

4. JENNY TALBOTT DEVELOPMENT, LLC ZONING MAP AMENDMENT AND EAST HILLS SUBDIVISION UNIT 5-D (AMD) DEVELOPMENT PLAN

- a. **PLN-MAR-24-00005: JENNY TALBOTT** – a petition for a zone map amendment from a Professional Office (P-1) to Planned Neighborhood Residential (R-3) zone for 0.404 net (0.522 gross) acres for property located at 592 Eureka Springs Drive.

COMPREHENSIVE PLAN AND PROPOSED USE

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

The petitioner is proposing the Planned Neighborhood Residential (R-3) zone in order to adapt an existing two story professional office structure into a total of eight (8) multi-family residential units, for a residential density of 17.24 units per acre. The applicant is proposing the residential use be served by seven (7) parking spaces, located along the eastern property line. The applicant is proposing to locate a patio area to the rear of the structure, as well as removing existing paved vehicular use area in order to establish a picnic area.

The Zoning Committee Recommended: **Approval.**

The Staff Recommends: **Approval**, for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposal will expand housing choices (Theme A, Goal #1) and will allow for a greater mixture of housing types by introducing new single-family attached residential units within the immediate area (Theme A, Objective #1.b).
 - b. The request will more effectively use an underutilized parcel within the urban service area (Theme E, Goal #1.e).
 - c. By reusing an existing structure, the request ensures that the development will remain at a compatible scale with the surrounding neighborhood (Theme A, Goal #2.b).
2. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The proposal creates a people first design by providing bicycle facilities, maintaining the existing pedestrian networks, and providing close connections to transit (Theme A, Design Policy #1).
 - b. The proposal is in agreement with the applicable Multi-family Design Standards, emphasizing the continuation of the structure's current design and scale, the continuation of the existing pedestrian network, as well as the increase in open space (Theme A, Design Policy #2).
 - c. The proposal provides additional variety to the housing stock in this area (Theme A, Design Policy #8).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request increases the residential density on-site (A-DN-2-1), and introduces an appropriately scaled multi-family residential use into an area characterized by single-family detached and duplex uses (E-GR9-3).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability as it retains the existing sidewalk network that serves the site (A-DS4-1), and provides for a pedestrian connection to the transit stop at Yellowstone Parkway (A-DS1-2).
 - c. These proposed rezoning addresses the Environmental Sustainability and Resiliency development criteria, as the site does not impact any environmentally sensitive areas (B-PR2-1), reduces the amount of vehicular use area on-site (B-SU4-1), and increases the tree canopy present (B-PR7-1; B-RE1-1).
 - d. The proposal addresses the criteria for Site Design, as the request avoids overparking (C-PS10-2), creates a programmed picnic area in the open space (D-PL4-1), and provides sidewalk connections to the surrounding neighborhood (C-LI8-1).
 - e. The proposed rezoning meets the criteria for Building Form by adaptively re-utilizing the existing structure into a more dense residential use (E-GR4-1) and by meeting the applicable Multi-family Design Standards (A-DS3-1).

4. This recommendation is made subject to approval and certification of PLN-MJDP-24-00012 East Hills Subdivision Unit 5-D (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.

b. PLN-MJDP-24-00012: EAST HILLS SUBDIVISION, UNIT 5-D (AMD) (5/5/24)* - located at 592 EUREKA SPRINGS DRIVE, LEXINGTON, KY.

Council District: 5

Project Contact: Thoroughbred Engineering

Note: The purpose of this plan is to depict the expansion of an existing structure on the site, in support of the requested zone change from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone.

The Subdivision Committee Recommended: **Approval.** subject to the following conditions:

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. Greenspace planner's approval of the treatment of greenways and greenspace.
6. United States Postal Service Office's approval of kiosk locations or easement.
7. Revise plan title to match staff report.
8. Revise plan type from major to preliminary.
9. Dimension existing building.
10. Dimension parking lot, spaces, and access.
11. Dimension future patio and sidewalk.
12. Remove copyright in information in title block.
13. Delete 5' setback.
14. Clarify Kentucky Utility easement boundary.
15. Delete Notes #10, 11, 12, & 13.
16. Denote Floor Area Ratio (FAR) per Article 21 requirements.
17. Provide exhibit demonstrating compliance with open space requirements of Article 20 of the Zoning Ordinance.
18. Discuss compliance with zone-to-zone buffer requirements of Article 18 of the Zoning Ordinance.
19. Discuss Placebuilder criteria.

