

1. ANDERSON CAMPUS RENTAL PROPERTIES, LLC ZONING MAP AMENDMENT AND SOUTH BROADWAY PLACE AND LYNN GROVE ADDITION DEVELOPMENT PLAN

Note: The Planning Commission postponed this item at the July 24, 2025 meeting.

- a. **PLN-MAR-25-00007: ANDERSON CAMPUS RENTAL PROPERTIES, LLC** (8/14/25)* – a petition for a zone map amendment from a Single Family Residential (R-1D) zone and a Townhouse Residential (R-1T) zone to a Medium Residential (R-4) zone, for 0.431 net (0.498 gross) acres for properties located at 119 Burley Avenue, 122 Simpson Avenue, 1104 Fern Avenue, and a portion of 109 Simpson Avenue. The applicant is also requesting a variance to reduce the VUA perimeter buffer from 8' to 3' at the rear of 122 Simpson Avenue.

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 applicant is seeking to rezone the subject properties in order to expand an existing multi-family development located at 201 Simpson Avenue. The expansion plan would add an additional 220 units, bringing the total to 507 units for a total residential density of 40.53 units per acre.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Postponement** for the following reasons:

1. The zone change application for the subject property necessitates a Parking Demand Mitigation Study in accordance with Article 16-14 of the Zoning Ordinance.
 2. The zone change application for the subject property, as proposed, does not completely address the development criteria for a zone change within the Enhanced Neighborhood Place Type, and the Medium-Density Residential Development Type. The following criteria require further discussion by the applicant to address compliance with the Comprehensive Plan:
 - a. D-PL7-1: Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
 - b. A-DS4-1: A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.
 - c. D-CO4-2: Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.
 - d. B-PR2-1: Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
 - e. B-SU9-1: Green Stormwater Infrastructure (GSI) should be implemented in new development.
- b. **VARIANCE** – As part of their application, the petitioner is also seeking a dimensional variance to reduce the required landscape buffer between 122 Simpson Avenue and 1106 Fern Avenue from eight (8) feet to three (3) feet.

The Zoning Committee Recommended: **Postponement.**

The Staff Recommends: **Disapproval** of the requested variance for the following reasons:

1. The applicant has not provided sufficient justification to meet the requirements of Article 7 of the Zoning Ordinance or KRS 100.243. There do not appear to be special circumstances that are unique to the subject property that do not generally apply to other property in the vicinity or in the same zone that justify the need for the variance. The property is a large redevelopment site that does not feature any environmental constraints.

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

2. The applicant has not provided any information that demonstrates that meeting the 8-foot required landscape buffer would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. It appears that the requirement could be met by relocating three parking spaces.

- c. **PLN-MJDP-25-00026: SOUTH BROADWAY PLACE AND LYNN GROVE ADDITION** (8/14/25)* – located at 103-119 BURLEY AVENUE (odd only), 1104 FERN AVENUE, 1100-1109 PROSPECT AVENUE (odd only) and 101-201 SIMPSON AVENUE (odd only), LEXINGTON, KY
Council District: 10
Project Contact: Barrett Partners

Note: The purpose of this plan is to depict area of development of 220 multi-family dwelling units in support of the requested zone change from a Single Family Residential (R-1D) zone and Townhouse Residential (R-1T) to a Medium Density Residential (R-4) zone.

The Subdivision Committee Recommends: **Postponement.**

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

1. Provided the Urban County Council approves the zone change to R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Remove gray shading.
8. Denote location of common open space per Article 20-6(a) of the Zoning Ordinance on Burley Avenue.
9. Addition of sidewalks to Burley Avenue.
10. Addition of exhibits to meet multi-family design standards.
11. Provided the Planning Commission approves a waiver for Articles 6-8(b) and 6-8(f) of the Land Subdivision Regulations.
12. Discuss removal of existing driveway for townhomes on Burley Avenue.
13. Discuss stormwater management plan, including proposed relocation of existing modified detention basin from previous plan.
14. Discuss Placebuilder criteria.

Staff Presentation - Mr. Young presented the zone change request to the Planning Commission. He described the features and zoning of the surrounding areas. He pointed out that there were only four addresses included in the zone change, but the corresponding development plan covered a larger area. He stated that the applicant was asking for an Enhanced Neighborhood Place-Type and Medium Density Development Type. Mr. Young stated that originally, the Staff had some concerns regarding traffic, connectivity, and stormwater, but he explained how the applicant had addressed the concerns, and their new design eliminated the need for a variance. He stated that the Staff was now recommending approval for the following reasons:

1. The proposed Medium Density Residential (R-4) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request allows for more flexibility to create higher density housing (Theme A, Goal #1.b).
 - b. The proposal incorporates vacant and underutilized parcels (Theme A, Goal #2.a).
 - c. The request will provide residential units with accommodations for those with disabilities (Theme A, Goal #1.c).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request will provide development that is sensitive to the surrounding context (Theme A, Design Policy #4).

