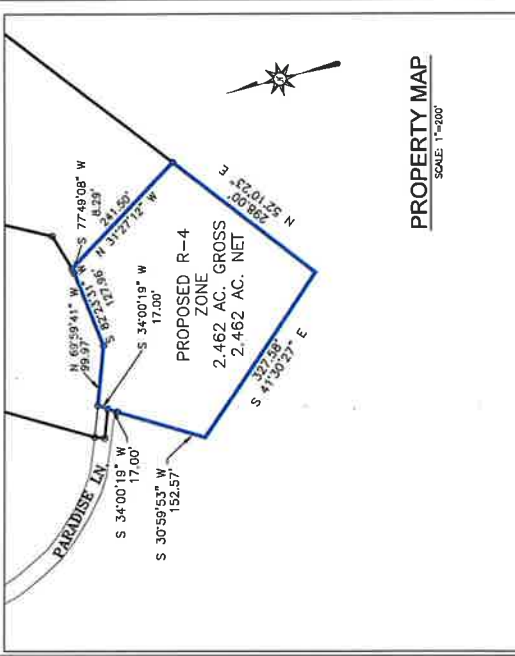




NOTIFICATION MAP
SCALE: 1" = 200'



VICINITY MAP
SCALE: 1" = 2000'



PROPERTY MAP
SCALE: 1" = 200'

ZONING: TITLE: 766 PARADISE LANE			
PROPERTY ADDRESSES:	FROM	TO	GROSS NET
766 PARADISE LANE	R-1B	R-4	2.462 2.462
	TOTAL		2.462 2.462
OWNERS: MELANIE A. MCENAMARA, S. LYNN MERIDETH & D. LYNN MERIDETH			
925 IDLEWILD COURT			
LEXINGTON, KY 40505			
PREPARED BY: VISION ENGINEERING, LLC			
DATE FILED OR AMENDED: FEBRUARY 5, 2024			

RED DRAW DEVELOPMENT, LLC (PLN-MAR-24-00004)

766 PARADISE LANE

Applicant

RED DRAW DEVELOPMENT
1560 DELAWARE AVENUE
LEXINGTON, KY 40505

Owners

MELANIE ANN MCMENAMA, STEPHANIE LYNN
MEREDITH, AND DEBRA LYNN MEREDITH
925 IDLEWILD COURT
LEXINGTON, KY 40505

Application Details

Acreage:

2.462 net (2.462 gross) acres

Current Zoning:

Single Family Residential (R-1B) Zone

Proposed Zoning:

Medium Density Residential (R-4) Zone

Place-type/Development Type

Enhanced Neighborhood

Medium Density Residential

For more information about the Enhanced Neighborhood place type see *Imagine Lexington* pages 329-337. For more information on the Medium Density Residential Development Type see page 270.

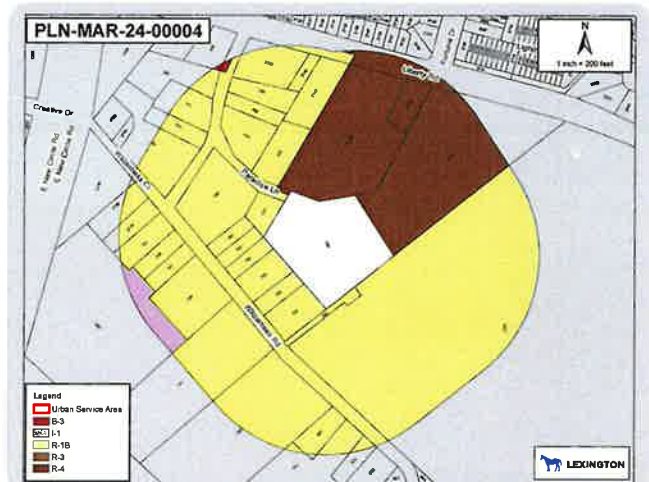
Description:

The applicant is seeking to rezone the subject property in order to expand a proposed multi-family residential development. The overall development is proposed to consist of nine (9) three-story apartment buildings, with a total of 216 units, and a density of 21.6 units per acre. The proposal also includes a total of 333 parking spaces, and a centralized clubhouse.

