

ORDINANCE NO. 83 - 2020

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL URBAN (A-U) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 138.20 NET (143.01 GROSS) ACRES, FOR PROPERTY LOCATED AT 2300 SANDERSVILLE ROAD. (BALL HOMES, LLC; COUNCIL DISTRICT 2).

WHEREAS, at a Public Hearing held on July 16, 2020, a petition for a zoning ordinance map amendment for property located at 2300 Sandersville Road from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 138.20 net (143.01 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 6-0; and

WHEREAS, this 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 2300 Sandersville Road from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 138.20 net (143.01 gross) acres, more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the granting of this zone change is made subject to the following use restrictions as conditions of granting the zone change:

Under the provisions of Article 6-7 of the Zoning Ordinance, the property shall be subject to the following buffering restrictions via conditional zoning:

- a. There shall be a 25 foot landscape buffer that will include a double row of trees from Group A and B only, which are staggered on center and spaced every 30 feet along the southern property line, where adjacent to industrial (I-1 or I-2) zoned land.

Section 3 - 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 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: September 3, 2020

Linda Gorton

MAYOR

ATTEST:

Adella

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: September 10, 2020

Rec'd by _____

Date: _____

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


IN RE: **PLN-MAR-20-00010: BALL HOMES, LLC** – a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 138.20 net (143.01 gross) acres, for property located at 2300 Sandersville Road. (Council District 2)

Having considered the above matter on **July 16, 2020**, at a Public Hearing, and having voted **6-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, prioritizing higher-density and a mixture of housing types (Theme A, Goal #1.b). The proposed development incorporates a mixture of housing types including 331 single-family lots, 63 townhomes, and 280 apartment units.
 - b. The proposed development will support Infill and Redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2) through the infill of an underutilized portion of land that currently acts as a golf course (Theme E, Goal #1.d).
 - c. The proposed rezoning will respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b), while also incorporating adequate greenspace and open space that would serve the needs of the intended population (Theme A, Goal #2.c).
 - d. The proposed development will provide a well-designed neighborhood and community (Theme A, Goal #3) by providing connectivity to the residential neighborhoods that are currently under construction located to the north and expanding options for mixed type housing (Theme A, Goal #3.a).
 - e. The proposed rezoning will allow for positive and safe social interactions in neighborhoods (Theme A, Goal #3.b), by integrating new development with neighborhoods that are connected for pedestrians, while also providing a street alignment and road network will provide connection that will reduce police, EMS, and fire response times (Theme A, Goal #4.c).
 - f. Through the establishment of the shared-use trails, the proposed development will provide a people-first design that emphasizes accessible community facilities and promotes health, safety, and quality of life needs (Theme D, Goal #2).
 - g. The proposed development will protect and enhance natural and cultural resources by maintaining the historic structure on site as an amenity space for the potential residents. (Theme D, Goal #3.a).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that supports pedestrian mobility, while also providing cross access between different residential types.
 - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of enhanced pedestrian facilities along the single-loaded street, that provides safe and easy access to the greenway and open space. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.

- c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment. The proposed development has also allowed for greater continuity of greenspace extending from the identified greenway into the open space associated with the apartments.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following buffering restriction is recommended via conditional zoning:
- a. There shall be a 25 foot landscape buffer that will include a double rows of trees from Group A or B only, which are staggered on center and spaced every 30 feet along the southern property line, where adjacent to industrial zoned (I-1 or I-2) zoned land.
4. This recommendation is made subject to approval and certification of PLN-MJDP-20-00027: Spring Lake, 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 14th day of August, 2020.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

Note: The corollary development plan, PLN-MJDP-20-00027: SPRING LAKE was approved by the Planning Commission on July 16, 2020 and certified on July 30, 2020.

K.R.S. 100.211(7) requires that the Council take action on this request by October 14, 2020.

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

OBJECTORS

- Jeff McKenzie, attorney representing UPS
- Brandon Gross, attorney representing Baumann Paper, Co.

OBJECTIONS

- Concern with the increase of traffic on Greendale Road and the potential conflict between the industrial use and the residential use.
- Also concerned of the potential conflict between the industrial use and the residential use and the transition and buffering of the two zones.

VOTES WERE AS FOLLOWS:

AYES: (6) Bell, Davis, Forester, Meyer, Nicol, and Penn

NAYS: (0)

ABSENT: (4) de Movellan, Plumlee, Pohl, and Wilson

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-20-00010** carried.

Enclosures: Application
 Supplemental Justification
 Plat
 Staff Report
 Supplemental Staff Report
 Applicable excerpts of minutes of above meeting

Record ID: PLN-MAR-20-00010

Filing Received: 05/04/2020

Pre-Application Date: 04/30/2020

Filing Fee: \$550.00

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: BALL HOMES, INC., 3609 WALDEN AVENUE, LEXINGTON, KY 40517
Owner(s): HI ACRES DEV. CO. INC., 2300 SANDERSVILLE ROAD, LEXINGTON, KY 40511
Attorney: NICK NICHOLSON, 300 W VINE STREET #2100, LEXINGTON, KY 40507 PH: 859-231-3000

2. ADDRESS OF APPLICANT'S PROPERTY

2300 SANDERSVILLE ROAD, LEXINGTON, KY 40511

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

Zoning	Existing	Zoning	Requested	Acreage	
	Use		Use	Net	Gross
A-U	GOLF COURSE	R-3	SINGLE FAMILY AND MULTI-FAMILY RESIDENTIAL	138.2	143.01

4. COMPREHENSIVE PLAN

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

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

Roads:	To Be Constructed
Storm Sewers:	To Be Constructed
Sanity Sewers:	To Be Constructed
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



May 4, 2020

Lexington-Fayette Urban County Planning Commission
Lexington-Fayette Urban County Government
101 E. Vine Street, 7th Floor
Lexington, Kentucky 40507
ATTN: Jim Duncan

Re: 2300 Sandersville Road

Dear Mr. Duncan:

I am writing to advise the Planning Commission that Ball Homes, LLC has the permission of Hi-Acres Development Co (d/b/a Spring Valley Golf Club) to file an application for a zone change from its agricultural zoning to residential zoning for its proposed development on the above listed address that is owned by Hi-Acres Development Co.

Hi-Acres Development Co
d/b/a Spring Valley Golf Club

James A. Schneider

By: James A. Schneider

Its: President

Date: 4/28/20



NICK NICHOLSON
DIRECT DIAL: (859) 231-3950
Nick.Nicholson@skofirm.com

300 WEST VINE STREET
SUITE 2100
LEXINGTON, KY 40507-1801
MAIN: (859) 231-3000
FAX: (859) 253-1093

April 29, 2020

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

Zone Change Request for 2300 Sandersville Road

Dear Members of the Planning Commission:

We represent Ball Homes, LLC (“Ball Homes” or “Applicant”) and on its behalf have filed a zone change request for the property located at 2300 Sandersville Road (the “Property”). The Property consists of 138.20 net (143.01 gross) acres currently zoned Agricultural-Urban (A-U) and has been home to a golf course since 1949 and Spring Valley Golf Club since 1960. The Applicant’s request is to rezone the Property to Planned Neighborhood Residential (R-3) zone to allow for a single-family, townhome, and apartment residential development.

The Property is located at the corner of Sandersville Road and Greendale Road. The development consists of 330 single family lots, 65 townhomes, and 280 apartment units. It is adjoined by complementary single-family residential neighborhoods across Sandersville Road to the north and northeast with industrial uses flanking the rest of the Property with large natural buffering. The proposed development is consistent with the residential types and mix of dwelling units that have become prevalent in this area of town over the past few years. This will ensure that much needed residential development on underutilized land will be installed in a consistent manner that neighbors have come to expect.

This request is in agreement with the Comprehensive Plan for the multitude of reasons outline below. Primarily, the Zone Map Amendment Request offers a chance to develop longtime underutilized agricultural land inside the Urban Service Area for much needed residential use. This is an ideal property for the proposed neighborhood consisting of single-family residential, townhomes, multi-family residential, and an expansive neighborhood focal point along Sandersville Road. This well-designed project upholds the Urban Service Area preservation strategy, is appropriate infill in an area that is increasingly residential, provides varied housing choices which meet several community needs, encourages community interaction through pedestrian connectivity and greenway trails, all while respecting its neighbors with significant and existing landscaping buffers and greenspace. Indeed, this project allows for additional housing types and units to develop on vacant land inside the Urban Service Area while acknowledging the desperate need for additional single-family houses, townhomes, and apartments as detailed in the 2017 Fayette County Housing Demand Study.

This project aligns with the aspects of a desirable community and the place making concepts the Comprehensive Plan stresses such as openness, social offerings, and aesthetics with its placement of the greenway lot along single loaded streets with ample pedestrian access and multi-modal design with the separated shared-use path. The proposed development plan follows many of the specific recommendations of the Comprehensive Plan in its discussion on how to grow successful neighborhoods while protecting the environment as we are expanding the housing types in the area by providing additional multi-family units and single-family attached & detached residential development; supporting infill and redevelopment throughout the urban service area; providing a well-designed neighborhood that furthers the commitment to mixed-type housing with locations for safe and positive social interactions including easy access to the protected greenway system. Also, by increasing the residential land in the Greendale/Sandersville area it potentially can lead to an expansion of mass transit to better serve this area north of Mercer Road. The development will not put undue strain on the surrounding infrastructure by minimizing the necessary access points to collectors, while ensuring excellent connectivity throughout the acreage of the Property. The project is also respectful of and accommodating to the historic Spring Valley Clubhouse as well as featuring the existing floodplain areas and historic stone fences along Sandersville as called for by the 2018 Comprehensive Plan.

Ball Homes is quite confident in calling this project a well-designed project as it furthers many of the design policies laid out in the Comprehensive Plan. By providing ample pedestrian sidewalk, greenway connections, and a significant single-loaded multimodal street with separated shared-use path we are utilizing a people-first/pedestrian friendly street pattern design with efficient roadways and separate pedestrian infrastructure that is making the proper road connections to enhance emergency services accessibility while creating inviting streetscapes. (Design Policy #1, #2, #5, #6, and #13). This mixture of residential uses is certainly sensitive to the surrounding context of both the adjacent neighborhoods partially constructed, the existing residential neighbors, and the heavy industrial users through significant setbacks, preserving existing tree stands, and usable open space. (DP #4). The mix of single-family, townhouses, and apartments provide varied housing choices, while also providing compact single-family housing types with the substantial townhouse parcels throughout the site. (DP #8). The parking areas for the clubhouse and apartment area are interior to the site to ensure they aren't a primary visual component to the neighborhood or any existing neighbors. (DP #7). The featured useable open space amenity is accessible through a dedicated HOA lot and single loaded streets with pedestrian access to this neighborhood focal point that is within easy walking distance for all residents. (DP #9 and #10). We've featuring a major open space focal point that horizontally runs through the entirety of the neighborhood and connecting the various townhouse parcels to adjacent useable open space, to incorporate open space amenities into the neighborhood as called for by the Comprehensive Plan's neighborhood design policies encouraging greenspace to be in close proximity to residents, on singly loaded streets, and to create open space that is truly usable and a focal point of the development instead of merely an afterthought. (DP #9, #10 and #11). The project utilizes several impervious area disconnects, which direct impervious area runoff to greenspace between the existing streambank and the 100-year floodplain boundary. Also, by virtue of our street tree and canopy provisions, we will be adding additional green infrastructure.

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, encourages community interaction through pedestrian connectivity, encourages a more comprehensive transportation system, all while respecting its

neighbors and protecting the environment with landscaping buffers and protected greenspace. As such, it is quite clear that the proposed zone change is in compliance with the 2018 Comprehensive Plan. As outlined above, the proposed project 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...
- c. Plan for safe, affordable and accessible housing to meet the needs of older and/or disadvantaged residents.

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

Objectives:

- b. Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form.
- 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. Promote, maintain, and expand the urban forest throughout Lexington.

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: Reduce Lexington-Fayette County's carbon footprint.

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. Develop a viable 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:

- a. Encourage public safety and social sustainability by supporting Secured-by-Design concepts and other policies and programs for the built and natural environments of neighborhoods to help reduce opportunities for crimes.

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.
- b. Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures.
- c. Develop incentives to retain, restore, preserve and continue use of historic site and structures, rural settlements and urban and rural neighborhoods.

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

Goal 1: Uphold the Urban Service Area concept.

Objectives:

- b. Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.
- c. Emphasize redevelopment of underutilized corridors.
- d. 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.
- e. Pursue strategies to activate large undeveloped landholdings within the Urban Service Area.

Goal 3: Maintain the current boundaries of the Urban Service Area and Rural Activity Centers; and create no new Rural Activity Centers. To ensure Lexington is responsive to its future land use needs, this Goal shall be superseded and no longer in effect upon completion of Theme E, Goal 4, Objective D.

Placebuilder

The Property is located outside New Circle Road and is a large undeveloped tract. As such, the natural Place Type is New Complete Neighborhood and the Development Type is a blend between Low Density for the single-family portion of the development and Medium Density for the multi-family component. We submit that these classification are 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 a mix of residential type housing that maintains recent development trends in the area. The R-3 zone is one of the suggested zoning categories for this Place Type.

Also submitted with the Zone Map Amendment Request is the color-coded reflection of how the proposed project addresses the design criteria for the selected Development Types. Items highlighted in green are represented graphically on the submitted preliminary development plan; items in yellow are addressed in this letter, and items highlighted in orange are not applicable to this proposal.

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 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 Placebuilder priorities. As noted above, the proposed development is a similar mix of housing types and density to the residential projects in the area that are partially or recently constructed.

A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere. The neighborhood design ensures the various housing types are well connected to the various amenities throughout the site in a pedestrian friendly manner, while not overburdening the rural nature of the surrounding road system.

A-DS5-4 Development should provide a pedestrian-oriented and activated ground level. This is accomplished with the multi-modal single-loaded street and shared-use paths that run through a majority of the proposed development with accessory grid street system connecting efficiently.

