

ORDINANCE NO. 049- 2025

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE-FAMILY RESIDENTIAL (R-1A) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 11.587 NET (11.924 GROSS) ACRES FOR PROPERTY LOCATED AT 1899 PARKERS MILL ROAD.

WHEREAS, at a Public Hearing held on May 22, 2025, a petition for a zoning ordinance map amendment for property located at 1899 Parkers Mill Road from a Single Family Residential (R-1A) zone to a Planned Neighborhood Residential (R-3) zone, for 11.587 net (11.924 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 10-1; and

WHEREAS, the Urban County Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 1899 Parkers Mill Road from a Single Family Residential (R-1A) zone to a Planned Neighborhood Residential (R-3) zone, for 11.587 net (11.924 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

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

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

PASSED URBAN COUNTY COUNCIL: July 1, 2025



MAYOR

ATTEST:



CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: July 11, 2025-1t

0620-25:TWJ:4899-5282-4654, v. 1

Rec'd by _____

Date: _____

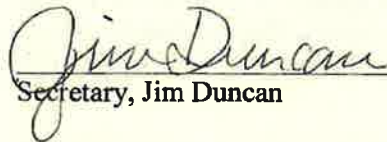
RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: PLN-MAR-24-00017: ROSE HOLDINGS-LEXINGTON, LLC – a petition for a zone map amendment from a Single Family Residential (R-1A) zone to a Planned Neighborhood Residential (R-3) zone, for 11.587 net (11.924 gross) acres for property located at 1899 Parkers Mill Road. (Council District 10)

Having considered the above matter on **May 22, 2025**, at a Public Hearing, and having voted **10-1** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. The proposed Planned Neighborhood Residential (R-3) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will help meet an increase in the demand for housing. (Theme A, Goal #1.b; Theme A, Goal #2.a).
 - b. The request will minimize the disruption of the environmentally sensitive areas by preserving the existing spring and floodplain areas (Theme A, Goal #3.a and #3.c).
 - c. The request will respect the surrounding single-family context while improving the density present on the site (Theme A, Goal #2.b).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan, for the following reasons:
 - a. The request conserves and protective environmentally sensitive greenways and wetlands (Theme B, Protection Policy #2).
 - b. The proposal will increase residential density while being sensitive to the surrounding single-family context (Theme A, Design Policy #4).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets criteria for Land Use, as the request increases density by increasing the number of dwelling units present on the property (A-DN2-1), and the applicant conducted several stakeholder meetings with the surrounding neighborhoods to discuss the proposal (D-PL7-1).
 - b. The proposed rezoning meets criteria for Transportation, Connectivity, and Walkability, as the proposed development provides sidewalk facilities that are not currently present (DCO2-1), and proposes to connect to the future pedestrian improvements along Parkers Mill Road (A-DS4-1).
 - c. The request meets the majority of the criteria for Environmental Sustainability and Resiliency, as the request will minimize its impact and protects environmentally sensitive areas (B-PR-2-1) through
 - d. The addition of a vegetative buffer around the floodplain (B-RE5-2), minimizing grading (B-PR9-1), and meeting the minimum tree canopy coverage (D-SP10-1).
 - e. The proposal meets applicable criteria for Site Design, as the development will provide open space incorporated into the development (A-DS9-2).
 - f. The plan meets the majority of the criteria for Building Form, as the proposed development is in keeping with the scale, massing, and design as other existing residential development in the vicinity (A-DN2-2; A-DS4-2).
4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00081:LANE ALLEN PARK (LOTS 2 AND 3) prior to forwarding a recommendation to the Urban County

Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

 by Traci Wade LARRY FORESTER
Secretary, Jim Duncan CHAIR

KRS 100.211(7) requires that the Council take action on this request by August 20, 2025.

Note: The corollary development plan, PLN-MJDP-24-00081: LANE ALLEN PARK, LOTS 2 & 3 was approved by the Planning Commission on May 22, 2025, and certified on June 5, 2025.

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

OBJECTORS

- Peter Ecabert, attorney for a resident
- Carin Lovell, 1280 Colonial Drive

OBJECTIONS

- Stated his client's concern regarding traffic on Parkers Mill Road and asked for a postponement to review Mr. Simpson's filings.
- Stated that she was against this proposal and alleged that the applicant had not told them correct information and that the applicant was going to take out another significant tree on the property.

VOTES WERE AS FOLLOWS:

AYES:	(10)	Barksdale, J. Davis, Z. Davis, Forester, Michler, Nicol, Owens, Penn, Wilson, and Worth
NAYS:	(1)	M. Davis
ABSENT:	(0)	
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-24-00017** carried.

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

MAP AMENDMENT REQUEST (MAR) APPLICATION

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

Applicant: ROSE HOLDINGS LEXINGTON LLC, 326 S BROADWAY, LEXINGTON, KY 40508
Owner(s): ROSE HOLDINGS LEXINGTON LLC 326 S BROADWAY LEXINGTON KY 40508
Attorney: Bruce Simpson, 3340 Malone Drive, Lexington, KY 40513

2. ADDRESS OF APPLICANT'S PROPERTY

1899 PARKERS MILL RD LEXINGTON KY 40504

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross

4. EXISTING CONDITIONS

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

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

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



BRUCE SIMPSON LAW PLLC

T. Bruce Simpson
859-229-3436
bruce@bsimpsonlaw.com

October 7, 2024

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

Re: Zone Map Amendment Request for 1899 Parkers Mill Road property, from R-1A (Single Family Residential one-acre minimum lots size) to R-3 (Planned Neighborhood Residential) with Conditional zoning provisions.

Dear Members of the Planning Commission:

On behalf of Rose Holdings - Lexington, LLC, I am pleased to offer this zone map amendment application for the 1899 Parkers Mill Road property. The current zoning for this property is R-1A (Single Family Residential with One Acre Minimum Sized Lots). The subject property could be developed without a zone change for seven one-acre lots. The proposed zoning is for R-3 (Planned Neighborhood Residential) for twenty-six single-family lots ranging in size from .23 an acre to .57 an acre. This is a proposed 357% increase in density over the existing zoning. The subject property consists of 11.9 acres. The subject property is bordered to the south, west, and north, in part with single-family homes zoned R-1B, which requires minimum lot sizes of 15,000 square feet. The subject property is bordered, in part, to the north by St. Raphael Episcopal Church. The subject property is bordered to the east by a single-family neighborhood zoned R-1C, but the homes consist of large lots approximately the same size as the lots in the proposed development.

The proposed development will be limited, via conditional zoning, to twenty-six single-family lots. Additionally, to ensure compatibility with the homes in the surrounding neighborhoods, the subject property will be deed-restricted to match or exceed the requirements of the deed restrictions of the surrounding neighborhood properties. This is all done to create a compatible single-family neighborhood, which has developed over the last 60 years. The existing neighborhood residents and neighborhood associations have been primarily responsible for the character of the area as it exists today, having taken part in several zone map amendment requests and land use proposals since the early 1990s. Indeed, this zone map amendment request aims to fill in the small amount of undeveloped land in the middle of these neighborhoods with a compatible neighborhood.

We met with the neighborhoods before filing this zone map amendment request. The planning staff also attended this meeting and gave a presentation. We also had a separate meeting with neighborhood leaders. The neighbors expressed concern about (1.) the proposed density of the proposed development and as its traffic impact on Parkers Mill Road, (2.) impact of stormwater from the proposed development on existing stormwater problems in the area, and (3) pedestrian

safety. Parkers Mill Road is a busy two-lane state road that is not planned for any improvement in the foreseeable future. This must be considered when approving any new development that adjoins Parkers Mill Road. Our proposed development design provides the appropriate density given the existing roadway conditions and the density of the surrounding neighborhoods. The applicant will also provide extraordinary stormwater management improvements, which will detain the stormwater discharging from the subject property much longer than the minimum required by the existing regulatory standards. We will share the details of these improvements during the public hearing. These stormwater management improvements will significantly mitigate the stormwater problems that homes located downstream from the subject property have been experiencing for decades because of the stormwater flowing through and from the subject property.

Access to the subject property will be from Parkers Mill Road via a signalized intersection at the intersection of Lane Allen Road and Parkers Mill. There are no stub-street connections to any of the nearby neighborhoods. Given the small number of homes to be developed on the subject property, no traffic study is required. However, during the hearing, we will provide an update on the existing conditions of Parkers Mill Road and its traffic, along with proposed improvements for pedestrian safety at the Lane Allen Road and Parkers Mill Road intersection.

In light of the minor remnant parcel nature of the subject property, its adjacency to two-lane Parkers Mill Road, the low-density character nature of the surrounding neighborhood, and the existing stormwater problems in the area, which will be improved with this development, the proposed application and accompanying preliminary development plan comply with the following provisions of the Comprehensive Plan in the following respects:

BUILDING AND SUSTAINING SUCCESSFUL NEIGHBORHOODS

PILLAR 1: DESIGN

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

Design policy 2: Ensure proper road connections are in place to enhance service times & access to public safety, waste management and delivery services for all residents.

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

Design policy 5: Provide pedestrian-friendly street patterns & walkable blocks to create inviting streetscapes.

Design policy 8: Provide varied housing choices.

Design policy 9: Provide neighborhood-focused open spaces or parks within walking distance of residential uses. Cardinal Run Park is a 5-minute walk from the subject property.

THEME A GROWING AND SUSTAINING SUCCESSFUL NEIGHBORHOODS.

GOAL 1: EXPAND HOUSING CHOICES

OBJECTIVES: b. Accommodate the demand for housing in Lexington responsibly prioritizing higher- density and mixture of housing types.

GOAL 2: SUPPORT INFILL AND REDEVELOPMENT THROUGHOUT THE URBAN SERVICE AREAS AS STRATEGIC COMPONENT OF GROWTH.

OBJECTIVES: a. Identify areas of opportunity for infill, redevelopment, adaptive reuse and mixed- use development.

b. Respect the context and design features of areas surrounding development projects and develop design standards and guidelines to ensure compatibility with existing urban form.

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 through Lexington-Fayette County.

b. Strive for positive and safe social interactions in neighborhoods, including but not limited to neighborhoods that are connected to pedestrians and various modes of transportation.

c. Minimize disruption of natural features when building new communities.

d. Improve Lexington's transportation network through ample street and sidewalk connections between new and existing development.

GOAL 4: ADDRESS COMMUNITY FACILITIES AT A NEIGHBORHOOD SCALE.

OBJECTIVES: c. Establish and promote road network connections to reduce police, EMS, and fire response times and improve efficiency and operations of city services.