Public Engagement

- The applicant has indicated that a public engagement meeting was scheduled for February 7th, but has not provided any information regarding the meeting, or who attended.

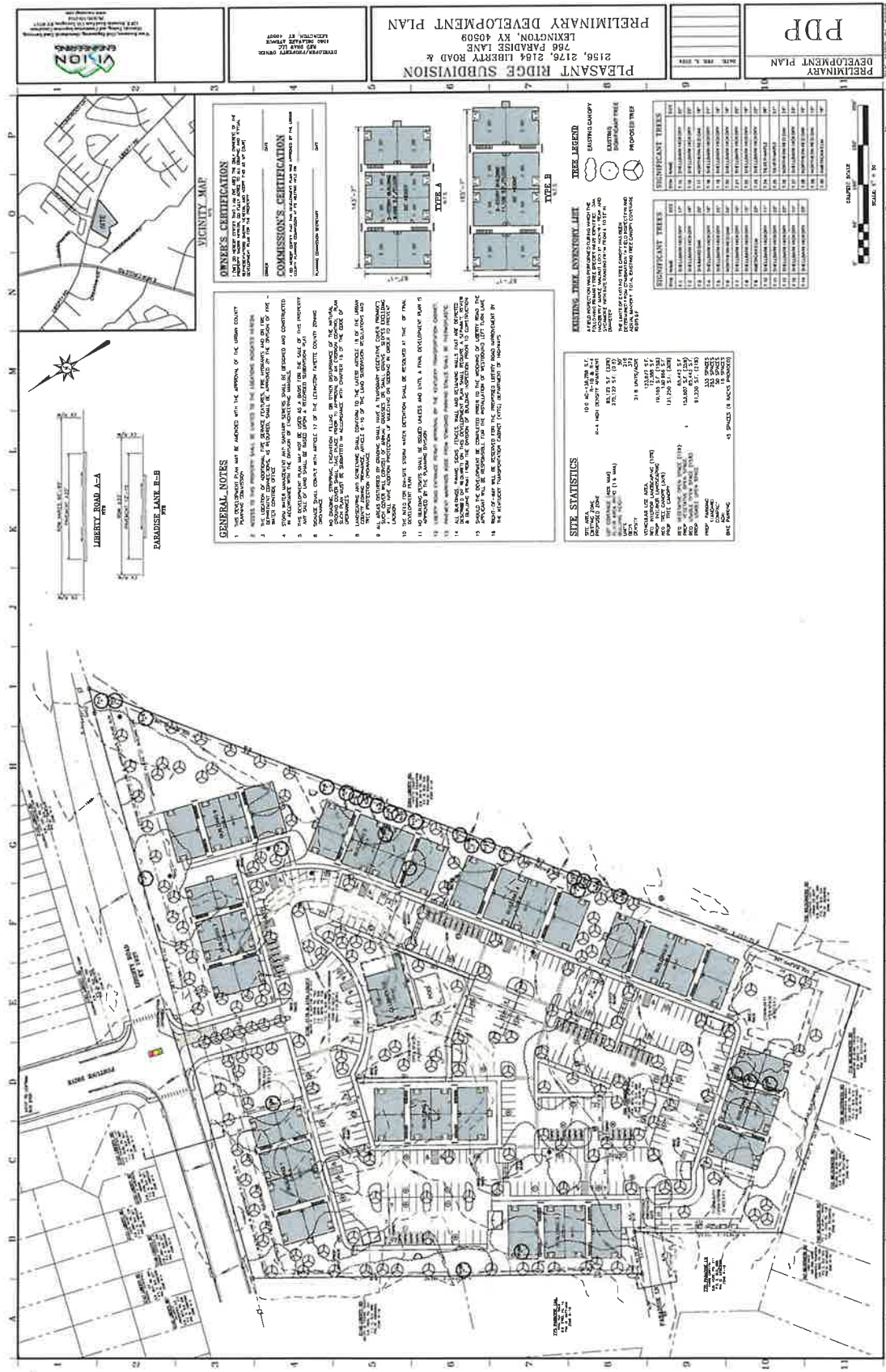
Rezone the property to establish a multi-family residential development.