A-DS7-1 Parking should be oriented to the interior or rear of the property for nonresidential or multi-family developments.

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 ample landscape screenage existing on site in the locations of the multi-family structures between the adjacent properties nor will it be visible from Sandersville Road or Greendale Road.

A-DS8-1 At the individual street level, medium density housing types should be interspersed with single-family detached units and should be context sensitive. There are a substantial number of townhouses interspersed throughout the site that are incorporated in a context sensitive manner. The apartment portion of the development also aids in transitioning between the adjacent industrial sites to the single-family area.

A-DS10-1 Residential units should be within reasonable walking distance to a focal point. All units are within reasonable walking distance of the large open space focal point.

A-DS11-1 Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single loaded streets. The greenway feature is connected to a single loaded street.

A-DN2-1 Infill residential should aim to increase density. We've added in a significant multi-family complex and townhouses throughout the site increasing the density in the area.

A-DN2-2 Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods. (D-PL9, E-GR6). This development is similar in nature to surrounding residential neighborhoods and significantly screened from industrial users.

A-DN3-2 Development should incorporate residential units in commercial centers with context sensitive design. This development is adding residential units in a major employment center that is heavily industrial and adjacent to the approved Hillenmeyer Flex Space Project. The location of the MF structures and substantial existing landscape buffer will also serve as a shield to the adjacent heavy industrial adjacent properties.

A-DN6-1 Allow and encourage new compact single-family housing types. The site is showing a substantial townhouse development throughout the site.

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). The project utilizes several impervious area disconnects, which direct impervious area runoff to greenspace between the existing streambank and the 100-year floodplain boundary. Also, by virtue of our street tree and canopy provisions, we will be adding additional green infrastructure.

C-LI7-1 Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment. This

development is adding residential units in a major employment center that is heavily industrial and adjacent to the approved Hillenmeyer Flex Space Project. It also in in close proximity to the Meadowthorpe shopping center.

C-PS10-3 Over-parking of new developments should be avoided. (B-SU5). This development is not overparked.

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 the industrial users and most of the residential use is still under construction.

D-PL9-1 Historically significant structures should be preserved. The 1937 clubhouse is being preserved and rehabilitated.

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. This has been done.

E-GR5-1 Structures with demonstrated historic significance should be preserved or adapted. The 1937 clubhouse is being preserved and rehabilitated.

E-GR9-3 Less intense multi-family residence types (duplexes, four-plexes, courtyard apartments, etc.) should be incorporated into primarily single-family areas. While there are no duplexes, four-plexes, courtyard apartments incorporated in this development, there are a substantial number of townhouses and apartments throughout the site. Further, the apartment structures are proposed at only three stories to limit the intensity to the adjacent single-family areas, while adding needed density to the area.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

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). The multi-modal, single-loaded street system has been discussed at length.

A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport. The multi-modal, single-loaded street system has been discussed at length.

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 multi-modal, single-loaded street system has been discussed at length.

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). The open space amenity has been incorporated into this development.

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 multi-modal, single-loaded street system has been discussed at length.

D-CO2-2 Development should create and/or expand a safe, connected multimodal transportation net-work that satisfies all users' needs, including those with disabilities. The multi-modal, single-loaded street has been discussed at length.

D-CO4-1 Dead-end streets and Cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible. This has been done where feasible.

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. This has been done where feasible.

D-CO4-3 Street pattern and design should consider site topography and minimize grading where possible. This has been done where feasible.

D-CO5-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. This has been done where feasible.

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-PR2-2 Dividing floodplains into privately owned parcels with flood insurance should be avoided. All lots impacted by floodplains are dedicated HOA lots.

B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. This has been done where feasible.

B-PR7-1 Connections to greenways, tree stands, and stream corridors should be provided. 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 total tree canopy on the site. Additional detail will be provided in the tree inventory map.

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. The project utilizes several impervious area disconnects, which direct impervious area runoff to greenspace between the existing streambank and the 100-year floodplain boundary.

E-GR3-1 Physical and visual connections should be provided to existing greenway networks. This has been done where feasible.

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

Standards Not Applicable

SITE DESIGN, BUILDING FORM, & LOCATION

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

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. Sandersville Road and Greendale Road are not identified corridors in the Comprehensive Plan nor should they be considered as arterials since neither street is built to urban standards.

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. While there are no identified federal affordable housing units as part of this project, adding the mix of housing types does promote residential units that are affordable in a heavy employment area.

D-PL10-1 Activate the streetscape by designating public art easements in prominent locations. There are no public art easements proposed in this development.

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 existing utility lines crossing this development, but there are no proposed cellular tower antennae that are known or proposed as part of this development.

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. While there are no identified senior living/disabled units proposed in this project,

adding the mix of housing types does promote residential units that are affordable for senior citizens and all of the proposed units will be ADA compliant.

E-GR9-1 Live/work units should be incorporated into residential developments. This is a residential development that does not anticipate any dedicated flex space, it is in close proximity to substantial employment centers.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7). Mass transit is not available to the Property at his time. However, increasing the residential users in this area could increase the demand for LexTran to serve the area in the future.

A-DS1-2 Direct pedestrian linkages to transit should be provided. Mass transit is not available to the Property at his time. However, increasing the residential users in this area could increase the demand for LexTran to serve the area in the future.

A-DS13-1 Stub streets should be connected. (D-CO4) There are no known stub streets to the Property.

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 to connect to.

D-SP6-1 Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes. (A-EQ7). There are no social services or community in close proximity. However, the proposed open space amenity is connected with multi-modal infrastructure.

GREENSPACE & ENVIRONMENTAL HEALTH

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.

In addition to compliance with the Comprehensive Plan, the request is justified because the existing zoning is inappropriate and improper, and the proposed zoning is appropriate. The current zoning is A-U and any type of agricultural use on the Property has become increasingly difficult as most of the surrounding area has developed as heavy industrial or residential subdivisions. The Zoning Ordinance describes the intent of the A-U zone that land should remain in this zone until public facilities and services are or will be adequate to serve urban uses. This parcel has been inside the Urban Service Area for at least 40 years since the 1980 Comprehensive Plan. Urban services have been available to serve it for almost as long. The Property already has sewer available and is able to be seamlessly tied into the surrounding transportation system.

Lexington-Fayette Urban County Planning Commission

April 29, 2020

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There are major commercial centers, multi-family developments, single-family residential neighborhoods, and neighborhood parks all within 1.5 miles. Simply put, it is prime land to be developed; as such the Agricultural-Urban zoning is clearly inappropriate.

On the other hand, the proposed R-3 zoning is clearly appropriate. R-3 zoning is by far the predominant residential zoning category in the area. The residential land that is north of Sandersville Road to the interstate, to the east of Citation Boulevard until Masterson Station is almost exclusively zone R-3 and contains a mix of single-family, townhouses, and apartments. The proposed mix of housing types ensures the continuity in neighborhood character preservation to respect the existing atmosphere of the area. This further justifies the use of the proposed R-3 zone to ensure appropriate consistency between existing neighborhoods and proposed new development. Finally, the proposed development plan lays out the different types of residential units to ensure ideal density transition for the proposed land use. The location of the apartments and townhouses allow for a transition moving from the most intense of the surrounding industrial use, the railroad tracks, significant landscape buffer, to the multi-family uses and then single-family units. This proposed zoning transition allows the development to capture much needed residential acreage in an area with an industrial presence. As such, it is without question that the proposed zone is appropriate for the Property.

We will be at the June public hearing in order to make a complete presentation of this application and request your favorable consideration.

Sincerely,

Stoll Keenon Ogden PLLC



Nick Nicholson

NN:NN

LOW DENSITY RESIDENTIAL

SITE DESIGN, BUILDING FORM, & LOCATION

- A-DS5-3** Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
- A-DS7-1** Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
- 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.
- A-DS10-1** Residential units should be within reasonable walking distance to a focal point.
- A-DS11-1** Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single loaded streets.
- A-DN2-1** Infill residential should aim to increase density.
- A-DN6-1** Allow and encourage new compact single-family housing types.
- A-EQ7-1** School sites should be appropriately sized.
- B-PR9-1** Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
- B-SU11-1** Green infrastructure should be implemented in new development. (E-GR3)
- C-LI6-2** ADUs and/or affordable housing options should be incorporated into existing and new single-family residential development. (A-DN5)
- C-LI7-1** Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS10-3** Over-parking of new developments should be avoided. (B-SU5)
- D-PL7-1** Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-PL9-1** Historically significant structures should be preserved.
- D-SP1-1** Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets. (A-EQ7)
- D-SP1-2** An open and inviting school campus/locale should utilize frontage on single-loaded streets (also true for other support facilities, like parks, community centers, social services, healthcare).
- 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.
- 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.

- 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-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.
- E-GR9-1** Live/work units should be incorporated into residential developments.
- E-GR9-3** Less intense multi-family residence types (duplexes, four-plexes, courtyard apartments, etc.) should be incorporated into primarily single-family areas.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

- A-DS1-1** Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7)
- A-DS1-2** Direct 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-DS2, A-DN1, B-SU1, B-SU2, C-LI7, E-AC5)
- A-DS5-1** Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
- A-DS5-2** Roadways should provide a vertical edge, such as trees and buildings.
- A-DS10-2** New focal points should be designed with multi-modal connections to the neighborhood.
- A-DS13-1** Stub streets should be connected. (D-CO4)
- 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)
- D-CO1-1** Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.
- D-CO2-1** Safe facilities for all users and modes of transportation should be provided.
- D-CO2-2** Development should create and/or expand a safe, connected multimodal transportation network that satisfies all users' needs, including those with disabilities.
- D-CO4-1** Dead-end streets and Cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
- 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.

Theme Letter - Pillar Abbreviation & Policy Number – Criteria Number
Ex: from Theme A - Design Pillar & Policy #1 - Criteria #1 = A-DS1-1. Full decoder on page ###

Criteria that include additional policy items in parentheses refer to companion policies that will provide additional context to the related criteria.

LOW DENSITY RESIDENTIAL

TRANSPORTATION & PEDESTRIAN CONNECTIVITY (CONT.)

- D-CO4-3** Street pattern and design should consider site topography and minimize grading where possible.
- D-CO5-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
- 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.

GREENSPACE & ENVIRONMENTAL HEALTH

- A-DS4-3** Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
- A-EQ7-3** Community open spaces should be easily accessible and clearly delineated from private open spaces.
- B-PR2-1** Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
- B-PR2-2** Dividing floodplains into privately owned parcels with flood insurance should be avoided.
- B-PR2-3** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- B-PR7-1** Connections to greenways, tree stands, and stream corridors should be provided.
- B-PR7-2** Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.
- B-PR7-3** Developments should improve the tree canopy.
- B-RE1-1** Developments should incorporate street trees to create a walkable streetscape.
- B-RE2-1** Green infrastructure should be used to connect the greenspace network.
- D-SP2-1** Visible, usable greenspace and other natural components should be incorporated into school sites.
- D-SP2-2** Active and passive recreation opportunities should be provided on school sites.
- E-GR3-1** Physical and visual connections should be provided to existing greenway networks.
- E-GR3-2** New focal points should emphasize geographic features unique to the site.

NEIGHBORHOOD

Theme Letter - Pillar Abbreviation & Policy Number – Criteria Number
Ex: from Theme A, Design Pillar, Policy #1, Criteria #1: A-DS1-1. Full decoder on page ###

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MEDIUM DENSITY RESIDENTIAL

NEW COMPLETE
NEIGHBORHOOD

SITE DESIGN, BUILDING FORM, & LOCATION

- A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
- 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 Placebuilder priorities.
- A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
- A-DS5-4 Development should provide a pedestrian-oriented and activated ground level.
- A-DS7-1 Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
- 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.
- A-DS7-3 Parking structures should activate the ground level.
- A-DS8-1 At the individual street level, medium density housing types should be interspersed with single-family detached units and should be context sensitive.
- A-DS10-1 Residential units should be within reasonable walking distance to a focal point.
- A-DS11-1 Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single-loaded streets.
- A-DN2-1 Infill residential should aim to increase density.
- A-DN2-2 Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods. (D-PL9, E-GR6)
- A-DN3-2 Development should incorporate residential units in commercial centers with context sensitive design.
- A-DN6-1 Allow and encourage new compact single-family housing types.
- A-EQ7-1 School sites should be appropriately sized.
- B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
- B-SU11-1 Green infrastructure should be implemented in new development. (E-GR3)
- C-LI6-1 Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors.

- C-LI6-2 ADUs and/or affordable housing options should be incorporated into existing and new single-family residential development. (A-DN5)
- C-LI7-1 Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS10-3 Over-parking of new developments should be avoided. (B-SU5)
- D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-PL9-1 Historically significant structures should be preserved.
- D-PL10-1 Activate the streetscape by designating public art easements in prominent locations.
- 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.
- 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.
- 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-GR5-1 Structures with demonstrated historic significance should be preserved or adapted.
- E-GR9-1 Live/work units should be incorporated into residential developments.
- E-GR9-3 Less intense multi-family residence types (duplexes, four-plexes, courtyard apartments, etc.) should be incorporated into primarily single-family areas.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

- A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7)
- A-DS1-2 Direct 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-DS2, A-DN1, B-SU1, B-SU2, C-LI7, E-AC5)
- A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
- A-DS5-2 Roadways should provide a vertical edge, such as trees and buildings.

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MEDIUM DENSITY RESIDENTIAL

TRANSPORTATION & PEDESTRIAN CONNECTIVITY (CONT.)

- A-DS10-2** New focal points should be designed with multi-modal connections to the neighborhood.
- A-DS13-1** Stub streets should be connected. (D-CO4)
- 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)
- D-CO1-1** Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.
- D-CO2-1** Safe facilities for all users and modes of transportation should be provided.
- D-CO2-2** Development should create and/or expand a safe, connected multimodal transportation network that satisfies all users' needs, including those with disabilities.
- D-CO4-1** Dead-end streets and Cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
- 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.
- D-CO4-3** Street pattern and design should consider site topography and minimize grading where possible.
- D-CO5-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
- 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.
- D-SP6-1** Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes. (A-EQ7)

GREENSPACE & ENVIRONMENTAL HEALTH

- A-DS4-3** Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
- A-EQ7-3** Community open spaces should be easily accessible and clearly delineated from private open spaces.
- B-PR2-1** Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
- B-PR2-2** Dividing floodplains into privately owned parcels with flood insurance should be avoided.