THEME B: PROTECTING THE ENVIRONMENT

GOAL 1: PROTECT WATER RESOURCES BY IMPROVING URBAN STORMWATER AND SANITARY SEWER INFRASTRUCTURE.

OBJECTIVES: a. Continue to implement sanitary sewer Consent Decree program

c. Retrofit stormwater infrastructure to improve water quantity and quality.

f. Ensure stormwater and sanitary sewer infrastructure is placed in the most efficient and effective locations to serve the intended purpose. (and downstream development)

THEME E. MAINTAINING A BALANCE BETWEEN PLANNING AND URBAN USES AND SAFEGUARDING RURAL LAND.

GOAL 1: UPHOLD THE URBAN SERVICE CONCEPT

OBJECTIVES: a. Preserve the Urban Service Boundary concept, which is the first of its kind in the United States and has been foundational in fiscally responsible planning and growth management in Lexington since 1958.

b. Ensure all types of development are environmentally, economically, and socially sustainable to accommodate residents' future needs while safeguarding rural land.

STANDARDS THAT ARE APPLICABLE WITH OUR PROPOSAL

B-PR9-1 Minimize grading and topsoil disturbance by utilizing the existing (Will be done as part of development process.)

topography to the greatest extent possible and preserving key natural features.

B-PR10-1 Development should avoid overlighting and upward directed lighting. (Will follow zoning ordinance. There will be minimal light disruption with this single-family home development.)

B-SU4-1 Development should minimize and/or mitigate impervious surfaces. (This low-density development and extra stormwater protection will improve the existing stormwater problems for downstream properties.)

B-SU5-1 Developments should incorporate energy efficient systems and renewable energy resources (i.e., wind, solar, etc.). (Not applicable)

B-SU9-1 Green Stormwater Infrastructure (GSI) should be implemented in new development. (This will occur.)

B-SU11-1 Development should incorporate low-impact landscaping and native plant species (This will occur.)

B-RE1-1 Developments should improve the tree canopy. (More trees than required will be added.)

B-RE2-1 Lexington's green infrastructure network, including parks, trails, greenways, or natural areas should be highly visible and accessible. (Cardinal Run Park is a 5-minute walk from the subject property)

B-RE5-1 Dividing floodplains into privately owned parcels with flood insurance should be avoided. (NA)

B-RE5-2 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. (NA)

B-RE5-3 Developments within the Royal Springs Aquifer should consult with the Royal Springs Water Supply Protection Committee. (NA)

D-SP10-1 Prioritize street trees in the planting strip (This will occur) SITE DESIGN

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

A-DS9-1 Development should provide active and engaging amenities within neighborhood focused open spaces. (NA)

A-DS9-2 Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities. (NA)

A-DQ9-1 School sites should be appropriately sized. (NA)

A-EQ9-2 Shared open spaces should be easily accessible and clearly delineated from private open spaces. (NA)

C-LI8-1 Development should enhance a well-connected and activated public. (This will occur per the development plan) realm.

Safe multi-modal facilities should be provided to ensure vehicular separation from bicycles, pedestrians, and other modes of transport. (There will be safe interior sidewalks and roadways for bicycles and pedestrians and sidewalks on Parkers Mill Road.

A-DS5-2 Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape. (This will occur)

A-DS10-1 New developments should incorporate clear and dedicated connections to nearby community anchors. (This will occur)

A-DS11-1 Street layouts should provide clear, visible access to neighborhood-focused open space and greenspaces (This will occur as reflected on the development plan)

A-DS13-1 Stub streets should be connected. (NA)

C-PS10-1 Flexible parking and shared parking arrangements should be utilized. (NA)

D-CO1-1 Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type. (NA)

D-CO2-1 Development should create and/or expand a connected multimodal transportation network that satisfies all users' needs.(This will occur.)

D-CO2-2 Development should comply with Lexington's Complete Streets Policy. (NA) D-

CO4-1 Dead-end streets and cul-de-sacs should be discouraged. (NA)

D-CO4-2 Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.(NA) There are only twenty-six homes.

D-CO4-3 Street pattern and design should consider site topography and minimize grading where possible.(This will occur per the development plan)

D-CO5-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. (This will occur per the development plan.)

ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site. (Extra stormwater improvements will be made)

B-PR2-2 Development should include regularly spaced access with an adequate width to the greenway network and conservation areas. (NA)

B-PR3-1 Minimize impact of development adjacent to land conservation properties through buffering. (This will occur)

B-PR7-1 Developments should be designed to minimize tree removal and to protect and preserve existing significant trees. (This will occur.)

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

A-D S9-1 Development should provide active and engaging amenities within neighborhood focused open spaces. (NA)

A-DS9-2 Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities. (Cardinal Run Park is a 5-minute walk)

A-EQ9-1 School sites should be appropriately sized.(NA)

A-E Q9-2 Shared open spaces should be easily accessible and clearly delineated from private open spaces.

C-LI8-1 Development should enhance a well-connected and activated public. (This will occur per the development plan)

Sincerely,

T. Bruce Simpson

T. Bruce Simpson

BRUCE SIMPSON LAW PLLC

T. Bruce Simpson
859-229-3436
bruce@bsimpsonlaw.com

May 20, 2025

Via Email

Mr. Larry Forester, Chair
Lexington Fayette Urban County Planning Commission
c/o Mr. Daniel Crum, Division of Planning
101 East Vine Street
Lexington, Kentucky 40507

**Re: Updated Justification on Zone Map Amendment Request for the
Property Located at 1899 Parkers Mill Road**

Dear Chairperson Forester and Members of the Planning Commission,

I am pleased to provide you with the updated justification for the zone map amendment request for the property located at 1899 Parkers Mill Road. Since filing this application in October 2024, we have made several changes to the proposed development plan and conducted extensive research on stormwater management, as well as identifying the existing floodplain on the subject property. All this research and changes in the development plan have been previously submitted to the Division of Engineering and the Division of Planning. We conducted this extraordinary due diligence because we were aware of the area's history of stormwater flooding, and we wanted to ensure that no properties downstream from the subject property would be protected.

CHANGES TO THE PRELIMINARY DEVELOPMENT PLAN As reflected in the filed development plan, the interior configuration of the development includes the street location, which has been changed along with the location of the houses. The adjacent neighbor and property owner, the St. Raphael Episcopal Church, has favorably received this change. The detention areas have been relocated and will incorporate standards exceeding the required levels for delaying the release of stormwater downstream. These stormwater management features will enhance the management of the subject property, which has lacked effective stormwater management for many years. The proposed stormwater management plan will discharge the water generated by the new development at a slower rate than currently exists for the subject property, which is primarily vacant land.

There are thirty-one lots depicted on the revised plan, comprising one detention/open space lot and thirty residential lots. However, at this time, only twenty-two lots are described as buildable, with the remaining proposed lots shown as non-buildable until the area of the floodplain boundaries may be changed via the amendment process. These changes resulted from the floodplain study. All these residential lots shall be restricted to single-family residential homes, and the density of the

proposed development shall be capped at 30 houses. This represents a slight increase of four houses from the original submittal. Additionally, a right-of-way shall be dedicated for the construction of any future expansion of Parkes Mill Road, including a sidewalk. Finally, enhanced safety access will be provided to the church for vehicles exiting its property onto Parkers Mill Road. The line-of-sight distance will be significantly improved from what it has historically been because of the fence being removed and the proposed houses being set back from Parker's Mill Road.

NEIGHBORHOOD ENGAGEMENT Two major neighborhood meetings have been held, at which property owners located within **2,000 feet** of the subject property were invited to attend. As you know, only property owners located within five hundred feet of the subject property must be notified of any zone map amendment request. There was a large attendance at both meetings, one of which was attended by the Planning staff. The first meeting was held during the summer of 2024, months before the zone change was filed, and the last one was held on Monday, May 19th. Additionally, ongoing discussions have been held with the church's legal representative and its environmental consultant. At the outset of these meetings with the church and its representatives, the applicant's engineer was given free and unfettered access to all plans, research, and data, without the need to coordinate such inquiries through underwritten counsel. The applicant pledged complete transparency with all its information to the church's representatives and the entire surrounding neighborhood.

The neighbors expressed concerns about the requested zone change to R-3 zoning because this zone would allow for higher density than the proposed single-family houses. The residents complained about the amount of traffic on Parkers Mill Road and its narrow width. They expressed serious objections to increasing density on the subject property due to the public safety issues associated with Parkers Mill Road. The residents also expressed concern about stormwater management.

REMOVAL OF THE HOMEPLACE As has been previously explained and discussed at several meetings of the Planning Commission's Subdivision and Zoning Committees, the original house on the subject property was removed. The house was in such poor condition that it was beyond economically justifiable repair. An extensive investigation was conducted to determine the cost of repair, and it was determined to be infeasible. This assessment will be expanded upon during our presentation if needed. The house had undergone additions over the years that substantially diminished its historical significance. The President of the Bluegrass Trust for Historic Preservation was invited to tour the house before a decision was made to demolish it. The original house's structure was structurally substandard.

REMOVAL OF TWO SIGNIFICANT TREES Before filing the zone map amendment request, a comprehensive tree inventory was undertaken of trees on the subject property in connection with the Urban Forester. The significant trees were identified for preservation. However, during the demolition of the house, two of these trees were inadvertently damaged and subsequently removed. All the remaining significant trees have been and will be preserved. Additionally, the entire tree canopy for the developed property will be 30% per the ordinance and will be further enhanced by additional trees in other locations as the property is developed. Trees have historically added value to residential development, in addition to strengthening neighborhood ambiance.

CONDITIONAL ZONING RESTRICTION The subject property shall be limited to the development of thirty single-family houses to ensure compatibility with the long-term history of the surrounding neighborhood.

PLACE BUILDER POLICIES AND CRITERIA FOR ENHANCED NEIGHBORHOOD LOW DENSITY RESIDENTIAL These Placebuilder policies and criteria were discussed in the initial justification tendered on October 7, 2024, and are reflected in the amended preliminary development plan. They are further elaborated upon here, especially the environmental criteria.

ENHANCED NEIGHBORHOOD LAND USE

A-DN2-1 Infill residential should aim to increase density. The pending application will increase density from approximately nine one-acre lots under the current zoning to thirty residential units.

A-DN4-1 Provide new compact single-family housing types. The houses will be substantially like those in the surrounding neighborhoods, thereby ensuring the preservation of the historic character of the neighborhood.