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

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



STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00004: RED DRAW DEVELOPMENT, LLC

DESCRIPTION OF ZONE CHANGE

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

Acreage: 2.462 net (2.462 gross) acres

Location: 766 Paradise Lane

EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-1B	Single-Family
To North	R-4	Single-Family
To East	R-1B	School
To South	R-1B	Single-Family
To West	R-1B	Single-Family



URBAN SERVICE REPORT

Roads - The subject property is located at the termination of Paradise Lane, a substandard local roadway. While the cross section of Paradise Lane shows 33 feet of right-of-way, only approximately 12 feet of the road is paved. There are no current plans to expand or improve Paradise Lane. Under the applicant's proposal, the parcel would be incorporated into a larger development with the properties at 2156, 2176, and 2184 Liberty Road, and would use Liberty Road for the primary access to the site. Liberty Road (KY 1927), is a three lane arterial roadway in the vicinity, and is slated for future expansion in 2025, per the 2040 Metropolitan Transportation Plan.

Curb/Gutter/Sidewalks - Curb and gutter is present for a small portion of the subject property's Liberty Road frontage, but the majority of the frontage lacks all three facilities. All of these urban improvements are planned as part of the improvements to this section of Liberty Road in the 2040 Metropolitan Transportation Plan. Paradise Lane lacks sidewalk, curb, and gutter facilities.

Storm Sewers - The subject property is located within the North Elkhorn Creek watershed. Stormwater improvements may be required to address both water quantity and water quality. Any such improvements shall be designed and constructed in accordance with the LFUCG Engineering Manuals. While there appear to be FEMA Special Flood Hazard Areas on the adjoining property at 2264 Liberty Road, there are no known flooding issues on the subject property.

Sanitary Sewers - The subject property is located in the North Elkhorn sewershed, which is served by the West Hickman Wastewater Treatment Plant in northern Jessamine County. Sanitary sewer capacity will need to be verified prior to certification of a final development plan for the proposed change of land use at this location.

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

Refuse - The Urban County Government serves residences in this portion of the Urban Service Area with collection on Tuesdays.

Police - The nearest police station is located near the Eastland Shopping Center at the Central Sector Roll Call Center, on Goodwin Drive just off Winchester Road, about 1½ miles northwest of the subject property.

Fire/Ambulance - The nearest fire station (#9) is located approximately one mile southwest of the subject property on Richmond Road, near the Kentucky American Water company offices.

Transit - Lextran services the area with the #10 Route, with stops approximately 400 feet from the site, at the intersection of Liberty Road and Wilderness Road, as well as along Fortune Drive.

Parks - The subject property is located approximately 1/2 of a mile northeast of Idle Hour Park.

SUMMARY OF REQUEST

The petitioner has requested a zone change from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone order to expand a proposed multi-family residential development.

PLACE-TYPE

ENHANCED
NEIGHBORHOOD

The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. Development should be context sensitive to surrounding areas and should add to the sense of place. Incorporating multi-modal connections is crucial to neighborhood success and viability.

DEVELOPMENT TYPE

MEDIUM DENSITY RESIDENTIAL

Primary Land Use, Building Form, & Design

Primarily attached and multi-family units. Multi-family units should complement and enhance existing development through quality design and connections.

Transit Infrastructure & Connectivity

Nearby commercial/employment uses and greenspaces 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 petitioner is proposing to expand a proposed multi-family residential development. The applicant is proposing to increase the total number of dwelling units from 168 to 216, and increase the number of three-story multi-family residential buildings from seven (7) to nine (9). The residential density of the site is proposed to slightly decrease, from 22.3 units per acre to 21.6 units per acre. The applicant is also proposing to increase the overall number of parking spaces in the development from 203 spaces to 333 spaces.

APPLICANT & COMMUNITY ENGAGEMENT



The applicant has indicated that they scheduled a public meeting to discuss the proposal with the surrounding neighborhood. The applicant should provide further information on those efforts or any subsequent attempts to engage with the surrounding area.