- B-PR2-3** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- B-PR7-1** Connections to greenways, tree stands, and stream corridors should be provided.
- B-PR7-2** Trees should be incorporated into development plans, prioritize grouping of trees to increase survivability.
- B-PR7-3** Developments should improve the tree canopy.
- B-RE1-1** Developments should incorporate street trees to create a walkable streetscape.
- B-RE2-1** Green infrastructure should be used to connect the greenspace network.
- D-SP2-1** Visible, usable greenspace and other natural components should be incorporated into school sites.
- D-SP2-2** Active and passive recreation opportunities should be provided on school sites.
- E-GR3-1** Physical and visual connections should be provided to existing greenway networks.
- E-GR3-2** New focal points should emphasize geographic features unique to the site.

NEW COMPLETE
NEIGHBORHOOD

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July 13, 2020

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

Zone Change Request for 2300 Sandersville Road

Dear Members of the Planning Commission:

We represent Ball Homes, LLC (“Ball Homes” or “Applicant”) and on its behalf have filed a zone change request for the property located at 2300 Sandersville Road (the “Property”). The Property consists of 138.20 net (143.01 gross) acres currently zoned Agricultural-Urban (A-U) and has been home to a golf course since 1949 and Spring Valley Golf Club since 1960. The Applicant’s request is to rezone the Property to Planned Neighborhood Residential (R-3) zone to allow for a single-family, townhome, and apartment residential development.

The Property is located at the corner of Sandersville Road and Greendale Road. The development consists of 331 single family lots, 63 townhomes, and 280 apartment units. It is adjoined by complementary single-family residential neighborhoods across Sandersville Road to the north and northeast with industrial uses flanking the rest of the Property with large natural buffering. The proposed development is consistent with the residential types and mix of dwelling units that have become prevalent in this area of town over the past few years. This will ensure that much needed residential development on underutilized land will be installed in a consistent manner that neighbors have come to expect.

This request is in agreement with the Comprehensive Plan for the multitude of reasons outline below. Primarily, the Zone Map Amendment Request offers a chance to develop longtime underutilized agricultural land inside the Urban Service Area for much needed residential use. This is an ideal property for the proposed neighborhood consisting of single-family residential, townhomes, multi-family residential, and an expansive neighborhood focal point along Sandersville Road. This well-designed project upholds the Urban Service Area preservation strategy, is appropriate infill in an area that is increasingly residential, provides varied housing choices which meet several community needs, encourages community interaction through pedestrian connectivity and greenway trails, all while respecting its neighbors with significant and existing landscaping buffers and greenspace. Indeed, this project allows for additional housing types and units to develop on vacant land inside the Urban Service Area while acknowledging the desperate need for additional single-family houses, townhomes, and apartments as detailed in the 2017 Fayette County Housing Demand Study.

This project aligns with the aspects of a desirable community and the place making concepts the Comprehensive Plan stresses such as openness, social offerings, and aesthetics with its placement of the greenway lot along single loaded streets with ample pedestrian access and multi-modal design with the separated shared-use path. The proposed development plan follows many of the specific recommendations of the Comprehensive Plan in its discussion on how to grow successful neighborhoods while protecting the environment as we are expanding the housing types in the area by providing additional multi-family units and single-family attached & detached residential development; supporting infill and redevelopment throughout the urban service area; providing a well-designed neighborhood that furthers the commitment to mixed-type housing with locations for safe and positive social interactions including easy access to the protected greenway system. Also, by increasing the residential land in the Greendale/Sandersville area it potentially can lead to an expansion of mass transit to better serve this area north of Mercer Road. The development will not put undue strain on the surrounding infrastructure by minimizing the necessary access points to collectors, while ensuring excellent connectivity throughout the acreage of the Property. The project is also respectful of and accommodating to the historic Spring Valley Clubhouse as well as featuring the existing floodplain areas and historic stone fences along Sandersville as called for by the 2018 Comprehensive Plan.

Ball Homes is quite confident in calling this project a well-designed project as it furthers many of the design policies laid out in the Comprehensive Plan. By providing ample pedestrian sidewalk, greenway connections, and a significant single-loaded multimodal street with separated shared-use path we are utilizing a people-first/pedestrian friendly street pattern design with efficient roadways and separate pedestrian infrastructure that is making the proper road connections to enhance emergency services accessibility while creating inviting streetscapes. (Design Policy #1, #2, #5, #6, and #13). This mixture of residential uses is certainly sensitive to the surrounding context of both the adjacent neighborhoods partially constructed, the existing residential neighbors, and the heavy industrial users through significant setbacks, preserving existing tree stands, and usable open space. (DP #4). The mix of single-family, townhouses, and apartments provide varied housing choices, while also providing compact single-family housing types with the substantial townhouse parcels throughout the site. (DP #8). The parking areas for the clubhouse and apartment area are interior to the site to ensure they aren't a primary visual component to the neighborhood or any existing neighbors. (DP #7). The featured useable open space amenity is accessible through a dedicated HOA lot and single loaded streets with pedestrian access to this neighborhood focal point that is within easy walking distance for all residents. (DP #9 and #10). We've featuring a major open space focal point that horizontally runs through the entirety of the neighborhood and connecting the various townhouse parcels to adjacent useable open space, to incorporate open space amenities into the neighborhood as called for by the Comprehensive Plan's neighborhood design policies encouraging greenspace to be in close proximity to residents, on singly loaded streets, and to create open space that is truly usable and a focal point of the development instead of merely an afterthought. (DP #9, #10 and #11). The project utilizes several impervious area disconnects, which direct impervious area runoff to greenspace between the existing streambank and the 100-year floodplain boundary. Also, by virtue of our street tree and canopy provisions, we will be adding additional green infrastructure.

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, encourages community interaction through pedestrian connectivity, encourages a more comprehensive transportation system, all while respecting its

neighbors and protecting the environment with landscaping buffers and protected greenspace. As such, it is quite clear that the proposed zone change is in compliance with the 2018 Comprehensive Plan. As outlined above, the proposed project 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...
- c. Plan for safe, affordable and accessible housing to meet the needs of older and/or disadvantaged residents.

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

Objectives:

- b. Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form.
- 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. Promote, maintain, and expand the urban forest throughout Lexington.

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: Reduce Lexington-Fayette County's carbon footprint.

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. Develop a viable 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:

- a. Encourage public safety and social sustainability by supporting Secured-by-Design concepts and other policies and programs for the built and natural environments of neighborhoods to help reduce opportunities for crimes.

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.
- b. Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures.
- c. Develop incentives to retain, restore, preserve and continue use of historic site and structures, rural settlements and urban and rural neighborhoods.

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

Goal 1: Uphold the Urban Service Area concept.

Objectives:

- b. Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.
- c. Emphasize redevelopment of underutilized corridors.
- d. 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.
- e. Pursue strategies to activate large undeveloped landholdings within the Urban Service Area.

Goal 3: Maintain the current boundaries of the Urban Service Area and Rural Activity Centers; and create no new Rural Activity Centers. To ensure Lexington is responsive to its future land use needs, this Goal shall be superseded and no longer in effect upon completion of Theme E, Goal 4, Objective D.

Placebuilder

The Property is located outside New Circle Road and is a large undeveloped tract. As such, the natural Place Type is New Complete Neighborhood and the Development Type is a blend between Low Density for the single-family portion of the development and Medium Density for the multi-family component. We submit that these classification are 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 a mix of residential type housing that maintains recent development trends in the area. The R-3 zone is one of the suggested zoning categories for this Place Type.

Also submitted with the Zone Map Amendment Request is the color-coded reflection of how the proposed project addresses the design criteria for the selected Development Types. Items highlighted in green are represented graphically on the submitted preliminary development plan; items in yellow are addressed in this letter, and items highlighted in orange are not applicable to this proposal.

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 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 Placebuilder priorities. As noted above, the proposed development is a similar mix of housing types and density to the residential projects in the area that are partially or recently constructed.

A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere. The neighborhood design ensures the various housing types are well connected to the various amenities throughout the site in a pedestrian friendly manner, while not overburdening the rural nature of the surrounding road system.

A-DS5-4 Development should provide a pedestrian-oriented and activated ground level. This is accomplished with the multi-modal single-loaded street and shared-use paths that run through a majority of the proposed development with accessory grid street system connecting efficiently.

A-DS7-1 Parking should be oriented to the interior or rear of the property for nonresidential or multi-family developments.

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 ample landscape screenage existing on site in the locations of the multi-family structures between the adjacent properties nor will it be visible from Sandersville Road or Greendale Road.

A-DS8-1 At the individual street level, medium density housing types should be interspersed with single-family detached units and should be context sensitive. There are a substantial number of townhouses interspersed throughout the site that are incorporated in a context sensitive manner. The apartment portion of the development also aids in transitioning between the adjacent industrial sites to the single-family area.

A-DS10-1 Residential units should be within reasonable walking distance to a focal point. All units are within reasonable walking distance of the large open space focal point.

A-DS11-1 Common public uses that serve as neighborhood focal points, such as parks and schools, should be on single loaded streets. The greenway feature is connected to a single loaded street.

A-DN2-1 Infill residential should aim to increase density. We've added in a significant multi-family complex and townhouses throughout the site increasing the density in the area.

A-DN2-2 Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods. (D-PL9, E-GR6). This development is similar in nature to surrounding residential neighborhoods and significantly screened from industrial users.

A-DN3-2 Development should incorporate residential units in commercial centers with context sensitive design. This development is adding residential units in a major employment center that is heavily industrial and adjacent to the approved Hillenmeyer Flex Space Project. The location of the multi-family structures and substantial existing landscape buffer will also serve as a shield to the adjacent heavy industrial adjacent properties.

A-DN6-1 Allow and encourage new compact single-family housing types. The site is showing a substantial townhouse development throughout the site.

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). The project utilizes several impervious area disconnects, which direct impervious area runoff to greenspace between the existing streambank and the 100-year floodplain boundary. Also, by virtue of our street tree and canopy provisions, we will be adding additional green infrastructure.

C-LI7-1 Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment. This

development is adding residential units in a major employment center that is heavily industrial and adjacent to the approved Hillenmeyer Flex Space Project. It also in in close proximity to the Meadowthorpe shopping center.

C-PS10-3 Over-parking of new developments should be avoided. (B-SU5). This development is not overparked.

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 the industrial users and most of the residential use is still under construction.

D-PL9-1 Historically significant structures should be preserved. The 1937 clubhouse is being preserved and rehabilitated.

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. This has been done.

E-GR5-1 Structures with demonstrated historic significance should be preserved or adapted. The 1937 clubhouse is being preserved and rehabilitated.

E-GR9-3 Less intense multi-family residence types (duplexes, four-plexes, courtyard apartments, etc.) should be incorporated into primarily single-family areas. While there are no duplexes, four-plexes, courtyard apartments incorporated in this development, there are a substantial number of townhouses and apartments throughout the site. Further, the apartment structures are proposed at only three stories to limit the intensity to the adjacent single-family areas, while adding needed density to the area.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

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). The multi-modal, single-loaded street system has been discussed at length.

A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport. The multi-modal, single-loaded street system has been discussed at length.

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 multi-modal, single-loaded street system has been discussed at length.

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). The open space amenity has been incorporated into this development.

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 multi-modal, single-loaded street system has been discussed at length.

D-CO2-2 Development should create and/or expand a safe, connected multimodal transportation net-work that satisfies all users' needs, including those with disabilities. The multi-modal, single-loaded street has been discussed at length.

D-CO4-1 Dead-end streets and Cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible. This has been done where feasible.

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. This has been done where feasible.

D-CO4-3 Street pattern and design should consider site topography and minimize grading where possible. This has been done where feasible.

D-CO5-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. This has been done where feasible.

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-PR2-2 Dividing floodplains into privately owned parcels with flood insurance should be avoided. All lots impacted by floodplains are dedicated HOA lots.

B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. This has been done where feasible.

B-PR7-1 Connections to greenways, treestands, and stream corridors should be provided. 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 total tree canopy on the site. Additional detail will be provided in the tree inventory map.

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. The project utilizes several impervious area disconnects, which direct impervious area runoff to greenspace between the existing streambank and the 100-year floodplain boundary.

E-GR3-1 Physical and visual connections should be provided to existing greenway networks. This has been done where feasible.

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

Standards Not Applicable

SITE DESIGN, BUILDING FORM, & LOCATION

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

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. Sandersville Road and Greendale Road are not identified corridors in the Comprehensive Plan nor should they be considered as arterials since neither street is built to urban standards.

C-LI6-2 ADUs and/or affordable housing options should be incorporated into existing and new single-family residential development. (A-DN5). ADUs are still not permitted in the selected zone. While there are no identified federal affordable housing units as part of this project, adding the mix of housing types does promote residential units that are affordable in a heavy employment area.

D-PL10-1 Activate the streetscape by designating public art easements in prominent locations. There are no public art easements proposed in this development.

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 existing utility lines crossing this development, but there are no proposed cellular tower antennae that are known or proposed as part of this development.

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. While there are no identified senior living/disabled units proposed in this project,

adding the mix of housing types does promote residential units that are affordable for senior citizens and all of the proposed units will be ADA compliant.

E-GR9-1 Live/work units should be incorporated into residential developments. This is a residential development that does not anticipate any dedicated flex space, it is in close proximity to substantial employment centers.

TRANSPORTATION & PEDESTRIAN CONNECTIVITY

A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. (A-EQ7). Mass transit is not available to the Property at his time. However, increasing the residential users in this area could increase the demand for LexTran to serve the area in the future.