B-SU3-1 Development should provide compact and/or mixed-use development. This development will be compact in terms of its single-family-oriented design, but all the homes will be single-family on this small remnant parcel among large lot subdivisions.

C-LI6-1 ADUs and/or affordable housing options should be incorporated into existing and new single-family residential development. (A-DN5) There are no affordable housing units provided on the proposed development. Historically, ADUs have not been a characteristic feature of this area of Lexington.

C-LI7-1 Developments should create mixed-use neighborhoods with safe access to community facilities, green space, employment, businesses, shopping, and entertainment. The subject property is situated within walking distance of Cardinal Run Park and various retail stores located on Versailles Road.

C-PS15-2 Improve options for affordable and nutritious food where not currently available. This is not applicable.

D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application. There have been two major stakeholder meetings, one before the application was filed and another one before the scheduled hearing. Both meetings were well attended. There were several meetings with the church representatives who own property next to the subject property.

D-SP1-1 Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets. (A-EQ7) The subject property is well situated

to be served by the existing Fayette County Public Schools along with the existing neighborhoods which have been similarly served for decades.

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. This single-family oriented development on a small 11-acre parcel fills in the rest of the development evolution of vacant land in this part of Lexington which has historically been larger lot subdivisions served by a substandard road, Parkers Mill. This property is more well suited for lower density development because of this constraint.

E-ST8-2 Development should provide community-oriented places and services. This development will be well suited to blend in within the existing community services and park. The proposed development will blend in perfectly with the existing community. The housing types and lots are entirely complimentary to the existing neighborhoods.

E-GR3-1 Development should meet recreational needs by following the recommendations of the Parks Master Plan. Cardinal Run Park is within walking distance of the newly proposed small single-family neighborhood. The subject property is not large enough to accommodate any recreations expansion for the public, but it is within walking distance of Cardinal Run Park.

E-GR9-1 Live/work units should be incorporated into residential developments. The subject property is not situated for a live work arrangement nor is it large enough to incorporate a commercial mixed use to accommodate this criterion. This criterion is not applicable on this small parcel.

E-GR9-3 Less intense multi-family residence types should be incorporated into primarily single-family detached areas. The proposed developed neighborhood seeks to finish out the historic character and development of Parkers Mill Road by creating low density residential development off a substandard road which is not designed to incorporate higher density.

TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes. The subject property is located off Parkers Mill Road, which has a bus route.

A-DS1-2 Accessible pedestrian linkages to transit should be provided. An appropriate right-of-way will be established for the expansion of Parkers Mill Road, along with the addition of a sidewalk.

A-DS4-1 A plan for a connected multi-modal network to adjacent neighborhoods, green spaces, developments, and complementary. The dedication of the right of way adjacent to Parkers Mill will provide expanded opportunities for multimodal transportation to adjacent neighborhoods.

A-DS5-1 Safe multi-modal facilities should be provided to ensure vehicular separation from bicycles, pedestrians, and other modes of transport. The right-of-way dedication to the expansion of Parkers Mill Road will accomplish this objective.

A-DS5-2 Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape. There will be street trees populating the entire development along with additional landscaping along Parkers Mill Road and throughout the development.

A-DS10-1 New developments should incorporate clear and dedicated connections to nearby community anchors. This small 11-acre parcel is within walking distance of Versailles Road and Cardinal Run Park.

A-DS11-1 Street layouts should provide clear, visible access to neighborhood- focused open space and green spaces. As reflected in the development plan for this small parcel, these features are incorporated into the development.

A-DS13-1 Stub streets should be connected. There are no stub streets in the proposed development.

C-PS10-1 Flexible parking and shared parking arrangements should be utilized. In this small development, on-street parking will be available.

D-CO1-1 Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type. As mentioned before, a right-of-way for the expansion of Parker's Mill and a sidewalk are being dedicated.

D-CO2-1 Development should create and/or expand a connected multimodal transportation network that satisfies all users' needs. This will be facilitated by the dedication of the right of way.

D-CO2-2 Development should comply with Lexington's Complete Streets Policy. This development does this.

D-CO4-1 Dead-end streets and cul-de-sacs should be discouraged. The subject property cannot be connected to any adjacent development.

D-CO4-2 Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways. This small 11-acre parcel is limited in terms of its access to other route options, which is why it is better suited for low-density single-family use.

D-CO4-3 Street pattern and design should consider site topography and minimize grading where possible. This development is reflected in the development plan.

D-CO5-1 Streets should be designed with shorter block lengths, narrower widths, and traffic calming features. There will only be thirty houses maximum on this development so that these features are not necessary.

ENVIRONMENTAL SUSTAINABILITY AND RESILIENCE

B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site. Great care and attention have been given to staying away from the existing floodplain with no lots depicted in the floodplain. There has been much research and study on the existing floodplain, and these studies were provided previously to the Division of Engineering and the Division of Planning. Finally, a wetland area will be preserved on the subject property.

B-PR2-2 Development should include regularly spaced access with adequate width to the greenway network and conservation areas. In this small parcel with large single-family lots, open spaces will be abundant.

B-PR3-1 Minimize impact of development adjacent to land conservation properties through buffering. Extensive work with the adjoining church has been ongoing for several months, with a continued commitment to collaborating on a screening and buffering plan.

B-PR7-1 Developments should be designed to minimize tree removal and to protect and preserve existing significant trees. All significant trees previously identified on the subject property will be maintained. Two of these trees, however, were damaged during the demolition of the house.

B-PR9-1 Minimize grading and topsoil disturbance by utilizing the existing topography to the greatest extent possible and preserving key natural features. Grading will be minimized in association with the plans for our stormwater management plan.

B-PR10-1 Development should avoid overlighting and upward directed lighting. There will be no over lighting for this low-density residential neighborhood.

B-SU4-1 Development should minimize and/or mitigate impervious surfaces. This low-density development will limit impervious services with its large lots.

B-SU5-1 Developments should incorporate energy efficient systems and renewable energy resources (i.e., wind, solar, etc.). Energy efficient systems will be installed in each of these custom homes.

B-SU9-1 Green Stormwater Infrastructure (GSI) should be implemented in new development. These will be incorporated as part of our stormwater management facilities.

B-SU11-1 Development should incorporate low impact landscaping and native plant species. These will be featured throughout the development.

B-RE1-1 Developments should improve the tree canopy. Tree canopy will be 30% or greater.

Lexington's green infrastructure network, including parks, trails, greenways, or natural areas should be highly visible and accessible. The subject property is located amidst other single-family homes which have the same access to Cardinal Run Park and other natural areas.

B-RE5-1 Dividing floodplains into privately owned parcels with flood insurance should be avoided. There will be no buildable lots in the flood plain. There will be no need for flood insurance for any property owner.

B-RE5-2 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them. The floodplain will be preserved as approved by FEMA.

B-RE5-3 Developments within the Royal Springs Aquifer should consult with the Royal Springs Water Supply Protection Committee. The subject property is not within the Royal Springs Acquirer.

D-SP10-1 Prioritize Street trees in the planting strip. This will be a priority for this new development.

SITE DESIGN

A-DS7-1 Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments. There are no multifamily or non-residential uses.

A-D S9-1 Development should provide active and engaging amenities within neighborhood focused open spaces. This small 11-acre parcel has limited availability for amenities. The large lots with open spaces will provide community oriented open spaces which will be complementary to the existing neighborhoods.

A-D S9-2 Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities. Cardinal Run Park is within walking distance for the subject property.

A-E Q9-1 School sites should be appropriately sized. There is adequate capacity in the public school system which serves this area of Lexington.

A-E Q9-2 Shared open spaces should be easily accessible and clearly delineated from private open spaces. This small parcel does not have shared open spaces.

C-LI8-1 Development should enhance a well-connected and activated public realm. There will be a new street installed to serve this development off Parkers Mill Road. This street connection will be signalized-PS10-2. Over-parking of new developments should be avoided.

D-PL4-1 Enhance open space through the provision of programmatic elements and amenities. This small parcel will have an abundant amount of open spaces via the large lots for the maximum of thirty houses.

D-SP1-2 School design should prioritize a high percentage of open and accessible street frontage. This criterion does not apply.

D-SP2-1 Visible, usable greenspace and other natural components should be incorporated into school sites. This criterion does not apply.

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. The right-of-way to be dedicated with facilitate this.

D-SP3-2 Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping used to improve the visual impact from the roadway and residential areas. There will be no cell towers.

Building Form Th

A-DS3-1 multi-family residential developments should comply with the Multi- family Design Standards in Appendix A. This criterion does not apply.

A-DS5-3 Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere. This small development will be pedestrian friendly.

A-DS8-1 Where single family detached residential units are provided, a variety of other housing types should be regularly interspersed along the street frontage. This small parcel of eleven acres will be all single family consistent with the character of the surrounding neighborhoods and the need for a low-density development off Parkers Mill Road and the need to reduce impervious surfaces.

E-GR4-1 Developments should incorporate reuse of viable existing structures. There are no existing structures.

E-GR5-1 Structures with demonstrated historic significance should be preserved or adapted. It was not feasible to preserve the house on the property.

SUMMARY

To be sure, this proposed development is not in line with the recent trend for higher density residential development. However, this is a unique location with a unique development history due in large part to the participation of all the surrounding neighborhoods more than 30 years. The original owner of the subject property was one of the leaders in preserving the low-density character of the neighborhood. The property could be developed by right with approximately 9 one-acre lots. This application proposes to increase density by 330%. This area has historically been plagued with stormwater problems and too much traffic on too narrow a road, Parkers Mill Road. Adding 22 to 30 hours will have a negligible impact on the traffic. The low-density use will help with storm water management compared to higher density uses with more impervious

surfaces. The subject property is the last piece of the "development pie" created with the Sturgill property was developed in the mid 1990's that now constitutes Colony II and Parkers Landing, both large lot subdivisions. There is a need to keep density to minimal levels for the subject property to minimize adverse traffic and stormwater impacts. Additionally, this proposed development certainly enhances the existing large lot neighborhoods which have surrounded the subject property for more than 75 years. This is a unique situation involving a small parcel that, given all relevant and important considerations of the Comprehensive Plan, as outlined herein, justify approval.

Thank you,

A handwritten signature in cursive script that reads "T. Bruce Simpson". The ink is dark and the signature is fluid.