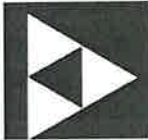
PROPERTY & ZONING HISTORY



The subject property has been zoned Single Family Residential (R-1B) prior to the 1969 Comprehensive Rezoning of the city and county, and contains a single-family residential use. In 1972, a rezoning request to the Light Industrial zone (I-1) was denied, due to the property's lack of sewer service at the time (MAR-72-18). In 2023, another applicant sought to rezone the subject property to the Townhouse Residential (R-1T) zone in order to establish a townhouse development (MAR-23-00020). Due to concerns of using the sub-standard Paradise Lane as the sole access to the site, the request was ultimately withdrawn.

The applicant is proposing to incorporate this parcel with development proposed on the adjoining parcels to the north. These parcels were rezoned to Medium Density Residential (R-4) in 2023 by the applicant in order to develop a 168-unit multi-family residential development (MAR-23-00017).

COMPREHENSIVE PLAN COMPLIANCE



GOALS, OBJECTIVES, AND POLICIES

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

The applicant opines that they are in compliance with the adopted Goals and Objectives of the 2045 Comprehensive Plan. They state that the proposed rezoning encourages the expansion of housing choices by prioritizing a higher density residential development (Theme A, Goal #1.b and c). The applicant opines that the site is meeting goals relating to the intensification of underutilized properties (Theme A, Goal #1.a). The applicant further states that the development will provide for safe social interactions by providing a pedestrian connection to Paradise Lane, as well as providing connectivity to transit stops and the surrounding neighborhoods (Theme A, Goal#3.b). Staff agrees that these Goals and Objectives can be met with this request.

The applicant opines that their request also meets several policies of the 2045 Comprehensive Plan, primarily discussing policies relating to encouraging pedestrian mobility and providing connections to transit (Design Policies #1, #2 and #5). While staff agrees that these policies are being met with this request, there are several policies that require further discussion:

Theme A, Design Policy #2: Ensure proper road connections are in place to enhance service times and access to public safety, waste management, and delivery services for all residences.

Due to the number of residential units being proposed, a secondary access to the overall development is required by emergency services. Currently, a gated emergency access connection is shown connecting to Paradise Lane. As identified in previous rezoning requests, the current state of Paradise Lane is substandard. While it is being proposed as an emergency-only access, improvements may be necessary to Paradise Lane in order to meet emergency services requirements.

Multi-family residential development must comply with the Multi-Family Design Standards (Theme A, Design Policy #3).

The information provided by the applicant to demonstrate compliance with the Multi-family Design Standards is not sufficient. The justification lacks meaningful responses to many of the criteria, stating "This will be done where feasible" for many of the responses. Additionally, no renderings or depictions of the proposed structures have been provided for this application. The applicant should articulate how the proposed expansion will meet the criteria and function within the rest of the development.

PLACE TYPE, DEVELOPMENT TYPE, AND ZONE

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

The applicant indicates that the project is located within the Enhanced Neighborhood Place-Type and is a Medium Density Residential Development Type. The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. The Medium Density Residential Development Type should avoid homogeneous neighborhoods and should be supplemented by a variety of uses and housing options to create sustainable places.

Based on the property's location in an existing residential area, staff finds the applicant's choice in Place Type appropriate. The applicant's chosen Medium Density Residential Development Type is a recommended Development Type within the Enhanced Neighborhood Place-Type, and can be appropriate at this location. The applicant's choice in zone, the Medium Density Residential (R-4) zone is a recommended zone for the chosen Place-Type and Development Type.



DEVELOPMENT CRITERIA

The applicant appears to have responded to the Placebuilder element of the 2018 Comprehensive Plan, rather than the criteria for the 2045 Comprehensive Plan. The applicant should provide a revised justification that adequately addresses the updated criteria that are reflective of the most recent Comprehensive Plan update.