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

- b. The proposed apartment uses will increase the variety of housing choice available in the area (Theme A, Design Policy #8).
- c. The proposal is in agreement with the Multi-Family Design Standards (Theme A, Design Policy #3).
- 3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use which states infill residential should aim to increase density (A-DN2-1).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as the request provides accessible links to transit (A-DS1-2).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency by improving tree canopy (B-RE5-1).
 - d. The proposed rezoning meets the criteria for Site Design by orienting parking to the interior or rear of the property for non-residential or multi-family developments (A-DS7-1) and providing active and engaging amenities within neighborhood focused open spaces (A-DS9-1).
 - e. The request meets the criteria for Building Form by minimizing significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods (A-DN2-2).
- 4. This recommendation is made subject to approval and certification of PLN-MJDP-25-00026: South Broadway Place and Lynn Grove Addition (amd) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Staff Presentation - Ms. Gallt oriented the Commission to the development plan. She stated that the revision would add 220 dwelling units to what was already existing. She told the Commission that the applicant had originally removed an access point to Burley Avenue, but they had put it back in the revision, at the request of Staff, in the support of connectivity. Ms. Gallt listed and described the following revised conditions, and stated that the Staff recommended approval, subject to the following conditions:

- 1. Provided the Urban County Council approves the zone change to R-4; otherwise, any Commission action of approval is null and void.
- 2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
- 3. Urban County Traffic Engineer's approval of street cross-sections and access.
- 4. Urban Forester's approval of tree inventory map.
- 5. Greenspace planner's approval of the treatment of greenways and greenspace.
- 6. Department of Environmental Quality's approval if environmentally sensitive areas.
- 7. Denote location of common open space per Article 20-6(a) of the Zoning Ordinance on Burley Avenue.
- 8. Provided the Planning Commission approves a waiver for Articles 6-8(b) and 6-8(f) of the Land Subdivision Regulations.
- 9. Discuss Placebuilder criteria.

Staff Presentation Continued - Ms. Gallt continued the Staff presentation, and described the waiver that had been requested by the applicant. She said that the applicant proposed an entrance into their development, rather than using a required terminus for a public street. She stated that the applicant planned to use a "mountable traffic island" that would act as a roundabout to allow vehicles to turn around, if necessary. Ms. Gallt stated that Staff was recommending approval of the waiver request for the following reasons:

- 4. Granting the requested waiver for termination of street standards will not adversely affect public health, welfare and safety in compliance with the intent of the Land Subdivision Regulations. A second access point exists to the north portion of the property through the property located at 1020 Export Street and keeping access to Burley Avenue will allow another access for the southern portion of the development to have direct access to a public street.

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

5. The granting of the waivers is consistent with the intend Article 1-5(b) of the Land Subdivision Regulations for Design Innovation and Large-Scale Development as the street system and access points have been developed as part of an overall design for the entire residential development.
6. Granting the waiver is consistent with the intent of Article 1-5(c) of the Land Subdivision Regulations due to site constraint of an Infill and Redevelopment within an existing single family residential neighborhood.

Applicant Representation - Attorney Dick Murphy; Dennis Anderson, owner; Rory Kahly, EA Partners; Mike Craft, Anderson Communities; and Steve Garland, Prime Engineering were present on behalf of the application. He stated that applicant had made a number of changes to the original plan and appreciated the work that the Staff had done. He stated that they were withdrawing the variance request. He displayed a map of the development plan, and pointed out the small area of the actual zone change and the piece of the overall development plan that was not owned by the applicant. He also described the changes that had been made to entrance from Simpson Avenue and that the roundabout would allow for safe turn arounds. He requested approval, at this time.

Commission Questions - Ms. M. Davis asked Mr. Murphy to clarify the location of the three entrances. Mr. Murphy pointed them out on the development plan.

Ms. M. Davis asked about the stormwater concerns that had been mentioned in citizen letters. Ms. Wade replied that the letters had been received before the plan had been presented to the Technical Committee, and had been given to the applicant. She explained some of the technical issues regarding stormwater, but the engineering of the project would not be completed at this preliminary stage. She added that the applicant should have answers to the stormwater questions at either the final development stage or the improvement plan stage.

Mr. Michler asked about the small house of Fern Avenue. Mr. Murphy replied that it was beyond repair and had to be torn down.

Mr. Michler stated that the development plan referenced detention in the crawlspaces of the existing buildings, and wanted to ensure that this would not be the case moving forward. Mr. Murphy stated that it was the existing condition on the portion of the development that did not belong to this owner. Ms. Wade suggested that it was extremely unusual and that the stormwater manuals probably would not even allow for it. Mr. Murphy verified that this would not happen in the new portion of the plan.

Ms. M. Davis read a citizen comment about a church that was concerned about residents being disrespectful of their property. Mr. Murphy stated that Mr. Anderson used on-site management to prevent these issues.

Mr. Forester asked if they needed to make a formal vote to withdraw the variance request. Ms. Wade stated that the Planning Commission does typically do so. There were some off microphone discussion about this by the Planning Commission members, and Chair Davis declared that the variance had been withdrawn for the record.

Action - Mr. Forester made a motion, seconded by Mr. Wilson, 9-0 (Penn and Nicol absent) to approve **PLN-MAR-25-00007: ANDERSON CAMPUS RENTAL PROPERTIES, LLC**, as presented by staff.

Mr. Forester made a motion, seconded by Mr. Wilson, 9-0 (Penn and Nicol absent) to approve **PLN-MJDP-25-00026: SOUTH BROADWAY PLACE AND LYNN GROVE ADDITION**, with the revised conditions presented by staff, subject to the revised conditions.

Mr. Forester made a motion, seconded by Mr. Wilson, 9-0 (Penn and Nicol absent) to approve the waiver request with for the reasons presented by staff, subject to the conditions.

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