A-DS1-2 Direct pedestrian linkages to transit should be provided. Mass transit is not available to the Property at his time. However, increasing the residential users in this area could increase the demand for LexTran to serve the area in the future.

A-DS13-1 Stub streets should be connected. (D-CO4) There are no known stub streets to the Property.

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 to connect to.

D-SP6-1 Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes. (A-EQ7). There are no social services or community in close proximity. However, the proposed open space amenity is connected with multi-modal infrastructure.

GREENSPACE & ENVIRONMENTAL HEALTH

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.

Multi-family Design Standards **Site Planning**

- SP-1 – This New Complete Neighborhood project is still in the early design phase. However, this is being done where feasible. The multi-family site is not adjacent to any existing public streets and located near the rear of the proposed development. 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 – This is a new neighborhood without existing setback patterns.
- SP-5 – This is being done where feasible with pedestrian systems that run throughout the multi-family development connecting it to different residential uses.
- SP-6 – This is being done where feasible.
- SP-7 - This New Complete Neighborhood project is still in the early design phase. However, this is being done where feasible. The multi-family site is not adjacent to any existing public streets and located near the rear of the proposed residential development. 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 – Due to the industrial nature of the surrounding area, the multi-family area does not connect to existing industrial uses. However, the site is well connected for vehicular and pedestrian access to the proposed residential neighborhood, amenities area, and public open space.
- 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 – Due to the industrial nature of the surrounding area, the multi-family area does not connect to existing industrial uses. However, the site is well connected for vehicular and pedestrian access to the proposed residential neighborhood, amenities area, and public 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 - This is being done where feasible.
- SP-16 – This project will be built to code requirements.
- SP-17 – This New Complete 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 parking is adjacent to proposed single-family lots and we will continue to work with Staff throughout the final development plan process on this type of landscaping and design issue.
- OS-7 – The exact landscaping plan between the adjacent industrial uses is still be determined as what is in the development and its surrounding users' best interest. We will continue to work with Staff throughout the final development plan process on this type of landscaping and buffering 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. The multi-family site is not adjacent to any existing public streets and located near the rear of the proposed residential development. 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 New Complete 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 New Complete Neighborhood project is still in the early phases of design. There have been no architectural plans made at this time. The existing industrial structures are well separated by existing landscaping buffer, railroad, and changes in slope.
- AD-3 – This New Complete 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.

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- AD-4 – This New Complete 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 New Complete 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 New Complete 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 New Complete 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 New Complete 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 New Complete 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 and improper, and the proposed zoning is appropriate. The current zoning is A-U and any type of agricultural use on the Property has become increasingly difficult as most of the surrounding area has developed as heavy industrial or residential subdivisions. The Zoning Ordinance describes the intent of the A-U zone that land should remain in this zone until public facilities and services are or will be adequate to serve urban uses. This parcel has been inside the Urban Service Area for at least 40 years since the 1980 Comprehensive Plan. Urban services have been available to serve it for almost as long. The Property already has sewer available and is able to be seamlessly tied into the surrounding transportation system. There are major commercial centers, multi-family developments, single-family residential neighborhoods, and neighborhood parks all within 1.5 miles. Simply put, it is prime land to be developed; as such the Agricultural-Urban zoning is clearly inappropriate.

On the other hand, the proposed R-3 zoning is clearly appropriate. R-3 zoning is by far the predominant residential zoning category in the area. The residential land that is north of Sandersville Road to the interstate, to the east of Citation Boulevard until Masterson Station is almost exclusively zone R-3 and contains a mix of single-family, townhouses, and apartments. The proposed mix of housing types ensures the continuity in neighborhood character preservation to respect the existing atmosphere of the area. This further justifies the use of the proposed R-3 zone to ensure appropriate consistency between existing neighborhoods and proposed new development. Finally, the proposed development plan lays out the different types of residential units to ensure ideal density transition for the proposed land use. The location of the apartments and townhouses allow for a transition moving from the most intense of the surrounding industrial use, the railroad tracks, significant landscape buffer, to the multi-family uses and then single-family units. This proposed zoning transition allows the development to capture much needed residential acreage in an area with an industrial presence. As such, it is without question that the

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proposed zone is appropriate for the Property.

We will be at the July public hearing in order to make a complete presentation of this application and request your favorable consideration.

Sincerely,

Stoll Keenon Ogden PLLC



Nick Nicholson

NN:NN

001169.166326/8180441.1

UPDATED 05.07.2020

Ball Homes, Inc.

(PLN-MAR-20-00010)

2300 SANDERSVILLE ROAD

Residential neighborhood with a mixture of dwelling unit types replacing golf course.

Applicant

BALL HOMES, INC.
3609 Walden Avenue
Lexington, KY 40517
bstephens@ballhomes.com



Owner

HI ACRES DEV CO., INC.
2300 Sandersville Road
Lexington, KY 40511



Application Details

Acreage:

138.2 net (143.01 gross) acres

Current Zoning:

Agricultural Urban (A-U) Zone

Proposed Zoning:

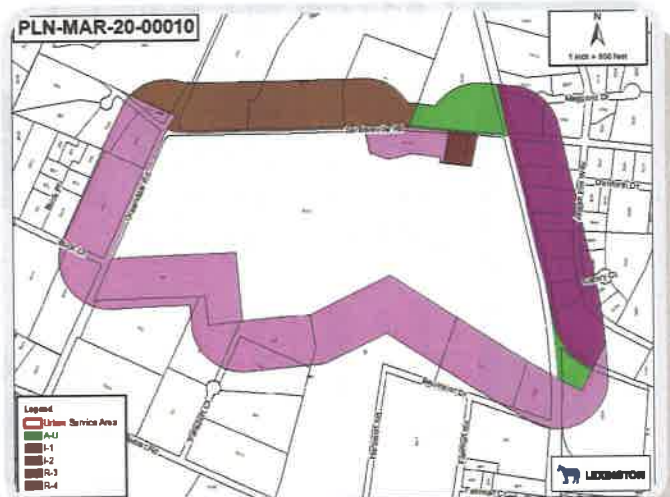
Planned Neighborhood Residential (R-3) Zone

Place-type / Development Type:

New Complete Neighborhood* /
Medium Density Non-Residential/Mixed Use
For more information about the New Complete Neighborhood Place-Type see Imagine Lexington pages 315-316.

Description:

The proposed development includes the construction of single family attached and detached homes, as well as ten, three-story apartment buildings with associated amenities. The application will include a large greenway and trails extending along the floodplain.



Status

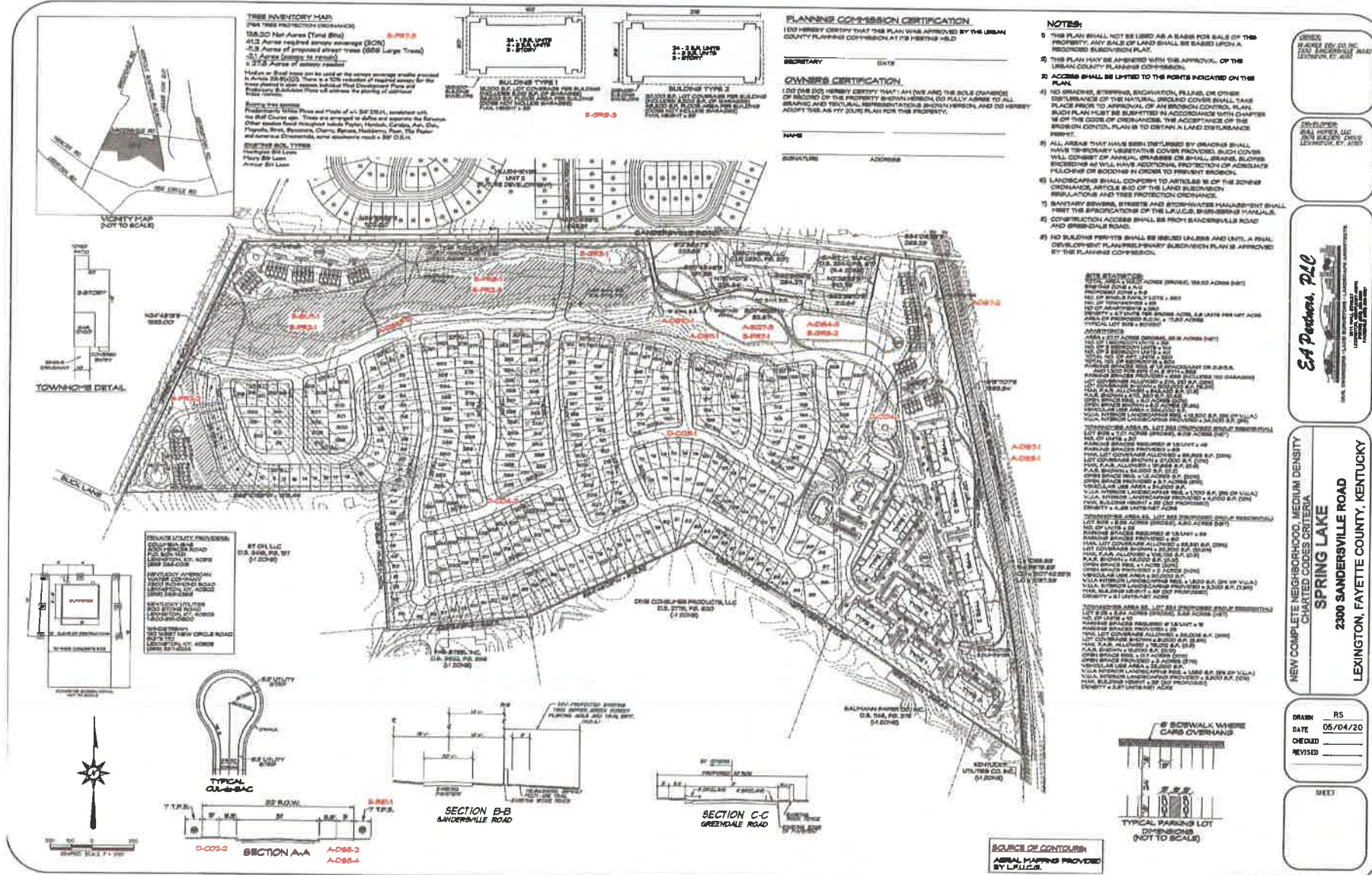
- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

Public Engagement

- Due to the COVID-19 outbreak, the applicant has not yet conducted a meeting.

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

Latest Plan



STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-20-00010: BALL HOMES, LLC

Approval
Oppositions - Stalkholders, UPS
concerned about 24hr facility.

DESCRIPTION OF ZONE CHANGE

Zone Change: From a Agricultural Urban (A-U) zone
To a Planned Neighborhood Residential
(R-3) zone

Acreage: 138.20 net (143.01 gross) acres

Location: 2300 Sandersville Road

EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	A-U	Golf Course
To North	R-3/ R-4/ I-1/ A-U	Single Family Residential Single Family Residential Flex Space Industrial Landscaping Facility
To East	I-2	Heavy Industrial
To South	I-1	Light Industrial
To West	I-1	Light Industrial



URBAN SERVICE REPORT

Roads - The subject property is bordered by Greendale Road (KY 1978) and Sandersville Road. Greendale Road and Sandersville Road are classified as urban collector roadways, although they have not been upgraded to function in that manner at this location. Sandersville Road connects Spurr Road to Georgetown Road in this part of Fayette County. There is a narrow railroad underpass on Sandersville Road, just east of the golf course entrance that restricts large truck traffic in the area. Each of these rural cross-sections are also flanked by stone walls along the frontage of the subject property.

Curb/Gutter/Sidewalks - Neither Greendale Road nor Sandersville Road have curb, gutters, or sidewalks at this location. Roadway improvements will be required at the time of development of the site.

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 Town Branch watershed. Storm sewers are not currently located anywhere on the subject property; however, the developer will be required to provide these facilities at the time the property is developed. Extending across the northern portion and the southwestern edge of the subject property, there is a large special flood hazard area associated with the Bracktown Branch of Town Branch Creek. Additionally, within the subject property there are two existing ponds.

Sanitary Sewers - This area is located within the Town Branch sewershed and will be served by the Town Branch Wastewater Treatment Facility on Lisle Industrial Avenue. Sanitary sewers were constructed along the rear property line in 2008. Sanitary sewer capacity will need to be verified by the Capacity Assurance Program (CAP) prior to certification of the final development plan.

Refuse - The Urban County Government serves this portion of the Urban Service Area with refuse collection on Thursdays. Multi-family development may be served by the Urban County Government with collection, although additional private collection is often utilized to supplement these services.

Police - The nearest police station is the West Sector Roll Call Center, located off Old Frankfort Pike near New Circle Road, approximately three miles southwest of the subject property.

Fire/Ambulance - Fire Station #10 is the nearest station to this site. It is located about 1¼ miles to the southeast of the subject property on Finney Drive, near the interchange of Georgetown Road and New Circle Road.

Transit - LexTran service is not currently available within the immediate area.

Parks - There are currently no easily accessible public parks in the vicinity of the proposed development.

SUMMARY OF REQUEST

The applicant is seeking a zone change from the Agricultural Urban (A-U) zone to the Planned Neighborhood Residential (R-3) zone for the property located at 2300 Sandersville Road. The zone change application is seeking to construct a residential development that includes single family detached and attached homes, as well as apartment buildings.

PLACE-TYPE

NEW COMPLETE NEIGHBORHOOD

Currently undeveloped areas designed to provide housing within a sustainable format. Including a mix of uses such as neighborhood-serving retail, services, and employment options, as well as larger town centers, will allow citizens to fully realize their day-to-day needs without having to leave their immediate area. Providing a wider variety of housing options rather than large homogeneous sections dedicated to a single type, will ensure that residents of all income levels can afford a home. Intentional greenspaces and neighborhood focal points accessible to all residents should also be provided to add to the sense of place and community. A well-connected multi-modal transportation network is also a key component of a New Complete Neighborhood's success.

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.