Bruce Simpson

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

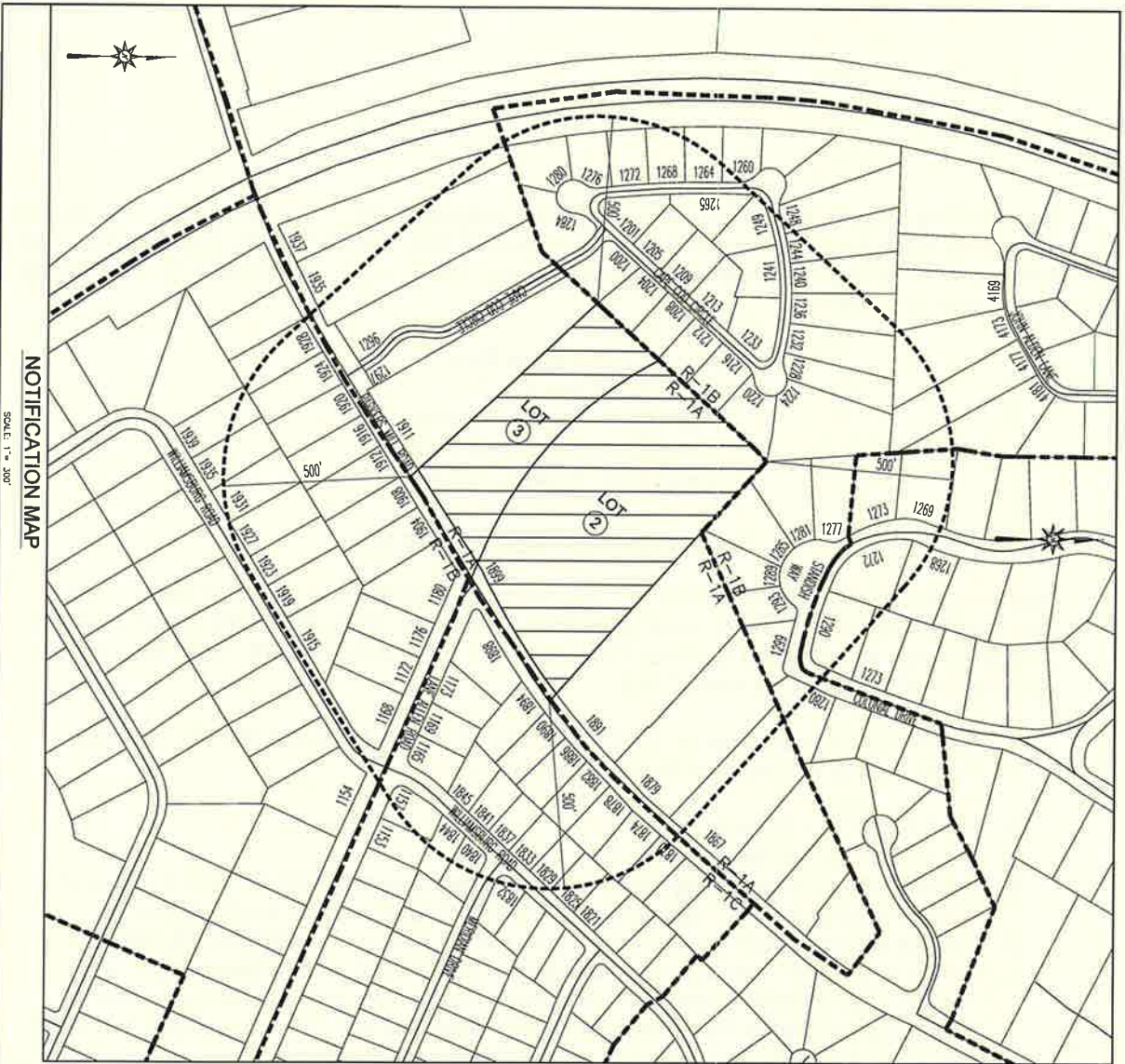
**Lane Allen Park
Lots 2 & 3
Rose Holdings-Lexington, LLC
1899 Parkers Mill Road
Lexington, Fayette County KY**

Zone Change from R-1A To R-3

Beginning at a found 5/8" dia. Rebar with cap stamped LS 2053 in the eastern line of Lane Allen Park Subdivision, Lot 4 as of record at Deed Book 442, Page 305 of the Fayette County Clerk's records, as conveyed to Green Diamond, LLC in Deed Book 3898, Page 263; thence with the line of said Lot 4 for one (1) call:

1. S 43°45'02" E a distance of 21.37' to a point on the centerline of said Parkers Mill Road; thence with said centerline for four (4) calls:
2. N 57°03'31" E a distance of 305.29';
3. N 57°09'31" E a distance of 160.52';
4. Thence with a curve turning to the left with an arc length of 103.30', with a radius of 16164.61', with a chord bearing of N 57°09'30" E, with a chord length of 103.30';
5. Thence with a compound curve turning to the left with an arc length of 154.33', with a radius of 1963.58', with a chord bearing of N 55°33'18" E, with a chord length of 154.29', thence leaving said centerline and with the lines of the parcel conveyed to Diocese of Lexington TR in Deed Book 802, page 545 and The Colony Unit 4, Lots 52 and 53 of record at Plat Cabinet K, Slide 730 for one (1) call:
6. N 48°52'38" W a distance of 870.32' to the southeast corner of Parkers Landing (The Colony Unit 4D), Lot 55 of record at Plat Cabinet K, Slide 729; Thence with Lots 55, 76, 75, 74m 73 and 72 of said Parkers Landing (The Colony Unit 4D) for one (1) call:
7. S 41°13'21" W a distance of 635.85' to the line of said Lane Allen Subdivision, Lot 4; thence with said line for one (1) call:
8. S 43°45'02" E a distance of 657.62' to the Point of Beginning having an area of 519419.106 square feet, 11.924 acres Gross and 11.587 acres Net.



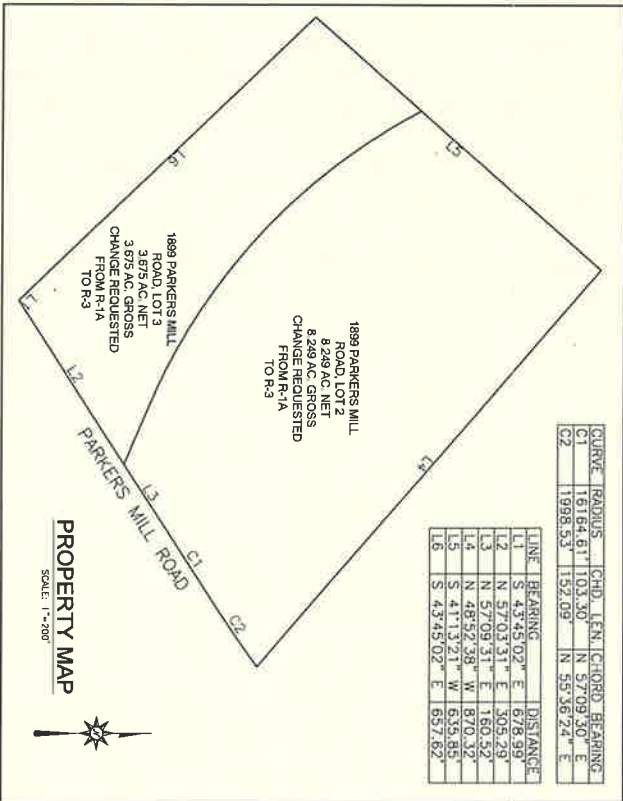


NOTIFICATION MAP

SCALE: 1" = 200'



TITLE: LANE ALLEN PARK LOTS 2 & 3			
PROPERTY ADDRESS:			
1899 PARKERS MILL ROAD, LOTS 2 & 3	FROM	TO	GROSS NET
	R-1A	R-3	11,924 11,924
	TOTAL		11,924 11,924
OWNER / APPLICANT: ROSE HOLDINGS-LEXINGTON, LLC			
326 S. BROADWAY			
LEXINGTON, KY 40508			
PREPARED BY: VISION ENGINEERING, LLC			
DATE FILED: OCTOBER 7, 2024			

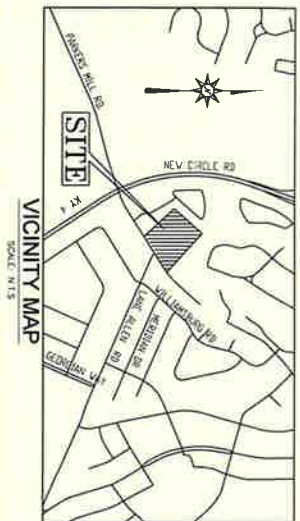


PROPERTY MAP

SCALE: 1" = 200'

LINE	BEARING	DISTANCE
1	S 43° 45' 02" E	678.99
2	N 57° 03' 31" E	305.29
3	N 57° 09' 31" E	160.32
4	N 48° 52' 38" W	870.32
5	S 41° 13' 21" W	635.95
6	S 43° 45' 02" E	657.62

CURVE	RADIUS	CHD.	LEN.	CHORD	BEARING
C1	16164.61'	103.30'	N 57° 09' 30" E		
C2	19968.53'	152.09'	N 55° 36' 24" E		



ROSE HOLDINGS-LEXINGTON, LLC (PLN-MAR-24-00017)

1899 PARKERS MILL ROAD

Rezone the property to allow for a single-family residential development.

Applicant/ Owner

ROSE HOLDINGS-LEXINGTON, LLC

326 S. Broadway

Lexington, KY 40508

ATTORNEY: bruce@bsimpsonlaw.com

Application Details

Acreage:

11.587 net (11.924 gross) acres

Current Zoning:

Single Family Residential (R-1A) Zone

Proposed Zoning:

Planned Neighborhood Residential (R-3) zone

Place-type/Development Type

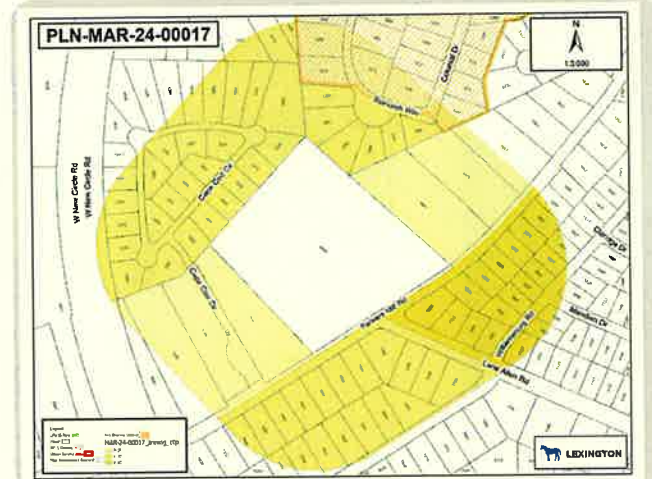
Enhanced Neighborhood

Low Density Residential

For more information about the Enhanced Neighborhood Place-type see *Imagine Lexington* pages 328-337. For more information on the Low Density Residential Development Type see page 270.