PARKING DEMAND MITIGATION STUDY

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

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

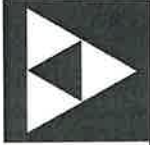
Within the applicant's review of the parking demand, they have provided specific calculations based on the ITE manual for the proposed residential multi-family use. Based on the provided square footage, the ITE manuals project a peak demand of 346 spaces for the entire development, which slightly exceeds the 333 proposed spaces for this development. As a part of the zone change for the original development plan on the parcels to the north, the applicant indicated that a parking rate of 1.4 parking spaces per unit was needed. Under the current proposal, the parking rate has increased to 1.54 spaces per unit, resulting in approximately 30 more parking spaces than the previous rate would require. The applicant should provide further information as to why the proposed parking rate has increased relative to the number of units being provided.

STAFF RECOMMENDS: POSTPONEMENT, FOR THE FOLLOWING REASONS:



1. The applicant should provide information relating to their public outreach efforts.
2. The applicant should provide information on compliance with the following Policies of the 2045 Comprehensive Plan.
 - a. *Ensure proper road connections are in place to enhance service times and access to public safety, waste management, and delivery services for all residences (Theme A, Design Policy #2)*
 - b. *Multi-family residential development must comply with the Multi-Family Design Standards (Theme A, Design Policy #3).*
3. The zone change application should remove references to the 2018 Comprehensive Plan.
4. The zone change application for the subject properties does not address the correct criteria for zone change within the Enhanced Neighborhood Place Type, and the Medium Density Residential Development Type within the 2045 Comprehensive Plan.
5. The applicant should provide information relating to the increase in the parking rate relative to their previous development plan at this location.

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00004 RED DRAW DEVELOPMENT, LLC



STAFF REVIEW

In the period following the March Subdivision and Zoning Committee meetings, the applicant submitted a revised letter of justification for their rezoning request. This letter incorporated information from the most recent Comprehensive Plan Update, and provided more robust descriptions of their plan's compliance with each of the required elements.

POLICIES

Within the initial staff report, staff identified several policies of the Comprehensive Plan that required further discussion.

Theme A, Design Policy #3: Multi-family residential development must comply with the Multi-Family Design Standards

The applicant's revised letter of justification provides more information on how these criteria will be met. The design graphic shows a mixing of materials, with the applicant indicating articulation will be provided around all sides of the structures (AD.3; AD.8). The applicant states that while the proposed structures are taller than other existing structures in the vicinity, the drop in elevation on the subject property will mitigate the visual difference in height (AD.2). The applicant has provided further information on the orientation of the structures, noting their relationship to the central amenities and central common open space (SP.6; OS.1), as well as their reinforcement of the Liberty Road streetscape (SP.1). The rear parking areas are separated by landscaping and raised islands to break up their massing (SP.8; OS.5).

Theme A, Design Policy #2: Ensure proper road connections are in place to enhance service times and access to public safety, waste management, and delivery services for all residences

The revised letter of justification did not provide any further information regarding improvements to Paradise Lane. While primary access to the site is being derived from Liberty Road, improvements may still be necessary in order for emergency responders to effectively service the site. At the time of Final Development Plan, any necessary safety or pedestrian improvements to Paradise Lane will need to be resolved.

PARKING DEMAND MITIGATION STUDY

In the previous staff report, staff asked for additional information regarding the increase in the parking relative to the previous development. The applicant did not elaborate as to why the parking rate increased, but opined that the development is not over parked, as proposed parking ratio of 0.89 parking spaces per bedroom was similar to the ITE Parking Generation Manual's recommended ratio of 0.8 spaces per bedroom. While there are no longer minimum parking requirements in the Zoning Ordinance, the applicant also opines that the proposed parking ratio is consistent with the minimum parking requirement of 0.90 parking spaces per bedroom that was historically required for multi-family residential development.

DEVELOPMENT CRITERIA

The applicant has provided a revised justification that addresses the Development Criteria for the Enhanced Neighborhood Place-Type, and Medium Density Residential Development Type from the Placebuilder Element of the Comprehensive Plan.

1. Land Use

Staff finds that this request meets the Development Criteria for Land Use. The applicant's proposal increases density (A-DN2-1), and creates a development oriented around centralized community amenities and open space (E-ST8-2).