LOW DENSITY RESIDENTIAL

Primary Land Use, Building Form, & Design

Primarily attached and detached single-family homes of varying formats, including accessory dwelling units. Homogeneous neighborhoods that do not include a mix of housing types should be avoided. Low density residential is only appropriate as a component of "Enhanced Neighborhoods" and "New Complete Neighborhoods", and should be supplemented by a variety of uses and housing options to create sustainable places.

Transit Infrastructure & Connectivity

Multi-modal network connections, including connected streets, are required to keep an efficient transportation network that provides viable options for all users.

Quality of Life Components

These developments should include intentional open space designed to fit the needs of area residents, and be in walking distance of nearby neighborhood-serving commercial/employment uses.

PROPOSED ZONING

R-3

This zone is primarily for multi-family dwellings and other residential uses. This zone should be at locations and at the density (units/acre) recommended by the Comprehensive Plan, and in areas of the community where necessary services and facilities will be adequate to serve the anticipated population.

PROPOSED USE



The applicant is seeking to develop a residential development that will be comprised of 330 single family detached homes, 65 single family attached homes, and ten (10) apartment buildings containing 280 apartments. The proposed residential density for the site is 4.88 dwelling units per net acre. To complete the proposed development, the applicant is seeking to construct a roadway system with two main access points, one located on Greendale Road and one located on Sandersville Road opposite Calendula Road, an entrance to a new neighborhood on the north side of Sandersville Road (Hillenmeyer Property). The main roadway extending from Greendale Road is proposed to be single-loaded with the residential development located



on the roadway's southern edge and a large greenway along the roadway's northern edge. The proposed apartments and associated amenities are located along the eastern edge of the subject property, bordering the Norfolk Southern Railroad.

APPLICANT & COMMUNITY ENGAGEMENT



Due to the COVID-19 outbreak, the applicant has not yet conducted a meeting.

PROPERTY & ZONING HISTORY



The subject property has been zoned Agricultural Urban (A-U) since the comprehensive rezoning of the County in 1969. Prior to that change the land was zoned Agricultural (A-1) and operated as such. The historic land use for the subject property has been primarily agricultural in nature. Originally operating as a farm and a mill, the property was first deeded in the early 1800s. The current golf course's clubhouse was constructed in 1937 as the principal residence on the property. At that time, the property was being operated as a dairy farm. In 1949, a group of local businessmen purchased the property and converted the land from the dairy farm to an eighteen-hole golf course. The course was owned by this group until 1959, when the Schneider family purchased the course and the associated house, which was modified to become the clubhouse. The golf course has operated in Lexington since that acquisition.

While there has been no significant change in the zoning or use of the subject property over the course of the last 70 years, the areas surrounding the golf course have changed dramatically. The predominant land use for the area is industrial in nature. The areas located to the west and south of the subject property are zoned Light Industrial (I-1) and the area located to the east is zoned Heavy Industrial (I-2). To the north of the subject property, across Sandersville Road, is primarily an area comprised of single family, which was the result of several zone changes during the early 2000s.

COMPREHENSIVE PLAN COMPLIANCE



The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The applicant opines that their proposed rezoning is in agreement with several goals, objectives, and policies 2018 Comprehensive Plan. In the following section the staff describes some of the elements that are in agreement with the Comprehensive Plan; however, there are some areas that the applicant should expand upon.

POLICIES

The applicant begins their justification with a review of the policies of the Comprehensive Plan. They stress that the proposed development is in compliance as they are seeking to provide ample pedestrian sidewalks, greenway connections, and a significant single-loaded multi-modal street. They indicate that the proposed development will create a people-first/pedestrian friendly street pattern through the use of separated shared-use paths and a connected roadway system (Design Policy #1, 5 and 6). They state that the connectivity proposed here also allows for enhanced access for emergency services, while also creating an inviting streetscape (Design Policy #2). The applicant indicates that the mixture of residential uses is sensitive to the surrounding context of surrounding land uses through the use of setbacks, preserving existing tree stands, and creating usable open space (DP #4). Additionally, the applicant indicates that the mix of single-family, townhouses, and apartments provide varied housing choices, while also providing compact single-family



housing types with several townhouse parcels throughout the site (Design Policy #8).

The applicant goes on to stress the importance of greenspace and access to the open space for potential residents of the proposed development. They state that the featured useable open space amenity will be accessible through a dedicated HOA lot and single-loaded street with pedestrian access to this neighborhood focal point that is within walking distance for all residents (Design Policy #9 and 10). They are seeking to feature the proposed greenway as a focal point that horizontally runs through the entirety of the neighborhood and connecting the various townhouse parcels to adjacent useable open space, to incorporate open space amenities into the neighborhood. Further, the applicant is stressing the proximity of the greenspace to residents, and the importance of the single-loaded street, to create an open space that is truly usable and a focal point of the development instead an afterthought. (Design Policy #9, 10 and 11). The proposed development is seeking to utilize several impervious area disconnects, which will direct impervious area runoff to greenspace between the existing streambank and the 100-year floodplain boundary.

Staff agrees that these policies can be met with the proposed rezoning of the subject property.

In addition to the aforementioned Design Policies that are in agreement with the Comprehensive Plan, staff would like the applicant to expand upon their description of their utilization of Design Policy #7: Design car parking areas so as not to be the primary visual component of the neighborhood. The applicant indicates that the parking areas for the clubhouse and apartment area are interior to the site to ensure they aren't a primary "visual component to the neighborhood or any existing neighbors." Currently, the applicant is situating the parking in front of the rear most apartment buildings situated along the railroad and placing a trail along the rear of the structures. The applicant should consider switching this situation, by placing the parking for these structures behind the building and connecting the greenspace and trail to the front of the proposed structures. This would allow for greater compliance with Design Policy #7, while also providing a focal point or greenspace between the buildings (Design Policy #10), and continuity with the greenways. This modification is also supported by numerous development criteria in the Comprehensive Plan.

Furthermore, the applicant should consider incorporating traffic calming measures on the main street that extends from Greendale Road to the proposed apartment buildings (Connectivity Policy #5). Due to the high density located at the eastern most portion of the site, the roadway at this location will receive a large amount of traffic. Additionally, since the applicant has stressed their want to maintain the greenspace on the northern side of the roadway as a community space and focal point of the site, it will be important to protect those potential residents from conflicts with vehicles by providing safe crossings and reduce the speed of vehicles. This can be accomplished through different solutions, including the placement of street trees in the planting/utility strips, and the establishment of bulbouts at intersections.

GOALS & OBJECTIVES

Following their review of the policies of the Comprehensive Plan, the applicant goes on to list the Goals and Objects that they are seeking to comply with for the proposed rezoning. First, the applicant indicates that they are seeking to expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, and incorporating a mixture of housing types (Theme A, Goal #1.b). The proposed development is incorporating a mix of single family and multi-family housing, with 330 single family detached homes, 65 single family attached homes, and ten (10) apartment buildings containing 280 apartments. While the density proposed is low, the mixture of housing options is supported by the Comprehensive Plan.

Additionally, the applicant indicates that the proposed development will support Infill and Redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2). The applicant also indicates that they are seeking to respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b), while also incorporating adequate greenspace and open space that would serve the needs of the intended population (Theme A, Goal #2.c).

Next the applicant indicates that the proposed development will provide a well designed neighborhood and



community (Theme A, Goal #3). The applicant is seeking to meet this goal by providing connectivity to the residential neighborhoods that are currently under construction located to the north and expanding options for mixed type housing (Theme A, Goal #3.a). The applicant also indicates that they are striving for positive and safe social interactions in neighborhoods (Theme A, Goal #3.b), by integrating new development with neighborhoods that are connected for pedestrians, while minimizing the disruption of natural features when building new communities (Theme A, Goal #3.c). The applicant also indicates that the proposed street alignment and road network will provide connection that will reduce police, EMS, and fire response times (Theme A, Goal #4.c). The applicant should also consider providing a stub street to adjacent land to improve future connectivity.

Additionally, the applicant indicates that the proposed rezoning and associated development will protect the environment by reducing Lexington-Fayette county's carbon footprint (Theme B, Goal #2) by prioritizing multi-modal options that deemphasize single-occupancy vehicle dependence (Theme B, Goal #2.d) through the incorporation of shared-use trails and paths. Furthermore, the applicant indicates that they are seeking to apply environmentally sustainable practices to protect and conserve landscapes and natural resources (Theme B, Goal #3) by identifying and protecting natural resources and landscapes before development occurs (Theme B, Goal #3.b). To this end, the applicant will need to identify any existing springs on the subject property.

Through the establishment of the shared-use trails, the applicant has indicated that they are supporting a model of development focused on people-first design that emphasizes accessible community facilities and promotes health, safety, and quality of life needs (Theme D, Goal #2). Additionally, the applicant is seeking to improve the surrounding community by protecting and enhancing natural and cultural resources by maintaining the historic structure on site as an amenity space for the potential residents. (Theme D, Goal #3.a). Protective the existing structures and the historic stone walls will aiding in meeting this goal.

Finally, the applicant also indicates that they are seeking to uphold the Urban Service Area concept (Theme E, Goal #1) by maximizing development on vacant land within the Urban Services Area (Theme E, Goal #1.d),

In addition to the aforementioned Goals and Objectives, the applicant describes a few Goals and Objectives that necessitate greater discussion. The applicant indicates they are seeking to promote, maintain, and expand the urban forest with their proposed development (Theme A, Goal #3.d). The applicant should submit a detailed Tree Inventory Map that identifies those significant trees, so that they can be preserved, where possible.

Furthermore, the applicant should also expand upon their agreement with connectivity described in Theme D, Goal #1. The Complete Streets concept dissuades the use of cul-de-sacs, when able, as it limits connectivity between development and forces pedestrians to walk longer distances to access amenities. The applicant should consider connecting the southeast portion of the single family residential into the multi-family residential. In doing so, the applicant would be more fully adhering to the Complete Streets concept (Theme D, Goal #1.a), while also integrating the mix of housing types (Theme A, Goal #1.b).



CRITERIA

The criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2018 Comprehensive Plan. The criteria for development represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed place-type and development type. The applicant has indicated that the site is located within the New Complete Neighborhood Place-Type and is seeking to redevelop the property as both a Low Density Residential and Medium Density Residential Development Type. Staff concurs with the applicant's assessment of the Place-Type and agrees that a Low Density Residential and Medium Density Residential development can be appropriate for the subject property. Staff agrees with the applicant's assessment that the Planned Neighborhood Residential (R-3) zone can be appropriate for this location.

While the applicant has addressed some of the Development Criteria, there are areas of concern as to how



the applicant has applied or not applied the development criteria, specifically with the Medium Density Residential Development Type. The following criteria should be further described by the applicant to demonstrate how they are in agreement with the Comprehensive Plan.

1. Site Design, Building Form and Location

Despite compliance with some of the criteria for Site Design, Building Form and Location, there are areas of concern. The applicant should expand upon the following development criterion and respond to the staff comment.

A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.

The applicant has indicated they do not have specific architectural designs for the multi-family structures at this time, and they will use best efforts to comply with the will required design standards in the Subdivision Regulations and Zoning Ordinance, but not those reference in Appendix A of the Comprehensive Plan. While staff understands that the zone change can occur prior to the development of architectural drawings and appreciates the current stage of development that the applicant is in, the Multi-Family Design Standards are comprised of three levels: Site Planning, Open Space and Landscaping, and Architectural Design. The applicant should review this section of the Comprehensive Plan and describe how they are in agreement with the development criterion or cannot meet the criterion. Furthermore, the applicant should be aware that there are no design standards within the LFUCG Land Subdivision Regulations, nor are there design standards within the LFUCG Zoning Ordinance for the Planned Neighborhood Residential (R-3) zone outside of the Infill and Redevelopment Area.

2. Transportation and Pedestrian

Despite compliance with some of the criteria for Transportation and Pedestrian, there are areas of concern. The applicant should expand upon the following development criteria and staff comments.

A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.

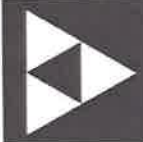
The applicant indicates that the parking areas for the clubhouse and apartment area are interior to the site to ensure they aren't a primary "visual component to the neighborhood or any existing neighbors." Currently, the applicant is situating the parking in front of the rear most apartment buildings situated along the railroad and placing a trail along the rear of the structures. The applicant should switch this situation, by placing the parking for these structures behind the building and connecting the greenspace and trail to the front of the proposed structures.

D-CO4-1: Dead-end streets and cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.

In order to lessen traffic congestion and integrate mixed housing types the applicant should eliminate the cul-de-sac located at the southeast corner of the development. Dead-end streets and cul-de-sacs are discouraged by the Comprehensive Plan except where connections are not topographically or environmentally feasible. The extension of the roadway also plays a role with other Development Criterion for the New Complete Neighborhood Place-Type, Medium Density Development type (see A-DS3-1).

D-CO5-1: Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.

The applicant should incorporate traffic calming measures on the main street that extends from Greendale Road to the proposed apartment buildings. Due to the high density located at the eastern most portion of the site, the roadway at this location will receive a large amount of traffic. Additionally, since the applicant has stressed their want to maintain the greenspace on the northern side of the roadway as a community space and focal point of the site, it will be important to protect those potential residents from conflicts with vehicles by providing safe crossings and reduce the speed of vehicles. This can be accomplished through different solutions, including the placement of street trees in the planting/utility strips, and the establishment of bulbouts at intersections.

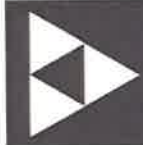


3. Greenspace and Environmental Health

Despite compliance with some of the criteria for Transportation and Pedestrian, there are areas of concern. The applicant should expand upon the following development criterion and the staff comments.

A-DSA-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.

The applicant should locate all springs and significant trees located on the subject property and find solutions to protect and preserve these features.



KRS 100.213 states that before any map amendment is granted, the Planning Commission must find that the map amendment is in agreement with the adopted Comprehensive Plan. In the absence of such a finding, KRS provides two potential options:

- a. That the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate; and/or
- b. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the adopted comprehensive plan and which have substantially altered the basic character of such area.