Description:

The applicant is seeking to demolish the existing single-family residence on the property, and rezone the subject property in order to develop 25 single-family residential lots, for a residential density of 2.15 dwelling units per acre.



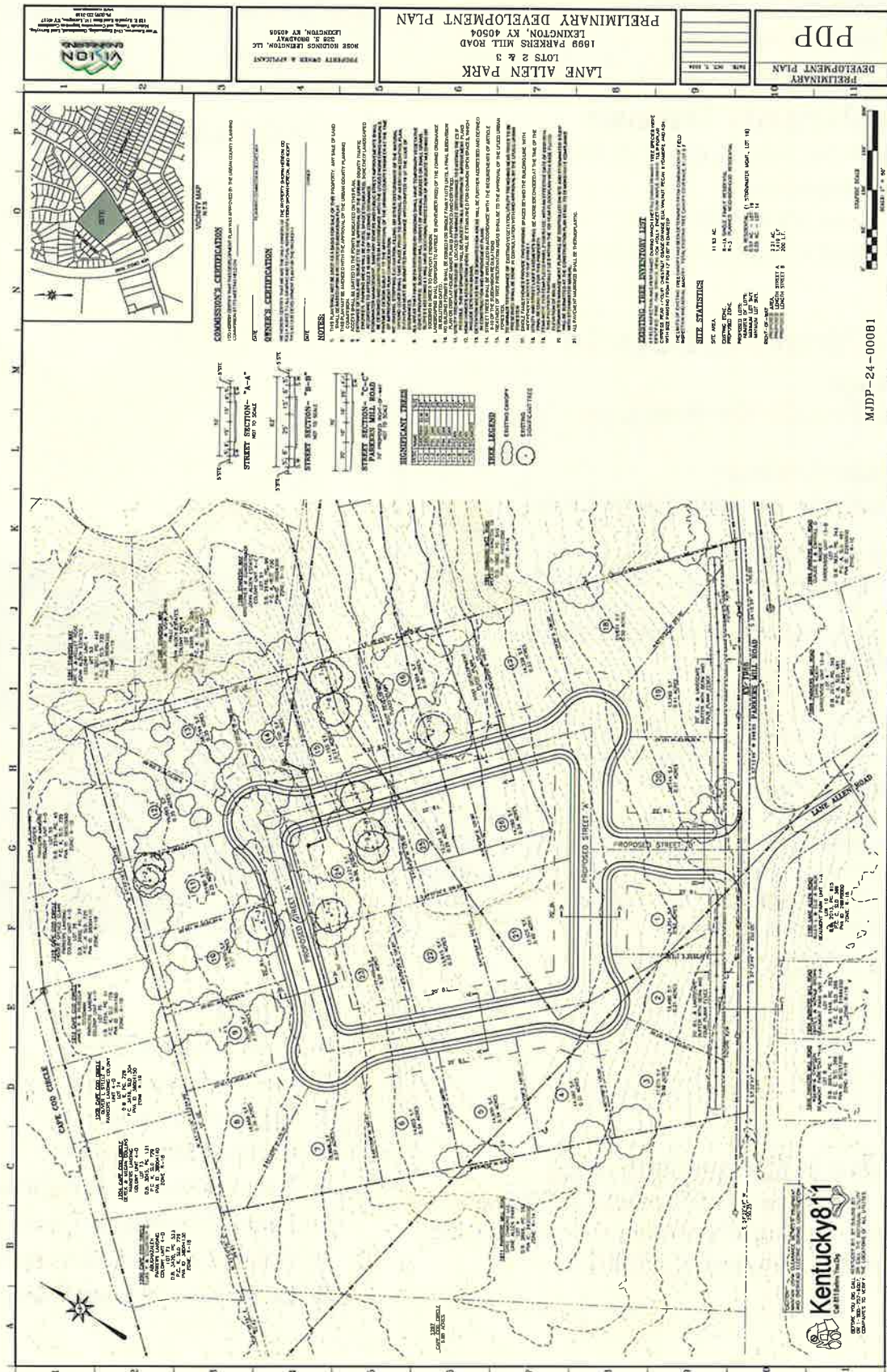
Status

- 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

- The applicant held a meeting with the surrounding neighborhoods to discuss the proposal on August 13, 2024.

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



STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00017: ROSE HOLDINGS-LEXINGTON, LLC

DESCRIPTION OF ZONE CHANGE

Zone Change: From a Single Family Residential (R-1A) zone To a Planned Neighborhood Residential (R-3) zone

Acreage: 11.587 net (11.924 gross) acres

Location: 1899 Parkers Mill Road



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-1A	Single Family Residential
To North	R-1B	Single Family Residential
To East	R-1A	Church
To South	R-1B/R-1C	Single Family Residential
To West	R-1A	Single Family Residential

URBAN SERVICE REPORT

Roads - The subject property is located at the intersection of Parkers Mill Road (KY 1968) and Lane Allen Road. Parkers Mill Road is a two-lane state-owned collector roadway. Lane Allen Road is a two-lane collector roadway that is maintained by the city. Improvements to Parkers Mill Road from Lane Allen to Man O War Blvd. are proposed as a future project within the Lexington Area 2050 Metropolitan Transportation Plan.

Curb/Gutter/Sidewalks - This portion of Parkers Mill Road has sidewalks along its southern side, but none along the subject property's frontage. This portion of Parkers Mill Road was constructed without curb and cutter.

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

Storm Sewers - The subject property is located within the Wolf Run watershed. There does not appear to be any stormwater improvements along the subject property's frontage. The subject property contains the headwater for a tributary of the Wolf Run Creek, as well as areas of partially mapped floodplain and floodway near the middle of the site. A flood study to identify the extent of the impact of the flood areas present on the site is necessary. Development on this parcel will require compliance with Article 19 of the Zoning Ordinance; and water quality will need to be addressed by the developer in accordance with the adopted Engineering Stormwater Manuals.

Sanitary Sewers - The subject property is located in the Wolf Run sewershed, and are served by the Town Branch Wastewater Treatment Facility on Lisle Industrial Avenue

Refuse - The Urban County Government serves this area with refuse collection on Thursdays.

Police - The subject property is located within the West Sector and is served by the West Sector Roll Call Center, located on Old Frankfort Pike, approximately 3.3 miles northeast of the subject property.

Fire/Ambulance - The closest station is Fire Station #14, located on Roanoke Road, between Alexandria Drive and Maywick View Lane, located approximately 1.3 miles northeast of the subject property.

Transit - LexTran service is not available within the immediate area of the subject property. The closest Lextran Stop is 0.5 miles to the east, at the intersection of Darien Drive and Alexandria Drive (Route #8).

Parks - Cardinal Run Park is located approximately 0.2 miles southwest of the subject property. Additionally, Cross Keys Park is located 0.5 miles to the northeast of the subject property.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property from a Single Family Residential (R-1A) zone to the Planned Neighborhood Residential (R-3) zone in order to construct a single-family detached residential development.

PLACE-TYPE

ENHANCED
NEIGHBORHOOD

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

DEVELOPMENT TYPE

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 Lifer 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



The intent of this zone is to provide for medium density mixed residential development, including multi-family dwellings, group residential housing, compact housing types, attached and detached single family dwellings, and supporting uses. This zone should be located in areas of the community where services and facilities are/will be adequate to serve the anticipated population. This zone should provide a variety of housing options rather than a single type. The medium density residential uses should be located along local and collector streets, with lower density residential uses located along local streets. Adequate multi-modal connections should be available to all residents, so to allow for long term viability and incremental growth. Low and Medium density residential land uses should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

PROPOSED USE



The petitioner proposes the rezoning of the subject property to the Planned Neighborhood Residential (R-3) zone to construct a 25 lot detached single-family residential development.

APPLICANT & COMMUNITY ENGAGEMENT



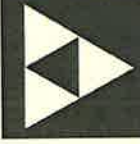
The applicant conducted a neighborhood meeting on August 13th to discuss the proposal. Attendees of the meeting expressed concerns regarding traffic, stormwater runoff, and the density and uses allowed in the R-3 zone.

PROPERTY & ZONING HISTORY



The property is a remnant portion of the Frazer farm, and contains a single-family residence on the property that dates back to 1813, and has been certified by the Bluegrass Trust for Historic Preservation. The subject property has been zoned Single Family Residential (R-1A) since before the comprehensive rezoning of the City and the County in 1969.

COMPREHENSIVE PLAN COMPLIANCE



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

GOALS, OBJECTIVES & POLICIES

The applicant opines that they are in agreement with the adopted Goals, Objectives, and Policies of the 2045 Comprehensive Plan. The applicant indicates that their proposal will increase the current allowable density of seven one-acre lots to twenty-five (25) single family lots (Theme A, Density Policy #4). The applicant additionally states that their proposal will remain sensitive to the surrounding context through developing lot sizes that are consistent with nearby developments (Theme A, Goal #2.b). Lastly, the applicant states that their development would create a useable open space that will provide connections for residents to other open spaces and parks within walking distance (Theme D, Design Policy #9).

While these aspects of the Comprehensive Plan are being met, the applicant should provide greater information as to how they are in agreement with these Goals, Objectives, and Policies of the Comprehensive Plan:

Theme D, Goal #1.a: Implement the Complete Streets policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles; Theme D, Connectivity Policy #2: Create multi-modal streets that satisfy all user needs and provide equitable multi-modal access for those who do not drive due to age, disability, expense, or choice.

While the proposal includes interior sidewalks to serve the development, these facilities are not being depicted along the Parkers Mill Road frontage. In order to promote connectivity to nearby parks, amenities, and neighborhoods, dedicated pedestrian sidewalks should be provided.

Theme D, Goal #3.b: Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures; Theme D, Goal #3.c: Develop incentives to retain, restore, preserve and continue use of historic resources such as historic sites, rural settlements and urban and rural neighborhoods; Theme D, Growth Policy #5: Identify and preserve Lexington's historic assets, while minimizing unsubstantiated calls for preservation that can hinder the city's future growth

The applicant's proposal includes the demolition of the existing single-family residential structure on the property. According to historical records, the earliest portions of the home were constructed around the early 1800s. While the structure has not been placed on a National Historic Register, it has received certification from the local Bluegrass Historical Trust. The applicant should provide greater information regarding the current condition and habitability of the home, and explore opportunities to retain the structure.