2. Transportation and Pedestrian

Staff finds that this request meets the majority of the Development Criteria for Transportation and Pedestrian Connectivity. The proposed development incorporates direct pedestrian linkages to the nearby transit stop (A-DS1-2), provides safe multi-modal connections to the surrounding development that will be further improved with planned improvements along Liberty Road (A-DS4-1), and orients their buildings and landscaping to provide a vertical edge along the project's Liberty Road frontage (A-DS5-2).

3. Environmental Sustainability and Resiliency

The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as it does not impact environmentally sensitive areas (B-PR2-1), will increase the tree canopy present on-site (B-RE1-1), and the lighting provided will be shielded and located to avoid providing spillover lighting (B-PR10-1).

4. Site Design

Staff finds that this request meets the requirements for Site Design as it provides for centralized amenities and open space (A-DS9-1; D-PL10-1) and provides multi-modal connections to Liberty Road (C-LI8-1), and locates parking internally (A-DS-7-1).

5. Building Form

The request meets the criteria for Building Form, as the proposal is in agreement with the Multi-Family Design Standards (A-DS3-1), and is an appropriate increase in density from the single-family residential development present along Wilderness Road and Paradise Lane (A-DS4-2; A-DN2-2).

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



1. The proposed Medium Density Residential (R-4) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning encourages the expansion of housing choices by providing for higher density residential development in an area characterized by detached and attached single-family residential uses (Theme A, Goal #1.b and c).
 - b. By adding additional dwelling units to a large 2.462-acre parcel, the request intensifies an underutilized piece of property (Theme A, Goal #1.a).
 - c. The development will provide for safe social interactions by providing connectivity to nearby transit stops and the surrounding neighborhoods (Theme A, Goal#3.b).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request provides sidewalk connections to the Liberty Road and Fortune Drive intersection, and the nearby transit stop along Fortune Drive (Theme A, Design Policies #1, 2, and 5).
 - b. The request complies with the requirements for the Multi-Family Design Standards (Theme A, Design Policy #3).
 - c. The development orients parking to the interior of the development (Theme A, Design Policy #7).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the recommendations for Land Use, as the applicant's proposal increases density (A-DN2-1), and creates a development oriented around centralized community amenities and open space (E-ST8-2).
 - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as it provides safe multi-modal connections to the surrounding development that will be further improved with planned improvements along Liberty Road (A-DS4-1), and orients their buildings and landscaping to provide a vertical edge along the project's Liberty Road frontage (A-DS5-2).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as the development does not impact environmentally sensitive areas (B-PR2-1), will increase the tree canopy present on-site (B-RE1-1), and the applicant has indicated that the lighting provided will be

- shielded and located to avoid providing spillover lighting (B-PR10-1).
- d. The request meets the requirements for Site Design, as it provides for centralized amenities and open space (A-DS9-1; D-PL10-1), and provides for pedestrian and multi-modal connections to Liberty Road (C-LI8-1).
 - e. The request meets the criteria for Building Form, as the proposal is in agreement with the Multi-Family Design Standards (A-DS3-1), and is an appropriate increase in density from the single-family residential development present along Wilderness Road and Paradise Lane (A-DS4-2; A-DN2-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00008: PLEASANT RIDGE SUBDIVISION LOT 127 prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

3. RED DRAW DEVELOPMENT, LLC ZONING MAP AMENDMENT AND PLEASANT RIDGE SUBDIVISION, LOT 127 DEVELOPMENT PLAN

- a. PLN-MAR-24-00004: RED DRAW DEVELOPMENT, LLC— a petition for a zone map amendment from a Single Family Residential (R-1B) to Medium Density Residential (R-4) zone, for 2.462 net and gross acres for property located at 766 Paradise Lane.