The applicant has indicated that in addition to their justification that the proposed rezoning is in agreement with the adopted 2018 Comprehensive Plan, the current zoning of the subject property as Agricultural Urban (A-U) is inappropriate and the proposed zoning for the subject property as Planned Neighborhood Residential is appropriate.

APPROPRIATE VS INAPPROPRIATE

The petitioner argues that the current zoning and any type of agricultural use on the subject property has become increasingly difficult as most of the surrounding area has developed as heavy industrial or residential subdivisions. The applicant indicates that the LFUCG Zoning Ordinance describes the intent of the A-U zone is that land should remain in this zone until public facilities and services are or will be adequate to serve urban uses. They contend that the parcel has been inside the Urban Service Area for an extended period of time and that services have been available.

Staff agrees with the applicant that the A-U zone is currently inappropriate as urban services are available in this area.

Next, the applicant indicates that the Planned Neighborhood Residential (R-3) zone is appropriate for the subject property as the R-3 zoning is a common zoning category in the area. The applicant indicates that the residential land use located is north of Sandersville Road to the interstate, to the east of Citation Boulevard extending to Masterson Station is almost exclusively located in a R-3 zone and contains a mix of single-family, townhouses, and apartments. They contend that the mix of housing types proposed with the rezoning of the subject property would ensure continuity in neighborhood character and respect the existing atmosphere of the area. Finally, the applicant indicates that the associated development plan proposes different types of residential types that would ensure ideal density transitions for the proposed land use.

While the applicant has focused on the residential development that is occurring north of the subject property and areas west of Citation Boulevard, they have not acknowledged that the predominant land use surrounding the majority of the subject property as industrial. The areas located to the west and south of the subject property are zoned Light Industrial (I-1), while the area located to the east is zoned Heavy Industrial (I-2). Furthermore, major corridors, like Sandersville Road, Greendale Road, and the Norfolk Southern Railroad all play a major role in Lexington's freight network, which allows for access to the nation's shipping corridors and lessens the impact on residential roadways. Finally, Sandersville Road currently acts as an appropriate transition between the industrial uses located to the south and the residential uses to the north.

While staff finds that the current zoning of Agricultural Urban (A-U) is inappropriate, we cannot conclude that the proposed zoning of Planned Neighborhood Residential (R-3) is appropriate for the subject property due to the character of the immediate area.

STAFF RECOMMENDS: POSTPONEMENT, FOR THE FOLLOWING REASONS:



1. The zone change application for the subject property, as proposed, does not completely address the Goals and Objectives of the 2018 Comprehensive Plan. The following Goals and Objectives require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. Theme A, Goal #2.b: Respect the context & design features of areas surrounding development projects & develop design standards & guidelines to ensure compatibility with existing urban form.
 - b. Theme A, Goal #2.c: Incorporate adequate greenspace and open space into all development projects, which serve the needs of the intended population.
 - c. Theme A, Goal #3.b: Strive for positive & safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians & various modes of transportation.
 - d. Theme A, Goal #3.d: Promote, maintain, and expand the urban forest throughout Lexington.
 - e. Theme E, Goal #1.b: Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.
2. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the New Complete Neighborhood Place-Type, specifically the Medium Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
 - c. D-CO4-1: Dead-end streets and cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
 - d. D-CO5-1: Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
 - e. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-20-000010: BALL HOMES, LLC

STAFF REVIEW

In the period following the June Subdivision and Zoning Committee meetings, the applicant met with staff to discuss the proposed rezoning. Following those meetings, the applicant reviewed staff's and the sub-committee's comments, and modified their application regarding the proposed development and its agreement with the 2018 Comprehensive Plan. New information submitted by the applicant includes a supplemental justification letter, updated development plan, and a tree inventory map. The new information provided by the applicant addresses some of staff's concerns regarding the applicant's compliance with the Comprehensive Plan.

The materials submitted specifically focused on those Goals and Objects, and Development Criteria that were deficient within the original application. The most significant change that the applicant has made with their proposed development is modifying the location of greenspace within the multi-family portion of the subject property, adjacent to the railroad. By incorporating the open space into the center of the complex, the applicant is incorporating adequate greenspace and open space into all development projects, which serve the needs of the intended population (Theme A, Goal #2.c), and striving for positive & safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians & various modes of transportation (Theme A, Goal #3.b). Additionally, by moving the parking to the rear of the buildings the applicant is in agreement with Development Criteria A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.

Expanding upon the detailed review of the greenspace and open space, the applicant also provided greater information regarding the location of natural resources and landscapes before development occurs (Theme B, Goal #3.b). The new development plan not only contains the information regarding the floodplain, which will be protected, but also indicates the location of three springs on the property, which are primarily located on the eastern portion of the site. Specific requirements as to the preservation of these natural features have been developed by the Division of Environmental Services and Division of Engineering and will be discussed at the time of the final development plan. The applicant will need to protect these areas so not to affect the water flow in the area.

Additionally, the applicant provided staff with a Tree Inventory Map (TIM). This map will be the basis for a Tree Protection Plan that will be submitted during either the preliminary subdivision plan or the final development plan phase. The applicant has indicated that their development will affect three of the four significant trees and will be removing a large portion of the established tree canopy. Within their justification they stated that they will promote, maintain, and expand the urban forest with their proposed development (Theme A, Goal #3.d). However, with the information provided, staff cannot agree with this assertion due to the high rate of removal for the development. The applicant will be required to demonstrate at the time of the final development plan how they are meeting the required canopy coverage of 30% or 41.2 acres.

In addition to the canopy coverage, there were several discussions during the committee meetings regarding the location of street trees throughout the site. Street trees are an essential form of infrastructure that reduce the impacts of stormwater and heat island effects, but can also act as a vertical edge and traffic calming element (A-DS5-2). As this is a new complete neighborhood, staff's preference is to locate these trees within the planting strip or commonly referred to as the utility strip. The applicant has indicated that they are agreeable to this option. As this area is a common area for the location of utilities, the placement of these trees and the utilities will need to be determined at the time of the final development plan. Other developments that have been constructed by the applicant have seen the instillation of utilities along the rear of properties, which would negate any negative impacts that root systems might have on utilities.

One major area of concern for staff was the use of cul-de-sacs located along the eastern portion of the site.



Per Development Criteria D-CO4-1: Dead-end streets and cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible. In working with the applicant since the committee meetings, the staff has stressed the need to provide pedestrian and vehicular movement through the portion of the site that is currently dedicated to the amenities and the apartments. Since those meetings the applicant has shown a connection between the two public road terminations, which allows for greater circulation throughout the subject property. However, these terminations act as a distinct delineation of between the portion the neighborhood that is comprised of the detached single family homes and the apartments. The Comprehensive Plan stresses the need for greater continuity and integration of different forms of housing, not just through context or architecture, but through integrated roadways that allow for proper circulation. The Multi-Family Design Standards stress this integration and go further to state that there is a need to connect to adjacent subdivisions and neighborhoods through an integrated street network (SP.10).

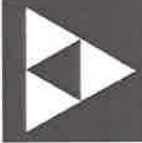
Following conversations with the applicant, staff is recommending that at the time of the final development plan, the applicant submit a waiver regarding the termination of a public street. This waiver will allow for the street to transition from the public roadway to an access easement that will both service the residents of the apartments, but will also act as a frontage drive for both the amenity space and the apartments. In association with this waiver and in an effort to create an internal frontage, that allows for safe movement from the multi-family development to the amenity space, the applicant should also remove the perpendicular parking (32 spaces) located along the access easement. This parking can be replaced with on-street parallel parking to offset the impacts of the loss of parking; however, the reduction of the parking would not lead to any issues with the parking requirements as the site is already well over parked, with 102 spaces greater than the required.

In addition to the cul-de-sac termination to be finalized at the time of the final development plan, there are various other development criteria the applicant has stated that they will work with staff at the time of the final development. This is specifically important for the review of Development Criteria A-DS3-1: Multi-family residential developments should comply with the Multi-Family Design Standards in Appendix 1. The applicant indicates that for many of the Standards they are interested in working with staff to comply with Development Criteria A-DS3-1 at the time of the final development plan. The below table indicates those Design Standards that shall be resolved at the time of final development plan.

Site Planning	Open Space	Architectural Design
SP-1	OS-1	AD-1
SP-7	OS-3	AD-2
SP-8	OS-4	AD-3
SP-9	OS-5	AD-4
SP-12	OS-6	AD-5
SP-17	OS-7	AD-6
	OS-8	AD-7
	OS-9	AD-8
	OS-10	AD-9
	OS-11	
	OS-12	
	OS-13	

With these aspects of the Comprehensive Plan to be resolved at the time of the final development plan, and with the information provided to staff and reflected in both this supplemental staff report and the original staff report, staff agrees that this application is in agreement with the 2018 Comprehensive Plan.

While the proposed rezoning is in agreement with the Comprehensive Plan, staff believes that is important to lessen the impact of a more intense, industrial development on the proposed lower intensity, residential



development. The staff recommends the use of Conditional Zoning Restrictions to limit the impact of the established industrial land uses located to the south of the subject property. This is particularly important as new residential development is constructed in areas that are predominantly industrial and have a high potential for the creation of nuisances (light, sound, air). Staff recommends the establishment of a 25 foot landscape buffer along the southern edge of the subject property that abuts industrial zoning. This buffer will include the normal property perimeter requirements, per Article 18-3(a)(1) of the Zoning Ordinance, but will also require the planting of double rows of trees from Group A or B only, which are staggered on center and spaced every 30 feet.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASON:



1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, prioritizing higher-density and a mixture of housing types (Theme A, Goal #1.b). The proposed development incorporates a mixture of housing types including 331 single-family lots, 63 townhomes, and 280 apartment units.
 - b. The proposed development will support Infill and Redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2) through the infill of a underutilized portion of land that currently acts as a golf course (Theme E, Goal #1.d).
 - c. The proposed rezoning will respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b), while also incorporating adequate greenspace and open space that would serve the needs of the intended population (Theme A, Goal #2.c).
 - d. The proposed development will provide a well designed neighborhood and community (Theme A, Goal #3) by providing connectivity to the residential neighborhoods that are currently under construction located to the north and expanding options for mixed type housing (Theme A, Goal #3.a).
 - e. The proposed rezoning will allow for positive and safe social interactions in neighborhoods (Theme A, Goal #3.b), by integrating new development with neighborhoods that are connected for pedestrians, while also providing a street alignment and road network will provide connection that will reduce police, EMS, and fire response times (Theme A, Goal #4.c).
 - f. Through the establishment of the shared-use trails, the proposed development will provide a people-first design that emphasizes accessible community facilities and promotes health, safety, and quality of life needs (Theme D, Goal #2).
 - g. The proposed development will protect and enhance natural and cultural resources by maintaining the historic structure on site as an amenity space for the potential residents. (Theme D, Goal #3.a).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that supports pedestrian mobility, while also providing cross access between different residential types.
 - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of enhanced pedestrian facilities along the single-loaded street, that provides safe and easy access to the greenway and open space. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment. The proposed development has also allowed for greater continuity of greenspace extending from the identified greenway into the open space associated with the apartments.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following buffering restriction is recommended via conditional zoning:
 - a. There shall be a 25 foot landscape buffer that will include a double rows of trees from Group A or B only, which are staggered on center and spaced every 30 feet along the southern property line, where adjacent to industrial zoned (I-1 or I-2) zoned land.
4. This recommendation is made subject to approval and certification of [PLN-MJDP-20-00027: Spring Lake](#), 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. **BALL HOMES LLC ZONING MAP AMENDMENT & SPRING LAKE ZONING DEVELOPMENT PLAN**

- a. PLN-MAR-20-00010: BALL HOMES, LLC (8/2/20)*- a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 138.20 net (143.01 gross) acres, for property located at 2300 Sandersville Road.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2018 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The applicant is seeking a zone change from the Agricultural Urban (A-U) zone to the Planned Neighborhood Residential (R-3) zone for the property located at 2300 Sandersville Road. The zone change application is seeking to construct a residential development that includes single family detached and attached homes, as well as apartment buildings.

The Zoning Committee Recommended: Postponement to the full Commission.

The Staff Recommends: Postponement, for the following reasons:

1. The zone change application for the subject properties, as proposed, does not completely address the Goals and Objectives of the 2018 Comprehensive Plan. The following Goals and Objectives require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. Theme A, Goal #2.b: Respect the context & design features of areas surrounding development projects & develop design standards & guidelines to ensure compatibility with existing urban form.
 - b. Theme A, Goal #2.c: Incorporate adequate greenspace and open space into all development projects, which serve the needs of the intended population.
 - c. Theme A, Goal #3.b: Strive for positive & safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians & various modes of transportation.
 - d. Theme A, Goal #3.d: Promote, maintain, and expand the urban forest throughout Lexington.
 - e. Theme E, Goal #1.b: Ensure all types of development are environmentally, economically, and socially sustainable to accommodate the future growth needs of all residents while safeguarding rural land.
 2. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the New Complete Neighborhood Place-Type, specifically the Medium Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
 - c. D-CO4-1: Dead-end streets and cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
 - d. D-CO5-1: Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
 - e. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
- b. PLN-MJDP-20-00027: SPRING LAKE (8/2/20)* - located at 2300 SANDERSVILLE RD., LEXINGTON, KY.
Project Contact: EA Partners

Note: The purpose of this development plan is to rezone the property.

The Subdivision Committee Recommended: Postponement, due to the number of conditions.

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Denote location of springs.
8. Denote: Treatment of springs shall be determined at time of Preliminary Subdivision Plan/Final Development Plan.
9. Discuss road improvements for Greendale Road and Sandersville Road.
10. Discuss treatment of stonewall.
11. Discuss odd geometry of Lot 237.
12. Discuss enhanced landscaping adjacent to railroad.