Theme B, Protection Policy #2: Conserve and protect environmentally sensitive areas, including sensitive natural habitats, greenways, wetlands and water bodies; Theme B, Protection Policy #9: Respect the geographic context of natural land, encourage development to protect steep slopes, and locate building structures to reduce unnecessary earth disruption.

Currently, the proposed plan details modifications to the topography of the site in order to reduce the number of lots that contain areas of floodway and floodplain. These floodplain areas do not appear to have been completely mapped, and as such, it is necessary for the applicant to conduct a flood study to identify the full extent of the floodplain of the development.

PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject property. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on



the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2045 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant indicates that the project is located within the Enhanced Neighborhood Place-Type and is a Low Density Residential Development Type. The Enhanced Neighborhood Place-Type is an existing residential area to be enhanced with additional amenities, housing types, and neighborhood serving retail, services, and employment options. Primarily attached and detached single-family homes of varying formats, including accessory dwelling units. This Development Type should avoid homogeneous neighborhoods and should be supplemented by a variety of uses and housing options to create sustainable places. The staff agrees that the subject property is located within an established neighborhood and the proposed development would provide another housing form within an area that is primarily single family detached in nature. The staff agrees that the Enhanced Neighborhood Place-Type and the Low Density Residential Development Type are appropriate. The applicant's choice in zone is recommended for this Place-Type and Development Type.

DEVELOPMENT CRITERIA

The development criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2045 Comprehensive Plan. The development criteria 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 Enhanced Neighborhood Place-Type and Low Density Residential Development Type.

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. The following criteria should be further described by the applicant to demonstrate how they are in agreement with the Comprehensive Plan.

1. Land Use

E-ST8-2: Development should provide community oriented places and services.

The applicant should provide more details surrounding the utilization of the floodplain and greenspace as a community-oriented area and amenity.

2. Transportation, Connectivity, and Walkability

A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided

The applicant should provide sidewalk facilities along the roadway to enable connections to adjacent neighborhoods, greenspaces, and other uses that will complement this development.

3. Environmental Sustainability and Resiliency

B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site; B-RE5-1: Dividing floodplains into privately owned parcels with flood insurance should be avoided; B-RE5-2: Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them

As proposed, portions of the development will occur within the mapped 2014 FEMA Floodplain, which could greatly impact the proposed lots on site as well as adjacent properties. It appears that there may be portions of this floodplain that have not been mapped, which could impact a greater number of lots than those indicated on the plan currently. It is necessary for the applicant to conduct a flood study that demonstrates the impact on the entirety of the development.

Additionally this property sits at the beginning of a tributary stream that feeds into Wolf Run Creek. Portions of this property were highlighted for conservation in the Wolf Run Conservation Greenway in the Greenway

Master Plan in order to preserve floodplains and habitat within a proposed greenway. Developing within these areas can have a direct impact on the City of Lexington's environmental resources and could negatively impact the floodplain. Staff is concerned that the applicant's proposal will divide the floodplain into privately owned parcels that will constitute the necessity for flood insurance for these lots. Although the applicant plans to dedicate one lot as greenspace and stormwater detention, two other lots are demonstrated to be completely within the floodplain, with the potential for more to be impacted, while no additional buffering and protection has been proposed to mitigate this development.

4. Site Design

A-DS9-1: Development should provide active and engaging amenities within neighborhood focused open spaces.

The applicant should provide further information as to how their proposed open space will be utilized.

C-LI8-1: Development should enhance a well-connected and activated public realm.

The applicant should extend their internal sidewalk network along the Parkers Mill Road frontage.

5. Building Form

(E-GR4-1): Developments should incorporate reuse of viable existing structures; (E-GR5-1): Structures with demonstrated historic significance should be preserved or adapted.

Staff is concerned that the development will demolish a Bluegrass Historical Trust registered property. The applicant should provide further information on the condition of the structure, and explore the viability of retaining or reusing the structure.

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



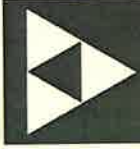
1. The applicant should conduct a flood study to determine the extent of the flood hazard areas present on the property prior to the consideration of the proposed zone change to substantially increase the allowable density on the subject property.
2. The applicant should address the following Goals, Objectives, and Criteria of the 2045 Comprehensive Plan:
 - a. Theme D, Goal #1.a: Implement the Complete Streets policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles;
 - b. Theme D, Connectivity Policy #2: Create multi-modal streets that satisfy all user needs and provide equitable multi-modal access for those who do not drive due to age, disability, expense, or choice.
 - c. Theme D, Goal #3.b: Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures;
 - d. Theme D, Goal #3.c: Develop incentives to retain, restore, preserve and continue use of historic resources such as historic sites, rural settlements and urban and rural neighborhoods;
 - e. Theme D, Growth Policy #5: Identify and preserve Lexington's historic assets, while minimizing unsubstantiated calls for preservation that can hinder the city's future growth
 - f. Theme B, Protection Policy #2: Conserve and protect environmentally sensitive areas, including sensitive natural habitats, greenways, wetlands and water bodies;
 - g. Theme B, Protection Policy #9: Respect the geographic context of natural land, encourage development to protect steep slopes, and locate building structures to reduce unnecessary earth disruption.

JAM/
10/31/2024

Planning Services/Staff Reports/MAR/2024/PLN-MAR-23-00017: ROSE HOLDINGS-LEXINGTON, LLC.pdf

3. The applicant should address the following development criteria for the Enhanced Neighborhood Place-Type, and Low Density Residential Development Type
 - a. E-ST8-2: Development should provide community oriented places and services.
 - b. A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided
 - c. B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site;
 - d. B-RE5-1: Dividing floodplains into privately owned parcels with flood insurance should be avoided;
 - e. B-RE5-2: Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them
 - f. A-DS9-1: Development should provide active and engaging amenities within neighborhood focused open spaces.
 - g. C-LI8-1: Development should enhance a well-connected and activated public realm.
 - h. E-GR4-1: Developments should incorporate reuse of viable existing structures
 - i. E-GR5-1: Structures with demonstrated historic significance should be preserved or adapted.

SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00017: ROSE HOLDINGS-LEXINGTON, LLC



STAFF REVIEW

In the period following the November Subdivision and Zoning Committee meetings, the applicant met with staff to discuss the concerns described within the initial staff report and the comments received during the committee meetings. Since that time, the applicant has submitted updated application materials, including a revised development plan and a revised supplemental letter of justification.

The revisions to the proposed development plan includes the continuation of the mapped 2014 FEMA floodplain with a calculated floodplain. The applicants' initial proposal was to create twenty-five (25) lots for a detached single-family residential development. The applicant has revised their proposal to thirty (30) lots with one (1) lot to be designated as stormwater management/open space (Lot 21). On the development plan this area has been designated as "stormwater detention basin" with the "wetland water quality area with riparian planting". Within this area, the applicant has also indicated an existing spring called "Whilite Spring" is present. The previous iteration of the plan featured two roadway crossings of the floodplain, which have been reduced to a single crossing under this request. The revised development indicates that Lots 5, 6, 22, 23, 24, 25, 26, and 27 are impacted by the current extent of the floodplain, and will be designated as non-buildable lots until all applicable federal, state, and local permits are obtained to alter the floodplain. This would leave twenty-two (22) lots as buildable without altering the floodplain.

Additionally, the applicant held another public meeting on 5/19/2025 to discuss the revisions to the proposal. The applicant expressed in their supplemental justification that property owners located within 2,000 feet were invited to attend. The applicant stated the same concerns from residents regarding stormwater management, the current volume of traffic and the proposed density's potential adverse impact on Parkers Mill Road.

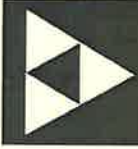
COMPREHENSIVE PLAN GOALS AND OBJECTIVES

In the initial staff report, staff requested that the applicant demonstrate how they were in agreement with the following Goals and Objectives of the Comprehensive Plan:

Theme B, Protection Policy #2: Conserve and protect environmentally sensitive areas, including sensitive natural habitats, greenways, wetlands and water bodies; Theme B, Protection Policy #9: Respect the geographic context of natural land, encourage development to protect steep slopes, and locate building structures to reduce unnecessary earth disruption.

After the preliminary proposal, staff detailed concerns regarding the unmapped floodplain areas that appeared to continue past the mapped 2014 FEMA floodplain. Staff requested that a flood study be conducted to identify the full extent of the floodplain on the subject property. After a meeting with the Divisions of Engineering, Planning, and Water Quality, the applicant went through several revisions and conducted a floodplain study to determine the extent of the unmapped floodplain. Those areas have been noted on the plan, and the revised plan results in better protection of an environmentally sensitive emergent wetland by removing a roadway through the area and incorporating a riparian planting, which will improve the water quality of the stream and floodplain area. The applicant stated that the entire tree canopy of the development will be 30%, per the Ordinance, with additional trees in other locations as the property is developed.

Theme D, Goal #3.b: Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures; Theme D, Goal #3.c: Develop incentives to retain, restore, preserve and continue use of historic resources such as historic sites, rural settlements and urban and rural neighborhoods; Theme D, Growth Policy #5: Identify and preserve Lexington's historic assets, while minimizing unsubstantiated calls for preservation that can hinder the city's future growth.



Under the initial proposal, staff voiced concerns regarding the relationship between the proposal and the historic single-family residential structure that was located on the property that was certified with the local Bluegrass Historical Trust. Staff indicated in the pre-application meeting as well as the staff report that greater information was necessary regarding its condition, habitability, and opportunities for reuse for the structure. Shortly after the staff report was released, the applicant disclosed at the November Subdivision and Zoning Committee meetings that they had demolished the historic home. The applicant opined that the house was in a poor condition and was structurally substandard. The applicant stated that the house had undergone additions over the years that substantially diminished its historical significance. They opine that after an intensive investigation on the cost to repair that it was too expensive to justifiably repair it.

Theme D Goal #1.a: Implement the Complete Streets Policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycles, transit, and other vehicles; Theme D, Connectivity Policy #2: Create multi-modal streets that satisfy all user needs and provide equitable multi-modal access for those who do not drive due to age, disability, expense, or choice.

In the initial plan, the proposal included interior sidewalks to serve the development but did not depict any facilities along the Parker Mill Road frontage. Staff highlighted that dedicated pedestrian facilities were necessary to promote connectivity to nearby parks, amenities, and neighborhoods. The revised development plan details a five (5) foot sidewalk that will connect the proposed properties within the development to the proposed future right-of-way for Parkers Mill Road. The roadway improvements proposed along Parkers Mill Road will also provide pedestrian facilities that will now connect with this development.