COMPREHENSIVE PLAN AND PROPOSED USE

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

The petitioner is proposing to expand a proposed multi-family residential development. The applicant is proposing to increase the total number of dwelling units from 168 to 216, and increase the number of three-story multi-family residential buildings from seven (7) to nine (9). The residential density of the site is proposed to slightly decrease, from 22.3 units per acre to 21.6 units per acre. The applicant is also proposing to increase the overall number of parking spaces in the development from 203 spaces to 333 spaces.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement, for the following reasons:

1. The applicant should provide information relating to their public outreach efforts.
 2. The applicant should provide information on compliance with the following Policies of the 2045 Comprehensive Plan.
 - a. Ensure proper road connections are in place to enhance service times and access to public safety, waste management, and delivery services for all residences (Theme A, Design Policy #2)
 - b. Multi-family residential development must comply with the Multi-Family Design Standards (Theme A, Design Policy #3).
 3. The zone change application should remove references to the 2018 Comprehensive Plan.
 4. The zone change application for the subject properties does not address the correct criteria for zone change within the Enhanced Neighborhood Place Type, and the Medium Density Residential Development Type within the 2045 Comprehensive Plan.
 5. The applicant should provide information relating to the increase in the parking rate relative to their previous development plan at this location.
- b. PLN-MJDP-24-00008: PLEASANT RIDGE SUBDIVISION, LOT 127 (5/5/24)* - located at 2156, 2176, 2184 LIBERTY ROAD, & 766 PARADISE LANE, LEXINGTON, KY.

Council District: 7

Project Contact: Vision Engineering

Note: The purpose of this plan is to depict apartments, parking, & community open space in support of the requested zone change from a Single Family Residential (R-1B) zone to a Medium Density Residential (R-4) zone.

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

1. Provided the Urban County Council approves the zone change to R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Depict all boundary lines with bearings and distance.
8. Denote: This property to be consolidated prior to certification of the final development plan.
9. Complete vicinity map including property to be rezoned.

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

10. Addition of sanitary sewer easement, Book 3627, Page 675, with LFUCG.
11. Discuss terminus for Paradise Lane and pedestrian connection.
12. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the supplemental staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a Single Family Residential (R-1B) to Medium Density Residential (R-4) zone, for 2.462 net and gross acres for property located at 766 Paradise Lane. Mr. Crum stated that the applicant is seeking to expand a proposed multi-family residential development using the Enhanced Neighborhood Place Type and the Medium Density Residential Development Type. Mr. Crum indicated that Staff was in agreement with those selections.

Mr. Crum stated that the applicant had applied for a zone change on the neighboring property that was approved in the past year, and are looking to add this property to the site. Mr. Crum also noted that this property was originally brought to the Planning Commission with a different applicant that was looking to build about 20 townhomes, but staff recommended disapproval at the time due to a lack of adequate facilities and limited access on Paradise Lane.

Mr. Crum highlighted the development plan, noted the primary access on Liberty Road, and the expansion from the original 168 units to 216, with a corresponding increase in parking. Mr., Crum stated that while the Comprehensive Plan changed in since the time of the previous development and this application was reviewed using the 2045 Comprehensive Plan. This application would bring in different housing types to an area that has predominantly single-family residential uses. Additionally, Mr. Crum showcased renderings and noted that the applicant is using the same designs from a zone change that was approved a year ago.

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

*There was a robust discussion between the Planning Commission, Staff, and the applicant about an incorrect development plan that was uploaded to Granicus. Staff stated that the development plan presented to the Planning Commission was the correct plan and to ignore the one uploaded to Granicus.

Development Plan Presentation – Ms. Cheryl Gallt oriented the Planning Commission to the location and characteristics of the subject property. Ms. Gallt noted the addition of two apartment buildings, the former property line along Paradise Lane, as well as the typical sign-offs and conditions associated with the plan. Other conditions included correcting references to Placebuilder Criteria on the development plan and the inclusion of a complete vicinity map.

Ms. Gallt concluded her presentation stating that Staff is recommending approval subject to the following revised conditions:

1. Provided the Urban County Council approves the zone change to R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Depict all boundary lines with bearings and distance per plat E-686.
- ~~8. Denote: This property to be consolidated prior to certification of the final development plan.~~
- ~~8. 9-Complete vicinity map including property to be rezoned.~~
- ~~10. Addition of sanitary sewer easement, Book 3627, Page 675, with LFUCG.~~
- ~~11. Resolve terminus for Paradise Lane, pedestrian connection, street improvements, and emergency access.~~
9. Correct references to Placebuilder design criteria on plan.
10. 13. Discuss Placebuilder criteria.