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

13. Discuss proposed parking area adjacent to Lots 95 and 96.
14. Discuss extending pedestrian system to townhouses on Lot 332.
15. Discuss location of multi-family housing and roadway capacity.
16. Discuss greenway use and dedication.
17. Discuss traffic calming.
18. Discuss location of possible neighborhood park per Parks and Recreation Master Plan.
19. Discuss Placebuilder criteria:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
 - c. D-CO4-1: Dead-end streets and cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
 - d. D-CO5-1: Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
 - e. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.

Staff Zoning Presentation – Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property, a golf course and clubhouse, and aerial photographs of the general area. He said the applicant is proposing this zone change to develop a residential neighborhood that will be comprised of 330 single-family detached homes, 65 single family attached homes, and ten apartment buildings containing 280 apartments. The proposed residential density for the site is 4.88 dwelling units per net acre. To complete the proposed development, the applicant is seeking to construct a roadway system with two main access points, one located on Greendale Road and one located on Sandersville Road opposite Calendula Road, an entrance to a new neighborhood on the north side of Sandersville Road, which is the Hillenmeyer Property. The main roadway extending from Greendale Road is proposed to be single-loaded with the residential development located on the roadway's southern edge and a large greenway along the roadway's northern edge. The proposed apartments and associated amenities are located along the eastern edge of the subject property, bordering the Norfolk Southern Railroad.

Mr. Baillie said that subject property is mostly surrounded by industrial zoning, with some residential currently being constructed to the north. He said that there is a High-Density Residential (R-4) zone, to the immediate north, which is currently occupied by two single-family house. He said that the applicant initially utilized the appropriateness versus inappropriateness within their letter of justification, which the staff did not support. He displayed the aerial and said that the applicant is seeking to utilize the existing golf pathways on the subject property for multi-use trails. There is also a historic structure, the golf clubhouse, which the applicant is seeking to maintain as an amenities space associated with this development. He also pointed to a stream that travels through this site and empties into three ponds, which are associated with an extensive floodplain.

Mr. Baillie identified a UPS shipping center within the nearby industrial uses. He said that with a residential use moving into an industrial area, that necessitates more discussion as to how the area is being developed, making sure appropriate buffers are being applied between the zones. There have been individuals move into areas and being unhappy with industrial uses nearby.

Mr. Baillie said that the applicant chose the New Complete Neighborhood Place-Type and that they are proposing both a Low Density Residential Development Type and a Medium Density Residential Development Type, which will be more of the multi-family areas and closer to the railroad. These development types recommended the R-3 zone. He displayed the development plan and said that the applicant is trying to enhance the greenway and utilize the open features of the stream and pond area. He also pointed to the proposed location of the single family residential and the medium density residential areas. He said that the staff had concerns with some of the applicant's parking locations and the connections between the two development types. He said that on the revised development plan, the applicant has relocated their parking to the rear of the buildings, which will buffer between the buildings and the railroad. He said they also moved their open space in front of those buildings, which allowed the applicant to create a large green space area along the roadway. The staff was also concerned with the connectivity between the single-family homes. The staff wants the multifamily to be part of a neighborhood and not separate from a neighborhood. He said that the applicant stated in their justification that they will seek to work with staff at a greater level at the time of the Final Development plan. They have indicated various multifamily design standards, which all are being met, and are as follows:

Site Planning	Open Space	Architectural Design
SP-1	OS-1	AD-1
SP-7	OS-3	AD-2
SP-8	OS-4	AD-3
SP-9	OS-5	AD-4
SP-12	OS-6	AD-5
SP-17	OS-7	AD-6
	OS-8	AD-7
	OS-9	AD-8

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	OS-10	AD-9
	OS-11	
	OS-12	
	OS-13	

Mr. Baillie said that there has also been discussions regarding trying to integrate the current road systems to create a frontage-like system while retaining an access easement in front of the apartment complex. He said that the staff recommends the use of a waiver so that the road could be streamlined, and reduce the use of cul-de-sacs in two locations. With that waiver, the staff is recommending the removal of 32 perpendicular parking spaces, but adding them as parallel spaces. He added that this site is over their parking requirements by 102 spaces.

He said that the staff is recommending approval of this zone change for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed rezoning will expand housing choice (Theme A, Goal #1) by accommodating the demand for housing in Lexington responsibly, prioritizing higher-density and a mixture of housing types (Theme A, Goal #1.b). The proposed development incorporates a mixture of housing types including 331 single-family lots, 63 townhomes, and 280 apartment units.
 - b. The proposed development will support Infill and Redevelopment throughout the Urban Services Area as a strategic component of growth (Theme A, Goal #2) through the infill of an underutilized portion of land that currently acts as a golf course (Theme E, Goal #1.d).
 - c. The proposed rezoning will respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form (Theme A, Goal #2.b), while also incorporating adequate greenspace and open space that would serve the needs of the intended population (Theme A, Goal #2.c).
 - d. The proposed development will provide a well-designed neighborhood and community (Theme A, Goal #3) by providing connectivity to the residential neighborhoods that are currently under construction located to the north and expanding options for mixed type housing (Theme A, Goal #3.a).
 - e. The proposed rezoning will allow for positive and safe social interactions in neighborhoods (Theme A, Goal #3.b), by integrating new development with neighborhoods that are connected for pedestrians, while also providing a street alignment and road network will provide connection that will reduce police, EMS, and fire response times (Theme A, Goal #4.c).
 - f. Through the establishment of the shared-use trails, the proposed development will provide a people-first design that emphasizes accessible community facilities and promotes health, safety, and quality of life needs (Theme D, Goal #2).
 - g. The proposed development will protect and enhance natural and cultural resources by maintaining the historic structure on site as an amenity space for the potential residents. (Theme D, Goal #3.a).
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that supports pedestrian mobility, while also providing cross access between different residential types.
 - b. The proposed rezoning includes safe facilities for the potential users, through the incorporation of enhanced pedestrian facilities along the single-loaded street, that provides safe and easy access to the greenway and open space. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, and limits the impacts on the surrounding environment. The proposed development has also allowed for greater continuity of greenspace extending from the identified greenway into the open space associated with the apartments.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following buffering restriction is recommended via conditional zoning:
 - a. There shall be a 25 foot landscape buffer that will include a double rows of trees from Group A or B only, which are staggered on center and spaced every 30 feet along the southern property line, where adjacent to industrial zoned (I-1 or I-2) zoned land.
4. This recommendation is made subject to approval and certification of PLN-MJDP-20-00027: Spring Lake, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Commission Questions – Mr. Nicol asked what the number of dwelling units per acre is. Mr. Baillie said that this development is 4.88 dwelling units per acre, which is considered as low, because of the large open space area. He said that the staff has discussed with the applicant about how to add dwelling units on the site, which will be considered at the time of the final development plan.

Development Plan Presentation - Mr. Martin presented the preliminary development plan associated with this zone change. He said that the applicant is proposing to develop 143 acres of land with 331 single-family lots, 63 townhouses, and a multifamily apartment complex with 504 bedrooms. He said that the transition of the roadway systems would allow for additional higher density

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development, which would require a waiver and could be determined at the time of the final development plan. He said that revised conditions were distributed to the Planning Commission, as follows:

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
- ~~7. Denote location of springs.~~
- ~~7.~~ 8. Denote: Treatment of springs shall be determined at time of Preliminary Subdivision Plan/Final Development Plan.
- ~~8.~~ 9. ~~Discuss~~ Denote ½ road improvements per the requirements of the Land Subdivision Regulations for Greendale Road.
- ~~9.~~ 10. ~~Discuss~~ Denote treatment of stonewall.
10. 11. ~~Discuss~~ Denote odd geometry of Lot 237 shall be resolved at time of Preliminary Subdivision Plan/Final Development Plan.
- ~~11.~~ 12. ~~Discuss enhanced landscaping adjacent to railroad.~~ Denote that ½ section improvements for Sandersville Road shall be determined at time of Final Development Plan/Preliminary Subdivision Plan.
- ~~13.~~ 14. ~~Discuss proposed parking area adjacent to Lots 95 and 96.~~
12. 14. ~~Discuss~~ Denote that extending the pedestrian system to townhouses on Lot 332 shall be determined at time of Final Development Plan/Preliminary Subdivision Plan.
13. 15. ~~Discuss location of multi-family housing and roadway capacity.~~ Denote that the classification of the single-loaded street (collector or local) shall be determined at time of Final Development Plan/Preliminary Subdivision Plan.
- ~~16. Discuss greenway use and dedication.~~
- ~~17. Discuss traffic calming.~~
- ~~18. Discuss location of possible neighborhood park per Parks and Recreation Master Plan.~~
14. 19. Discuss Placebuilder criteria:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
 - b. A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
 - c. D-CO4-1: Dead-end streets and cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
 - d. D-CO5-1: Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
 - e. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.

Mr. Martin said that the staff had a concern with natural springs that are located on the property, which he pointed to on the development plan. These springs have been denoted and will be further discussed at the time of the final development plan. He said that the greenway is a FEMA floodplain and will be protected. Another concern was the road network, condition #8, is the ½ road improvements to full urban standards along Greendale Road. He said that along Sandersville Road, there is a stone wall/fence and a pedestrian system on the opposite side of the roadway. The applicant may take the same approach on this property to protect the stone wall, which is condition #9. He said that the infrastructure and the local streets will be constructed off of the Preliminary Subdivision Plan and the Final Development Plan. He said in regards to condition #12, the staff would like a more integrated pedestrian system connecting the townhomes with the rest of the system. Condition #13, the staff agrees with the single loaded street, but multifamily developments are required to access a collector street and not a local street. He said that the staff believes that the single loaded street should be a collector street. He added that collector streets have requirements for traffic calming.

Traffic Impact Study – Mr. Emmons presented the traffic impact study and said that this proposed development would generate approximately 300 trips exiting in the morning and approximately 300 trips entering in the evening peak times. The study reviewed existing intersections, Greendale Road and Sandersville Road and the proposed access points for this development. He said that the staff has concerns with the large amount of traffic currently on Greendale Road. He said that the staff agrees with the two access points that the applicant is proposing. He said that the staff recommended the road improvements along Greendale and Sandersville Road and to denote on the development plan that at the time of the Preliminary Subdivision or Final Development Plan that the developer will coordinate with the division of Traffic Engineering and the Bicycle/Pedestrian Planner and other necessary entities to further evaluate potential safety improvements, especially for pedestrians and bicycles.

Commission Questions – Mr. Bell asked where Sandersville Road and Greendale Road feed onto. Mr. Emmons said that Sandersville Road feeds into Georgetown Road and Greendale Road feeds into Citation Blvd or Leestown Road. Mr. Bell then asked if there is a concern of impact on those roads. Mr. Emmons said that the staff agrees that the increased traffic generated will not make much of an impact on those roadways.

Ms. Plumlee said the staff report states that Greendale Road and Sandersville road are classified as urban-collector roadways, although they have not been upgraded to function in that manner along this property and asked if they have been upgraded at all.

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Mr. Emmons said the staff has recommended that the applicant upgrade these streets per the Land Subdivision regulations, along their frontage, which is one of the development plan conditions.

Applicant Presentation - Mr. Nick Nicholson, attorney; Buddy Goodwin; Ball Homes; Al Gross and Rory Kahly, EA Partners, were present. Mr. Nicholson said this proposal is to rezone 138 acres to develop a new complete neighborhood with a blend of low-density and medium-density residential development. He presented an aerial photo and said that this area has become more residential over the past decade. He said that this development comprises 331 single-family lots, 63 townhomes, and 280 apartment units. This area has a significant neighborhood focal point with the single-loaded street and the open area. He said that the Spring Valley Clubhouse, built in 1937, is being preserved as an amenity for this development. He said that the single-family lots have been interspersed with townhomes in order to take advantage of the floodplain.

Mr. Nicholson said that they are in agreement with the 2018 Comprehensive Plan and believe that the proposed zone will allow for a development to activate a large tract of underutilized agricultural land, which is located within the Urban Service Area. This development will be constructed at the appropriate density level to remain consistent with the nearby neighborhoods, as well as, give the density that the community needs. He said that this property is surrounded mostly by residential zoning. He said in regards to the Goals and Objectives of the Comprehensive Plan, this development is adding much needed density and housing types. This is an infill and redevelopment project and not harming the rural focus of the area. He said that they are focusing on the entry-way and open space area and natural buffers. He said that there are industrial uses in the area and wants to make sure that they all can coexist moving forward. He added that the development is also upholding the Urban Service Area concept by activating large undeveloped land.

In regards to the Design Policies, Mr. Nicholson said that they are utilizing people-first development, ensuring proper road connections and providing pedestrian-friendly street patterns while allowing them to be multi-modal. He said that there is a greenway crossing at the entrance to the development that extends to the multi-family area. In regards to the multi-family design standards, he believes that they are in compliance with the guidelines. However, they will continue to work with the design of the area. In regards to the greenspace, they are providing more than adequate greenspace for neighborhoods. He believes that this is a very well-designed area and upholds the Urban Service Area preservation strategy and is in compliance with the Comprehensive Plan. He also added that the existing zoning is inappropriate and the proposed zoning is appropriate in his opinion.

Mr. Nicholson said in regards to the staff's recommended conditions #8 and #11 for the development plan, they would like for that to occur at the time of the final development plan. He believes that both roads should be treated in the same manner and be discussed further. He also asked if the conditional zoning restrictions could be resolved at the time of the Final Development Plan. He said that at this time, they are uncertain of the types of trees that can be added to the existing property, particularly along the southeast boundary. There is also a 100-foot utility easement that runs along the southwest property line and planting is discouraged in any easements. There is a stone fence in one of these areas, which would mean it would have to be covered. He said that they are willing to discuss how the properties interact and what types of landscaping should be planted.

Commission Questions – Ms. Plumlee asked if there are two access points for this development. Mr. Nicholson confirmed. Ms. Plumlee then expressed concern about the roads with 400 vehicles traveling on them. Mr. Nicholson said that ½ road improvements are basically improving the roadway with curb and gutter and sidewalks. He would like to have that discussion at the time of the Final Development Plan.

