

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

**IN RE:** **PLN-MAR-23-00005: ANDERSON COMMUNITIES, INC** - a petition for a zone map amendment from a Highway Service Business (B-3) zone and Agricultural Rural (A-R) zone, to a Community Center (CC) zone, for 8.36 net (11.95 gross) acres, for property located at 4075 Old Richmond Road. (Council District 12)

Having considered the above matter on **August 10, 2023**, at a Public Hearing, and having voted **8-2** 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 Community Center (CC) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives, and Policies, for the following reasons:
  - a. The proposal introduces multi-family residential uses into an area predominately characterized by single-family attached and detached units, the applicant expands the variety of housing types and densities present in the area (Theme A, Goal #1.c).
  - b. By developing an underutilized parcel of land within the Urban Service Area, the proposal supports goals relating to redevelopment and strategic growth (Theme A, Goal #2.a; Theme E Goal #1.c).
  - c. The proposal creates more meaningful and direct pedestrian and multi-modal connections, which contributes to an effective and comprehensive transportation system in this area (Theme D, Goal #1.c).
  - d. The proposed pedestrian network will move pedestrians and vehicles throughout the site in a context-sensitive manner that is in keeping with a "main street" feel that is appropriate for a Community Center zone (Theme A, Design Policies 1 & 5).
  - e. The development demonstrates compliance with the Multi-Family Design Standards (Theme A, Design Policy 3).
  - f. The request utilizes smaller scale townhome units to provide for more context sensitive transitions from the surrounding development (Theme A, Design Policy 4).
  - g. The development orients parking to the rear of the structures (Theme A, Design Policy 7).
  - h. The proposal increases densities and intensities along the Athens Boonesboro Road corridor in a context-sensitive manner (Theme A, Density Policies 1, 2, and 4).
  - i. The orientation of the commercial uses towards the centralized multi-modal path allows for easy connections to neighborhood scale supportive uses for the surrounding development.(Theme A, Density Policy 3).
2. The justification and corollary development plan are in agreement with the development criteria of the 2018 Comprehensive Plan.
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the proposal demonstrates compliance with the requirements of the Multi-Family Design Standards, orients the parking to the side and rear of the development, and utilizes townhouse units to minimize contrasts in scale and massing,
  - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity, as the revised proposal provides a redesigned road network with significant traffic calming measures, and provides for safer and more direct pedestrian connections both within the site, and to the surrounding areas.
  - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the

proposed design works and provides for distributed and usable open space throughout the development, and avoids developing any environmentally sensitive areas.

3. This recommendation is made subject to approval and certification of PLN-MJDP-23-00024: PHELPS PROPERTY, 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 1<sup>st</sup> day of September, 2023.

  
Secretary, Jim Duncan

LARRY FORESTER  
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by November 8, 2023.

Note: The corollary development plan, PLN-MJDP-23-00024: PHELPS PROPERTY was approved by the Planning Commission on August 10, 2023 and certified on August 24, 2023.

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

#### OBJECTORS

- James Hodge, 6050 Old Richmond Road
- Thadis Cox, 3961 Tatton Park
- Jeff Walker, 3051 Raven Creek Drive
- Raye Anne Thomas, 1600 Jacks Creek Pike
- Dal Harper, 4181 Tradition Way
- Susan Wagers, 4102 Tradition Way
- Greg House, 3853 Branham Park
- Lyle Hanna, 6398 Richmond Road
- Mary Diane Hanna, 6398 Richmond Road
- Albert Kelley, 204 Ellerslie Park

#### OBJECTIONS

- Stated that he believed that the EAMP should be the overriding document for this request.
- Stated that he was not against development, but did not feel that this location was appropriate.
- Felt that the development plan while very nice, did not belong at this location.
- Did not want more development in the area due to traffic safety concerns, especially regarding tractors and farming implements.
- Shared his concerns with the development in regard to the water supply in the area.
- Troubled with the potential noise and lights that would come with a convenience store that was open 24 hours.
- Stated that he did not want Athens Boonsboro Road to look like Nicholasville Road and wanted to preserve greenspace. He also did not feel a gas station was needed
- She was opposed to the plan, and was concerned about traffic.
- Submitted a petition in opposition to the plan. Concerned that the people in the rural areas do not have their voices heard in development matters.
- Stated that the proposal did not belong at the

- Boulevard
- Ken Warren, 1790 Clearlake Drive
- Nelson Maynard
- Frank Cannavo, 4553 Walnut Creek Drive
- Gloria Martin
- suggested location.
- Stated that he did not want the amenities of the proposed plan.
- Stated his desire for “smart growth”
- Shared his concern with the restaurant and the gas station not fitting with the character of the area
- Stated that the proposed development would negatively affect the rural areas nearby

VOTES WERE AS FOLLOWS:

AYES: (8) Bell, Barksdale, Wilson, Forester, Nicol, Michler, Pohl, and Worth  
 NAYS: (2) Meyer and Owens  
 ABSENT: (1) Davis  
 ABSTAINED: (0)  
 DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-23-00005 carried.

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