Commission Questions – Mr. Owens asked if the 30 significant trees on the development plan are being kept and Ms. Gallt referred Mr. Owens to the tree legend on the development plan that showed the difference between existing trees and proposed trees.

Mr. Michler asked if there would be language on the conditions to have a buffer for tree protection and Ms. Galt stated that they could ask the applicant. Mr. Tom Martin chimed in and stated that a request like that is more appropriate at the next stage in consultation with the Urban Forester.

Applicant Presentation – Matt Carter, engineer for the applicant, stated that he apologized for the confusion and stated that this project is an expansion of a previously approved project. Mr. Carter stated that most of the parking is in the interior of the property and not located behind the buildings and there would be 333 parking spaces. Additionally, Mr. Carter indicated that the applicant had been working with Water Quality to remove a pump station on the site that the city wanted to take offline and will work with them to make a gravity sewer tied into existing facilities. Finally, in terms of a second access road, the applicant's preference is to use Wilderness Trace, where the pump station is currently located, but Paradise Lane is an option, but needs considerable improvements.

Mr. Carter indicated that they are in agreement with Staff's recommendations and can answer any questions from the Planning Commission.

Commission Questions – Mr. Owens asked if the second access would be public and Mr. Carter indicated that it would not.

Public Comment – Kevin Fredrick, 716 Wilderness Road, stated that he completely opposed this development and favored having single-family homes with a cul-de-sac because it would be safer.

John Brenock, 711 Wilderness Road, is against the development and said it was a bait and switch and had grave concerns about safety and the character of the neighborhood.

Commission Questions and Comments – Mr. Michler asked Captain Lengal about having access from either Paradise Lane or Wilderness Trail and Captain Lengal stated that Paradise Lane is a sub-standard street and would need improvements, as would Wilderness Trace. Captain Lengal also stated that the Division of Fire and Emergency Services were not opposed to having a public access on Liberty Road as well.

Mr. Nicol asked if what is being proposed is a main entrance and exit on Liberty Road, and emergency access onto Paradise Lane. Captain Lengal stated that it was and that Wilderness Trace was in better condition than Paradise Lane at the moment and the Division of Fire and Emergency Services is not against any emergency access as long as the roads can handle the emergency vehicles. Captain Lengal also reiterated the need for proper improvements on Paradise Lane and if the applicant should help with those Improvements.

Mr. Michler asked Mr. Filiatreau of the Division of Traffic Engineering if this was an opportunity to give Wilderness Trace another access point, especially a signalized one and Mr. Filiatreau indicated that it was.

Mr. Owens stated that his questions had been addressed and was in favor of a second public access to alleviate his concerns.

Mr. Michler concurred with Mr. Owens point and would like to craft language included in the conditions to find the best access with Staff.

Mr. Wilson stated that if there is not a second access point, he cannot support this.

Mr. Nicol stated that the best practice here is to have a second access, but we are in a situation where the neighbors do not want an additional access with lead to the development using neighborhood streets, but the emergency access is needed. Mr. Nicol stated he is in favor of this development with the access only being used in emergencies to accommodate the neighbor's request.

Action – A motion was made by Mr. Michler, seconded by Mr. Owens and carried 9-0 (Forester and Johnathon Davis absent) to approve PLN-MAR-24-00004: RED DRAW DEVELOPMENT, LLC for reasons provided by Staff.

Action – A motion was made by Mr. Nicol, seconded by Ms. Worth and carried 8-1 (Nicol opposed)(Forester and Johnathon Davis absent) to approve PLN-MJDP-24-00008: PLEASANT RIDGE SUBDIVISION, LOT 127 with the 9 revised conditions recommended by Staff with the additional conditions that the plan approved is the plan that was shown to the Planning Commission and not the one on Granicus, and that a second public access point to either Paradise or Wilderness Trace be on the final development plan.