Staff Presentation – Mr. Daniel Crum presented the staff report and recommendations for the zone change application. He displayed photographs of the subject property and the general area. He stated that the applicant was seeking a zone map amendment from Professional Office (P-1) to Planned Neighborhood Residential (R-3) zone for 0.404 net (0.522 gross) acres for property located at 592 Eureka Springs Drive. Mr. Crum stated that the applicant is seeking to establish a multi-family residential development with the Enhanced Neighborhood Place-Type and the Low Density Residential Development-Type. Mr. Crum indicated that the applicant had initially requested Medium Density Residential, but with only two stories, it is more in line with the Low Density, and Staff is in agreement with applicant's selections. Additionally, Mr. Crum showcased the various residentially zoned properties in the area, as well as the businesses including the Lexington Ice Center, and adjoining convenient store.

Mr. Crum indicated that on the current property, there is a residential component on the second story of the current building that is allowed in the P-1 zone, but the applicant wishes to renovate the structure and make the entire building strictly residential. Mr. Crum presented the development plan and mentioned that the building would be staying the same, with the exception of an addition that will allow two additional units to be built.

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

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

Development Plan Presentation – Mr. Tom Martin oriented the Planning Commission to the location and characteristics of the subject property. Mr. Martin reiterated Mr. Crum's point that the applicant is proposing an addition for more residential units, a picnic area, and is keeping the existing parking. Mr. Martin indicated that there was concern initially about meeting Article 18 landscaping and concluded that the applicant will be able to meet that requirement.

Mr. Martin concluded his presentation stating that Staff is recommending approval subject to the following revised conditions:

1. Provided the Urban County Council approves the zone change to R-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. Greenspace planner's approval of the treatment of greenways and greenspace.
6. ~~United States Postal Service Office's approval of kiosk locations or easement.~~
6. ~~7.~~ Revise plan title to match staff report.
- ~~8.~~ ~~Revise plan type from major to preliminary.~~
- ~~9.~~ ~~Dimension existing building.~~
- ~~10.~~ ~~Dimension parking lot, spaces, and access.~~
- ~~11.~~ ~~Dimension future patio and sidewalk.~~
- ~~12.~~ ~~Remove copyright in information in title block.~~
- ~~13.~~ ~~Delete 5' setback.~~
- ~~14.~~ ~~Clarify Kentucky Utility easement boundary.~~
- ~~15.~~ ~~Delete Notes #10, 11, 12, & 13.~~
- ~~16.~~ ~~Denote Floor Area Ratio (FAR) per Article 21 requirements.~~
7. ~~17.~~ Provide exhibit demonstrating compliance with open space requirements of Article 20 of the Zoning Ordinance.
8. ~~18.~~ Discuss Resolve compliance with zone-to-zone buffer requirements of Article 18 of the Zoning Ordinance.
9. ~~19.~~ Discuss Placebuilder criteria.

Applicant Presentation – Chris Clendenen, attorney for the applicant, stated that Mr. Crum and Mr. Martin did a nice job of explaining the application, and are in agreement with the recommendations of Staff. Mr. Clendenen indicated that this project is taking an existing piece of property, with 3 housing units, rezoning to R-3, and building an addition, to allow for a total of 8 units.

Mr. Clendenen concluded by stating he could answer any questions from the Planning Commission.

Commission Questions and Comments – Mr. Pohl stated that he would like the applicant to rethink the location of the bike rack and put it closer to the building.

Action – A motion was made by Mr. Wilson, seconded by Ms. Barksdale and carried 9-0 (Forester and Johnathon Davis absent) to approve PLN-MAR-24-00005: JENNY TALBOTT for reasons provided by Staff.

Action – A motion was made by Mr. Wilson seconded by Ms. Barksdale and carried 9-0 (Forester and Johnathon Davis absent) to approve PLN-MJDP-24-00012: EAST HILLS SUBDIVISION, UNIT 5-D (AMD) with the revised 9 conditions recommended by Staff and crossing out condition #9 and replacing it with Mr. Pohl's point on the location of the bicycle rack to a more secure location.