COMPREHENSIVE PLAN POLICIES

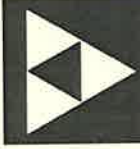
In addition, staff requested that the applicant respond to several Comprehensive Plan Policies.

Theme B, Protection Policy #2: Conserve and protect environmentally sensitive areas, including sensitive natural habitats, greenways, wetlands and water bodies; Theme B, Protection Policy #9: Respect the geographic context of natural land, encourage development to protect steep slopes, and locate building structures to reduce unnecessary earth disruption.

After the preliminary proposal, staff detailed concerns regarding the unmapped floodplain areas that appeared to continue past the mapped 2014 FEMA floodplain. Staff requested that a flood study be conducted to identify the full extent of the floodplain on the subject property. After a meeting with the Divisions of Engineering, Planning, and Water Quality, the applicant went through several revisions and conducted a floodplain study to determine the extent of the unmapped floodplain. The revisions call for better protection of an environmentally sensitive emergent wetland by removing a roadway through the area and incorporating a riparian planting, which will improve the water quality of the stream and floodplain area. The plan also designates several lots as non-buildable unless approval is granted to alter the extent of the floodplain.

Protection policy #7: Protect the urban forest and significant tree canopies.

The applicant indicated that they had hosted a site visit with the Urban Forester earlier in 2024 to discuss potential development of the site. Later that same year, the Urban County Council adopted a Zoning Ordinance Text Amendment to Article 26 of the Zoning Ordinance relating to tree preservation that significantly changed the threshold for a tree being considered significant. At the initial stages of the application, the applicant submitted a tree inventory map detailing 84 trees present on the property, all but three of which met the size requirement to be considered significant based on the current ordinance. Just prior to the November Zoning Committee, the applicant conducted significant site work, including



the demolition of the existing home, site grading, and the removal of the majority of the trees on the site.

The applicant incorrectly notes in their letter of justification that only two significant trees were impacted with the site-work; however, the revised plan shows just ten significant trees still remaining on the site at this time. The applicant has stated that they propose to provide additional plantings to meet the minimum tree canopy coverage of 30% of the site; however, staff recommends that additional tree plantings be provided to offset the number of significant trees removed without approval.

DEVELOPMENT CRITERIA

The revised plan also addresses several of the Development Criteria previously identified by staff as requiring further clarification.

1. Land Use

E-ST8-2: Development should provide community oriented places and services.

In the initial staff report, Planning Staff requested more details surrounding the utilization of the floodplain and greenspace as community-oriented amenities. The revised letter of justification notes that the floodplain area will serve as a natural amenity for the development; however, connectivity to this feature is limited to only the adjoining lots. Staff recommends that the developer detail a sidewalk connection from the internal sidewalk network so the feature is accessible for the other homes in the development.

2. Transportation Connectivity and Walkability

A-DS4-1: A plan for a multi-modal network to adjacent neighborhoods, greenspaces, developments, and complementary uses should be provided.

In response to staff comments, the applicant has shown in the revised development plan sidewalk connections to be made to the proposed future right-of-way along Parkers Mill Road to connect to anticipated pedestrian improvements expected within the Parkers Mill Road expansion. Staff is also recommending that the development provide intentional access to its centralized greenspace.

3. Environmental Sustainability and Resiliency

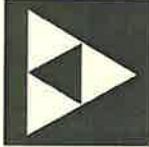
B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site; B-RE5-1: Dividing floodplains into privately owned parcels with flood insurance should be avoided; B-RE5-2: Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.

Based on the proposed changes, the applicants proposal significantly reduces impact on environmentally sensitive areas within and adjacent to the proposed development site. Buffering of the floodplain will be provided with a fifty (50) foot vegetative buffer (B-PR3-1). No buildable lots will be in the FEMA floodplain (B-RE5-1) and it is designated for protection (B-RE5-2).

4. Site Design

A-DS9-1: Development should provide active and engaging amenities within neighborhood focused open spaces.

Planning Staff requested clarification as to how their proposed open space will be utilized. The revised supplemental justification and development plan, designates these areas for protection with the opportunity for community-oriented open spaces. As stated earlier, staff recommends that the greenspace/ environmentally sensitive area be accessible from the internal pedestrian network.



C-LI8-1: Development should enhance a well-connected and activated public realm.

Planning Staff requested that the internal sidewalk network extend along the Parkers Mill Road frontage. The revised development plan details the extension of this network to the future Right-of-Way of Parkers Mill Road, which will include pedestrian facilities.

5. Building form

E-GR4-1: Developments should incorporate reuse of viable existing structures. E-GR5-1: Structures with demonstrated historic significance should be preserved or adapted.

The revised supplemental justification states that it was not feasible to preserve the house on the property and that the home has already been demolished.

CONDITIONAL ZONING

Within the applicant's revised supplemental justification was the inclusion requesting conditional zoning restrictions that would limit the development to no more than thirty (31) single-family homes. The applicant opined that these conditional zoning restrictions are necessary to ensure compatibility with the surrounding neighborhood.

Staff does not agree that these restrictions would be necessary or appropriate. Limiting the use of the property strictly to single-family detached residential uses is not in agreement with the current Comprehensive Plan. Additionally, there are other avenues for the applicant to restrict density outside of the zoning process if they choose to do so.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The proposed Planned Neighborhood Residential (R-3) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will help meet an increase in the demand for housing. (Theme A, Goal #1.b; Theme A, Goal # 2.a).
 - b. The request will minimize the disruption of the environmentally sensitive areas by preserving the existing spring and floodplain areas (Theme A, Goal #3.a and #3.c).
 - c. The request will respect the surrounding single-family context while improving the density present on the site (Theme A, Goal #2.b).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan, for the following reasons:
 - a. The request conserves and protective environmentally sensitive greenways and wetlands (Theme B, Protection Policy #2).
 - b. The proposal will increase residential density while being sensitive to the surrounding single-family context (Theme A, Design Policy #4).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets criteria for Land Use, as the request increases density by increasing the number of dwelling units present on the property (A-DN2-1), and the applicant conducted several stakeholder meetings with the surrounding neighborhoods to discuss the proposal (D-PL7-1).
 - b. The proposed rezoning meets criteria for Transportation, Connectivity, and Walkability, as the proposed development provides sidewalk facilities that are not currently present (DCO2-1), and proposes to connect to the future pedestrian improvements along Parkers Mill Road (A-DS4-1).
 - c. The request meets the majority of the criteria for Environmental Sustainability and Resiliency, as the

- request will minimize its impact and protects environmentally sensitive areas (B-PR-2-1) through the addition of a vegetative buffer around the floodplain (B-RE5-2), minimizing grading (B-PR9-1), and meeting the minimum tree canopy coverage (D-SP10-1).
- d. The proposal meets applicable criteria for Site Design, as the development will provide open space incorporated into the development (A-DS9-2).
 - e. The plan meets the majority of the criteria for Building Form, as the proposed development is in keeping with the scale, massing, and design as other existing residential development in the vicinity (A-DN2-2; A-DS4-2).
4. This recommendation is made subject to approval and certification of PLN-MIDP-24-00081:LANE ALLEN PARK (LOTS 2 AND 3) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

1. **ROSE HOLDINGS LEXINGTON, LLC ZONING MAP AMENDMENT AND LANE ALLEN PARK, LOTS 2 AND 3 DEVELOPMENT PLAN**

- a. **PLN-MAR-24-00017: ROSE HOLDINGS-LEXINGTON, LLC** (4/24/25)* – a petition for a zone map amendment from a Single Family Residential (R-1A) zone to a Planned Neighborhood Residential (R-3) zone, for 11.587 net (11.924 gross) acres for property located at 1899 Parkers Mill Road.

COMPREHENSIVE PLAN AND PROPOSED USE

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

The petitioner proposes the rezoning of the subject property to the Planned Neighborhood Residential (R-3) zone to construct a single-family residential development.

The Zoning Committee Recommended: Postponement.

The Staff Recommends: Postponement for the following reasons:

1. The applicant should conduct a flood study to determine the extent of the flood hazard areas present on the property prior to the consideration of the proposed zone change to substantially increase the allowable density on the subject property.
 2. The applicant should address the following Goals, Objectives, and Criteria of the 2045 Comprehensive Plan:
 - a. Theme D, Goal #1.a: Implement the Complete Streets policy, prioritizing a pedestrian-first design that also accommodates the needs of bicycle, transit and other vehicles;
 - b. Theme D, Connectivity Policy #2: Create multi-modal streets that satisfy all user needs and provide equitable multi-modal access for those who do not drive due to age, disability, expense, or choice.
 - c. Theme D, Goal #3.b: Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures;
 - d. Theme D, Goal #3.c: Develop incentives to retain, restore, preserve and continue use of historic resources such as historic sites, rural settlements and urban and rural neighborhoods;
 - e. Theme D, Growth Policy #5: Identify and preserve Lexington's historic assets, while minimizing unsubstantiated calls for preservation that can hinder the city's future growth
 - f. Theme B, Protection Policy #2: Conserve and protect environmentally sensitive areas, including sensitive natural habitats, greenways, wetlands and water bodies;
 - g. Theme B, Protection Policy #9: Respect the geographic context of natural land, encourage development to protect steep slopes, and locate building structures to reduce unnecessary earth disruption.
 3. The applicant should address the following development criteria for the Enhanced Neighborhood Place-Type, and Low Density Residential Development Type.
 - a. E-ST8-2: Development should provide community oriented places and services.
 - b. A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided
 - c. B-PR2-1 Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site;
 - d. B-RE5-1: Dividing floodplains into privately owned parcels with flood insurance should be avoided;
 - e. B-RE5-2: Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them
 - f. A-DS9-1: Development should provide active and engaging amenities within neighborhood focused open spaces.
 - g. C-LI8-1: Development should enhance a well-connected and activated public realm.
 - h. E-GR4-1: Developments should incorporate reuse of viable existing structures
 - i. E-GR5-1: Structures with demonstrated historic significance should be preserved or adapted.
- b. **PLN-MJDP-24-00081: LANE ALLEN PARK, LOTS 2 & 3** (4/24/25)* – located at 1899 PARKERS MILL ROAD, LEXINGTON, KY

Council District: 10

Project Contact: Vision Engineering

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

Note: The purpose of this plan is to depict lotting layout for 25 single-family homes, in support of the requested zone change from a Single Family Residential (R-1A) zone to a Planned Neighborhood Residential (R-3) zone.