Mr. Penn said that he is impressed by the applicant and the staff with the improvements that have been made thus far on this application. He asked if this development will be phased over the several years. Mr. Nicholson said that it will be a phased development, similar to Blackford and Hillenmeyer developments and should take at least 3-5 years. Mr. Penn also expressed concern about future traffic. He then asked if they have been in contact with the local businesses, since this is a residential development moving into an already established industrial area. Mr. Nicholson said that he has been in contact with UPS and Baumann Paper, Co., and is more than willing to continue to work them to make sure that the proper screening goes into the proper locations. He said that there are different issues at different locations, therefore he doesn't believe that the entire southern boundary can be treated the same. He added that the traffic impact study was completed prior to Sandersville Road connecting to Citation Blvd., which that intersection could make a major impact on the flow of traffic.

Citizens in Opposition – Jeff McKenzie, attorney representing UPS, said that they have been in conversation with Mr. Nicholson. He believes that there are some issues that have not been resolved and asked if this could be deferred longer. He said that they are concerned with the limited public discussions, the manner of the way the meeting is being held, and lack of time to respond to the materials that they just received on Monday. He added that there is a concern with the existing traffic on Greendale Road and loading more onto that. He said that the provisions of the Comprehensive Plan that have been cited don't reflect those that advance the industrial uses. He said that the transition from industrial to residential along the single family boundary is not common as it is along multifamily uses. He said that UPS is a 24 hour, 7 days a week employer and would like to limit the conflict between these uses as much as possible. He requested a 25-foot setback and tree boundary (exhibit) and made it known that there will be lights and noise from the UPS property. He asked the Planning Commission to postpone for more discussion.

Mr. Brandon Gross, attorney representing Baumann Paper, Co., said there are industrial uses on three sides of this proposed development. He said that their hours of operation are 4:00 a.m. to 7:00 p.m. They are currently seeking to expand their business. He also stated that there has been a failure of public engagement and communication to address concerns. He said that the applicant didn't have a pre-filing meeting with the neighbors. The applicant didn't present this to the committees Commission's and uploaded the recent materials on Monday for today's hearing. He said that it is unfair for the public to express their concerns when they get materials the day of the meeting. He believes that this lack of engagement is a violation of the Comprehensive Plan. He said that this proposal also violates the rights of industrial land users, which the Comprehensive Plan states to promote and preserve. It says that residential uses should not encroach on industrial land uses and that they are incompatible with each other. He said that the transitions and buffering are not noted on the development plan and there hasn't been any resolution with them on that. He added that he would like to see industrial use on this property. He asked the Planning Commission for a continuance of this hearing so that some of these concerns can be resolved.

Kerry Cauthin, property owner of 2370 Sandersville Road, said that he supports that this proposal is residential. He said Mr. Nicholson told him that this would be postponed, and then there had been an agreement reached between him and Ball Homes, and that this proposal was being heard today. He said that the Ball Homes community has contacted him directly and they said that they would meet the screening requests. They also want small purchases of small parcels near their property in order to buffer them.

Applicant Rebuttal – Mr. Nicholson said that this was what he expected in his preliminary presentation. He believes that all of these concerns are items that can be resolved at the time of the Final Development Plan. He said in regards to the failure of public engagement, letters were mailed out prior to the filing of this application, on April 30, 2020. He added that he had been speaking with these two attorneys since then. He said that postponing this application at this time is not necessary. There has been a lot of work completed already. The changes that were made and submitted on Monday were all internal to the site and don't impact the southern property line.

Commission Questions – Mr. Nicol asked if the applicant agrees with the staff's conditional zoning recommendation. Mr. Nicholson said that they do not believe that it needs to be a conditional zoning restriction because it would conflict with many different things. The southern boundary is very difficult, there is a very large utility easement. He asked if it could be resolved at the time of the Final Development Plan. Mr. Nicol said that this seems to be Mr. Gross's major concern.

Mr. Fred Baumann, Baumann Paper Co., said that he would like a buffer or fence installed. He also said that traffic on Greendale Road is already an issue.

Mr. McKenzie said that more discussion could resolve their concerns, such as the fence, the utility easement and safety.

Mr. Gross said that appropriate buffering and transitioning needs to be adopted prior to approving the residential property next to the existing industrial uses. He is also asking for more time to discuss these buffering concerns. He said that currently, the apartment building could be constructed 10 feet from the property boundary.

Ms. Marlee Baumann, Baumann Paper Co. said in regards to the miscommunication of notification, that and many other neighbors didn't receive notification. She asked for a postponement due to lack of information.

Staff Rebuttal – Mr. Baillie clarified that there is a buffering requirement with all zone-to-zone screening, which the staff believes that the increase of that buffer and the increase of establishment of trees is essential to buffer these two different uses. The staff believes that the 25-foot buffer is adequate for the applicant to plant those trees within it, without effecting the stone fence. He said that notice for this public hearing was sent out on May 25, 2020, and the applicant decided to be heard today, due to COVID-19. He said that the original staff reports outlines all of the staff's concerns and the supplemental staff report is based on what the applicant has responded to from the first report. He added that much of this site will not be governed by a Final Development Plan, the single-family detached residences would be presented to the Planning Commission as a Preliminary Subdivision and then a Final Record Plat, which could lead to some discontinuity to resolving items at the time of the final development plan or preliminary subdivision plan; that is why the staff is recommending the conditional zoning restriction.

Commission Questions – Ms. Plumlee asked if the Planning Commission has the authority to increase buffers, at the time of the Planning Commission hearing. Mr. Baillie affirmed and said that the Planning Commission has the ability to add increased buffering where they see there could be an incompatibility between different land uses. In this case, the residential zone is coming into the industrial zoning, so that the residential zoning would need to comply with the Article 18 requirements. However, that requirement could be extended or expanded.

Mr. Nicol asked for clarification that the staff is recommending a conditional zoning restriction. Mr. Baillie said that the staff is recommending a 25-foot buffering area with trees staggered off-center at 30-foot intervals.

Note: Ms. Plumlee left the meeting at 8:00 p.m.

Mr. Bell asked for clarification of conditions #8 and #11, that the applicant would like to change from "denote" to "resolve." Mr. Martin said that the staff is not entirely in opposition of resolving these at a later date. However, the staff feels very strongly that Greendale Road needs to be upgraded to an Urban Collector street. Mr. Bell then asked if that could be decided upon at the time of the Final Development Plan. Mr. Martin said that it will need to be on both, the final development plan or preliminary subdivision plan, because this is a land subdivision regulation requirement. Mr. Bell asked that this will be before them again. Mr. Martin affirmed. Mr. Nicholson said he stated at the time of the Final Development Plan because that was the same language used on condition #11. If staff would like that to state at the time of the Final Development or the Preliminary Subdivision Plan, they are in agreement to that. Mr. Emmons said that this depends on the starting point of this development. He said that the Subdivision Regulations states that the developer will do these improvements. He said that with experience in this area, he recognizes that there may be some waivers needed in the future. He suggested that the applicant depict the required improvements with an asterisk note stating that "at the time of the Final Development or Preliminary Subdivision Plan that it will be revisited." He said that the staff is already recommending an internal street Land Subdivision Regulation waiver.

Mr. Penn reminded the Commission that this is a zone change, which means the Commission must decide should this land be R-3 zoned land or industrial zoned land. If this area isn't developed as residential, it could be developed as industrial. He believes that staff's recommendation for conditional zoning needs to remain with the zone change. Mr. Nicholson said that the conditional zoning restrictions as proposed will have some unintended consequences. He said that this needs to be looked at closer because trees can't be planted under the utility lines. Mr. Penn said that he believes that these concerns can be worked out, but the comments from the neighbors are already happening. Mr. Nicholson said that the buffering will be applied to the areas with industrial neighbors, but there are other areas that he doesn't want it.

Ms. Meyer asked what will be the timeline for the roadway improvements along Greendale Road. Mr. Emmons said that they should be concurrent with the construction of the development. During the improvement plan process, they submit their plans as they are constructing their internal, local roads.

Commission Discussion – Mr. Nicol asked Mr. Penn if he thinks it would be appropriate to make a decision on the zone change and then move forward to the preliminary development plan. Mr. Penn said that he believes that the zone change is more important than the development plan. The development plan will be seen again. He understands the applicant's conditional zoning concerns, but he is trying to ease the concerns of the adjacent industrial uses.

Mr. Bell said that Mr. Nicholson stated on the record that the conditional zoning restrictions locks him in to something that could be better.

Mr. Penn said that he believes that the staff is recommending them for a reason and Mr. Nicholson's concerns can be addressed as they come along. He said that it could be a different plan if the conditional zoning restrictions are removed.

Zoning Action – A motion was made by Mr. Penn, seconded by Mr. Nicol, and carried 6-0 (de Movellan, Plumlee, Pohl, and Wilson absent) to approve PLN-MAR-20-00010: BALL HOMES, LLC, for the reasons provided by the staff including the conditional zoning restrictions.

Development Plan Action – A motion was made by Mr. Penn, seconded by Mr. Nicol, and carried 6-0 (de Movellan, Plumlee, Pohl, and Wilson absent) to approve PLN-MJDP-20-00027: SPRING LAKE, for the revised recommendations presented by the staff and changing condition #8 and 11, and adding condition #14.

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Denote: Treatment of springs shall be determined at time of Preliminary Subdivision Plan/Final Development Plan.
8. ~~Resolve~~ ~~Denote~~ ½ road improvements per the requirements of the Land Subdivision Regulations for Greendale Road.
9. Denote treatment of stonewall.
10. Denote odd geometry of Lot 237 shall be resolved at time of Preliminary Subdivision Plan/Final Development Plan.
11. Resolve ~~Denote~~ that ½ section improvements for Sandersville Road shall be determined at time of Final Development Plan/Preliminary Subdivision Plan.
12. Denote that extending the pedestrian system to townhouses on Lot 332 shall be determined at time of Final Development Plan/Preliminary Subdivision Plan.
13. Denote that the classification of the single-loaded street (collector or local) shall be determined at time of Final Development Plan/Preliminary Subdivision Plan.
14. Discuss Placebuilder criteria:
 - a. A-DS3-1: Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.

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Minutes
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- b. A-DS7-1: Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
 - c. D-CO4-1: Dead-end streets and cul-de-sacs should be discouraged except where connections are not topographically or environmentally feasible.
 - d. D-CO5-1: Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
 - e. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
15. Denote railroad underpass will be considered for safety improvement at the time of the Final development Plan.

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LEGAL DESCRIPTION
HI ACRES DEVELOPMENT COMPANY INC.
SPRING VALLEY GOLF COURSE
Zone Change From A-U to R-3
2300 Sandersville Road
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED SOUTH OF AND ADJACENT TO SANDERSVILLE ROAD BETWEEN GREENDALE ROAD AND THE NORFOLK SOUTHERN RAILROAD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT A POINT in the centerline intersection of Greendale Road and Sandersville Road; thence with the centerline of Sandersville Road for the following two calls: 212.69 feet along a curve to left having a radius of 450.00 feet and a chord which bears South 77 Degrees 25 Minutes 19 Seconds East a distance of 210.72 feet to a point; thence North 89 Degrees 02 Minutes 15 Seconds East a distance of 1742.50 feet to a point in the extended western property line of Cbrothers, LLC; thence with Cbrothers, LLC for the following six (6) calls: South 12 Degrees 38 Minutes 47 Seconds East a distance of 250.76 feet to a point; thence South 70 Degrees 42 Minutes 46 Seconds East a distance of 197.38 feet to a point; thence North 75 Degrees 14 Minutes 01 Seconds East a distance of 224.84 feet to a point; thence South 82 Degrees 21 Minutes 59 Seconds East a distance of 294.27 feet to a point; thence South 07 Degrees 45 Minutes 25 Seconds West a distance of 52.87 feet to a point; thence South 82 Degrees 26 Minutes 10 Seconds East a distance of 312.84 feet to a point in the eastern line of Gary Milton Bunch; thence with Bunch North 11 Degrees 26 Minutes 55 Seconds East a distance of 330.86 feet to a point in the centerline of Sandersville Road; thence the centerline of Sandersville Road South 84 Degrees 06 Minutes 39 Seconds East a distance of 309.28 feet to a point in the centerline of the Norfolk Southern Railroad; thence with the centerline of the Norfolk Southern Railroad the for the following two (2) calls; South 13 Degrees 11 Minutes 07 Seconds East a distance of 1367.93 feet to a point; thence 1104.65 feet along a curve to the right having a radius of 5729.58 feet and a chord which bears South 07 Degrees 31 Minutes 40 Seconds East a distance of 1102.94 feet to a point in the extended northern property line of Kentucky Utilities Company Inc.; thence with said northern line North 56 Degrees 14 Minutes 56 Minutes West a distance of 1047.67 feet to a point in the northern line of Baumann Paper Company Inc.; thence with said northern line North 57 Degrees 40 Minutes 55 Seconds West a distance of 372.49

feet to a point in the northern line of Dixie Consumer Products, LLC; thence with said north line for the following two (2) calls: North 59 Degrees 21 Minutes 21 Seconds West a distance of 529.21 feet to a point; thence South 64 Degrees 48 Minutes 05 Seconds a distance of 875.32 feet to a point; thence South 83 Degrees 54 Minutes 31 Seconds West a distance of 685.11 feet to a point in the western line of BT OH, LLC; thence with BT OH, LLC for the following two (2) calls: North 04 Degrees 14 Minutes 28 Seconds West a distance of 672.92 feet to a point; thence South 89 Degrees 10 Minutes 58 Seconds West a distance of 1240.91 feet to a point in the centerline of Greendale Road; thence with the Centerline of Greendale Road North 24 Degrees 13 Minutes 28 Seconds East a distance of 1398.83 feet to the **POINT OF BEGINNING** and containing 143.01 acres gross and 138.20 acres net.