The Subdivision Committee Recommends: Postponement. There are questions regarding the need for a floodplain study to identify the extent of the floodplain.

Should this plan be approved, the following requirements should be considered:

1. Provided the Urban County Council approves the zone change to R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval if environmentally sensitive areas.
6. Correct plan title to match staff report.
7. Include Note 22 and all site statistics from previous plan dated November 5, 2024.
8. Remove date and correct typing in Commission Certification.
9. Depict all lines and symbology to be clearly reproducible in black and white.
10. Provide floodplain study in compliance with the stormwater manual to document the floodplain.
11. Denote proposed right-of-way dedication for Parkers Mill Road in cross-section CC.
12. Correct Note #21 to include Lots 5, 6, 22, & 23 per "calculated floodplain".
13. Discuss Placebuilder criteria.

Staff Presentation – Mr. James Mills presented the staff report and revised recommendation for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from a Single Family Residential (R-1A) zone to a Planned Neighborhood Residential (R-3) zone, for 11.587 net (11.924 gross) acres for property located at 1899 Parkers Mill Road. Mr. Mills indicated that the applicant is seeking to develop 30 single family residential lots using the Low Density Residential Development Type and the Enhanced Neighborhood Place-Type. Mr. Mills noted the residential zoning in the area and highlighting that most properties around the development are R-1A, R-1B, and R-1C. Mr. Mills discussed the reasons for the initial postponement recommendation stating that there were concerns with the floodplain on the property, the impact of environmentally sensitive areas, the destruction of a historic home and significant trees on the property, as well as issues with connectivity and the sidewalk network.

In response to those concerns Mr. Mills indicated that the applicant had performed a flood study and made changes to the development plan based on those findings. Those changes included creating new lotting patterns, reducing road crossings, and designating lots in the flood plain as "non-buildable." Additionally, Mr. Mills indicated that after the destruction of significant trees, there were only 10 left on the property and to mitigate this, Staff was recommending additional plantings.

Mr. Mills concluded by stating that Staff was recommending approval because the application increases residential density, while minimizing disruption of environmentally sensitive features and areas, and respects the scale of the adjoining development. Mr. Mills stated he could answer any questions from the Planning Commission.

Development Plan Presentation – Mr. Chris Chaney oriented the Planning Commission to the location and characteristics of the subject property. Mr. Chaney showcased the layout of the 30 proposed lots and the change in the pattern, which resulted in a lotting pattern, which resulted in a reduction in the number of crossings of the floodplain since the last development plan. Mr. Chaney indicated that the applicant had met the initial conditions and noted that they had also fulfilled the latest conditions recommended by Staff. Mr. Chaney stated that at the time of the final development plan, the applicant will have to do an additional study for how the post development floodplain would look. Mr. Chaney concluded by stating that Staff was recommending approval based on Staff's conditions and could answer any questions from the Planning Commission.

Applicant Presentation – Mr. Bruce Simpson, attorney for the applicant, stated that he was pleased with Staff's recommendation of approval and gave a summary of the 11-acre parcel. Mr. Simpson stated that they

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

were seeking to make sure that these homes and the prices of these homes are in line with what is already in the surrounding neighborhood. Mr. Simpson noted that they had meetings with the neighborhood, most recently on Monday, and that they had given access to the various studies and other documents so they can see exactly how it would affect this area. Mr. Simpson also stated that the neighborhood was concerned with the R-3 zoning because it allowed for a mix of housing types but noted the applicant's commitment to single-family housing and limiting it to 30 homes.

Mr. Simpson stated that at this time, only 22 of the 30 lots are buildable due to the retention basin and floodplain issues and that as stated previously, additional study would be required by FEMA and the Army Corp of Engineers to determine the best way to build and deal with the floodplain. Additionally, Mr. Simpson discussed the destruction of a historic home and stated that it was dilapidated and that the cost of updating it would have far exceeded its justification. Mr. Simpson concluded by stating again that he appreciated Staff's recommendation and asked for approval.

Commission Questions and Comments – Mr. Robin Michler stated his concern for the significant trees being removed before the committee meeting and that there seemed to be some confusion on how many trees are needed to mitigate what was removed. Mr. Michler asked what Mr. Simpson was going to do to mitigate that. Mr. Simpson stated he had not been asked about that, but it could be figured out at the time of the final development plan.

Mr. Michler stated that when dealing with single-family developments, that it might not help with the density goals, but an applicant should do what they can to help maintain existing tree canopy and preserving historic homes, even at a high cost. Mr. Michler asked Mr. Simpson what happened to the goals and objectives of the Comprehensive Plan while this was being developed. Mr. Simpson responded, stating that the goals Mr. Michler are talking about are important, but there has to be common sense when dealing with economic issues. Mr. Simpson stated he thought they had done their due diligence with this development and that the cost of updating the historic house did not make sense for the development. Additionally, Mr. Simpson stated that this development would increase the density by 300% if they did not ask for a zone change, but built in the zoning currently in place.

Mr. Nicol asked if Mr. Simpson had met the objective requirements stated in Staff's conditions. Mr. Simpson stated that they had and they had worked with and met with the Staff many times to do so.

Ms. Molly Davis asked Mr. Simpson to point out which houses would be built first. Mr. Dan Rose, applicant, stated that there was not a prioritized lot, but #15 was owned by his brother and he intended to build on it. Mr. Rose also explained that he would be working with a custom home builder and the homes would be prioritized from there as they are bought.

Ms. Davis noted that there were comments from a Mr. Ken Cooke about his concerns for the property and she asked if the applicant had met with him. Mr. Rose indicated that they had and had listened to Mr. Cooke's concerns. Mr. Rose indicated that they eliminated a portion of the road over the floodplain shown on the original development plan that was of concern to Mr. Cooke after that meeting.

Ms. Davis asked who made the decision to take down 84 significant trees on the property and Mr. Rose stated that when they demolished the historic house there were a lot of trees around there that they decided to take down. Mr. Rose stated that it was his intention to have very nice landscaping, plants, and greenspace to make up for the trees being taken down.

Mr. Jihad Hillany provided more clarity and stated that some of the trees were damaged and that at the time of the final development plan they will put in 40% tree canopy to mitigate the old trees.

Public Comment – Peter Ecabert, attorney for a neighbor, stated his clients concern regarding traffic on Parkers Mill Road and asked for a postponement to review Mr. Simpson's filings.

Claude Wagner, 1894 Parkers Mill Road, stated his support for this plan and his opinion that the applicant would do a good job with the development.

Nasim Khan, 1911 Parkers Mill Road, stated her and her husband's support for the development and would help people looking for nice homes.

Janice Rosebrook, St. Raphael's Episcopal Church, stated that the church was not opposed to the development.

Harold Janes, 1886 Parkers Mill Road, stated his support for the development and stated that he did not think that there were 84 significant trees on the site before.

Jim Goodman, 1212 Cape Cod Circle, stated his support for this project and that he did not want apartments in this development due to the increased traffic it would cause.

Carin Lovell, 1280 Colonial Drive resident, stated that she was against this proposal and alleged that the applicant had not told them correct information and that the applicant was going to take out another significant tree on the property.

Applicant Rebuttal – Mr. Simpson stated that the project has significant neighborhood and church support. He stated that he understood the issues with the trees that were taken down, but that they would come up with a significant tree mitigation plan to make up for it. Mr. Simpson contended that the applicant had done their homework, and they will continue to do so to get this approved here and at the time of the final development plan. Additionally, Mr. Simpson stated that he was sympathetic to the neighbor's concerns about the 30 units, but that they would restrict the property to 30 single family dwelling units.

Mr. Simpson concluded by stating that he thought this project was an excellent fit for this area, the applicant has done a lot of work on it, and he would appreciate a vote of approval.

Public Rebuttal – Harold Janes, 1886 Parkers Mill Road, stated that concerns with higher density developments coming here do not make sense because the layout of the roads here would never allow for them.

Peter Ecabert, attorney for a neighbor, respectfully asked for a postponement again to look over the changes made by Mr. Simpson.

Commission Questions and Comments – Mr. Michler asked for clarification on the assertion that the current R-1 zoning only allows for one house per acre. Mr. Daniel Crum stated that the current zoning could allow for 1 acre lots, but given the chosen Place Type, R-3 was a recommended zone. Additionally, Mr. Crum stated that Staff is against any conditions proposed by Mr. Simpson because they would be at odds with what the goals and objectives of the Comprehensive Plan call for in the proposed zone. Ms. Wade clarified that R-1A zoning prior to the 1994 does require one acre lots.

Mr. Michler asked if there was any discussion on connecting this development to other subdivisions in the area as is asked for in the Comprehensive Plan. Mr. Crum stated that there were environmental constraints to this site, as well as no opportunity that made sense to put in stub streets and provide greater connections. Mr. Michler asked if this was approved, would the Planning Commission be approving it with the original tree protection plan and original tree surveying. Mr. Crum indicated that the application is currently in the tree inventory stage and that the applicant would have to update their plan to reflect the current layout and trees.

Ms. Davis asked if there were any fines when an applicant takes down trees like happened here. Mr. Crum stated that actions like this would be handled with the Urban Forester and they would figure out a tree mitigation plan.

Ms. Davis asked why the applicant did not go with an R-2 zone and Mr. Crum stated that the R-2 zone has a maximum lot size and the project in its current configuration would exceed that.

Mr. Owens stated that it did not seem like Staff wanted the zoning restrictions proposed by the applicant and he asked if with the R-3 zone, someone could buy this property and build more dense housing. Mr. Crum indicated that was the case.

Mr. Penn asked if deed restrictions could prohibit building more dense housing projects. Ms. Tracy Jones, Department of Law, stated that we do not get involved with private agreements, but that Staff is not for these restrictions because it basically makes the R-3 zone into a R-1 zone and that is not a recommended zone with the Place Type they have chosen.

Action – A motion was made by Mr. Frank Penn and seconded by Ms. Barksdale and carried 10-1 (M. Davis opposed) to approve PLN-MAR-24-00017: ROSE HOLDINGS-LEXINGTON, LLC for reasons provided by Staff.

Action – A motion was made by Mr. Frank Penn and seconded by Ms. Barksdale and carried 9-2 (M. Davis and Michler opposed) to approve PLN-MJDP-24-00081: LANE ALLEN PARK, LOTS 2 & 3 with the six conditions recommended by Staff, deleting condition #6 and adding a condition to limit the number of single family units to 30 as a development plan note.