

AN ORDINANCE CHANGING THE ZONE FROM A SINGLE FAMILY RESIDENTIAL (R-1C) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 5.04 NET AND GROSS ACRES, FROM A SINGLE FAMILY RESIDENTIAL (R-1D) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 0.18 NET (0.38 GROSS) ACRE, AND FROM A TOWNHOUSE RESIDENTIAL (R-1T) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE FOR 0.64 NET AND GROSS ACRE, FOR PROPERTY LOCATED AT 1100 ARMSTRONG MILL ROAD (A PORTION OF). (WYNNDALE DEVELOPMENT, LLC; COUNCIL DISTRICT 8).

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WHEREAS, at a Public Hearing held on May 13, 2021, a petition for a zoning ordinance map amendment for property located at 1100 Armstrong Mill Road from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 5.04 net and gross acres, from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone for 0.18 net (0.38 gross) acre, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone for 0.64 net and gross acre, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 8-0; and

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

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

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

Section 1 - That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 1100 Armstrong Mill Road from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 5.04 net and gross acres, from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3) zone for 0.18 net (0.38 gross) acre, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone for 0.64 net and gross acre, 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: June 24, 2021



\_\_\_\_\_  
MAYOR

ATTEST:



\_\_\_\_\_  
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: June 24, 2021-1t

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Rec'd by JMG  
Date: 5/27/21

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

IN RE: **PLN-MAR-21-00003: WYNNDALE DEVELOPMENT, LLC** - a petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 5.04 net and gross acres, from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3), for 0.18 net (0.38 gross) acre, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) for 0.64 net and gross acre, for property located at 1100 Armstrong Mill Road (a portion of). (Council District 8)

Having considered the above matter on May 13, 2021, at a Public Hearing, and having voted 8-0 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 requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning will grow successful neighborhoods (Theme A) by expanding housing choices by accommodating the demand for housing in Lexington responsibly, prioritizing a higher density development and allowing for a mix of housing types (Theme A, Goal #1.a.).
  - b. The proposed development also seeks to support infill and redevelopment (Theme A, Goal #2) by developing a residential land use on a parcel that is currently vacant, while also providing a well-designed neighborhood and community (Theme A., Goal #3) that integrates multi-family residential development within the established mixed-type housing area.
  - c. The proposed rezoning will achieve an effective and comprehensive transportation system (Theme D, Goal #1) by prioritizing a pedestrian-first design (Theme D, Goal #1.a.), by providing safe pedestrian access to Armstrong Mill Road and the shared-use trail.
  - d. The proposed rezoning allows for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that area connected for pedestrians and various modes of transportation (Theme A, Goal #3.b) by providing and a safe and more accessible link to the proposed enhanced pedestrian infrastructure and improving the safety of the access drive to Armstrong Mill Road.
  - e. The proposed rezoning addresses the goal of absorbing vacant and underutilized land within the Urban Service Area (Theme E, Goal #1.a), and accommodating the demand for housing in Lexington responsibly, prioritizing a higher-density housing type.
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that allows increased residential options, provides for safe pedestrian mobility and provides amenities for both residents and the surrounding community. IN addition, the development will meet the Multi-Family Design Guidelines.
  - b. The proposed rezoning includes safe facilities for the potential users of the site by enhancing the pedestrian facilities to Armstrong Mill Road and the shared-use trail. The proposed development is also providing safe and clear access to the building. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.

- c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it minimized the impact on the floodplain, while adding needed density to the Urban Service Area.
3. The proposed rezoning is in agreement with the Armstrong Mill West Small Area Plan, for the following reasons:
  - a. The proposed development will improve circulation of users by focusing on improved connectivity, alternative transportation infrastructure, and increased safety of streets (SAP Goal #2).
  - b. The proposed development will improve neighborhood safety and security, (SAP Goal #1) by reducing vacant land, increasing the lighting of the area, and “providing eyes on the street.”
  - c. The proposed rezoning will maintain the character of the neighborhood form and enhance areas in need of improvement (SAP Goal #4), by redeveloping a large vacant lot.
4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00011: LFUCG, Millcreek Subdivision, Unit 3 & Jonestown, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission’s approval.

ATTEST: This 27<sup>th</sup> day of May, 2021.

  
 Secretary, Jim Duncan

LARRY FORESTER  
 CHAIR

Note: The corollary development plan, PLN-MJDP-21-00011: LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN was approved by the Planning Commission on May 13, 2021 and certified on May 27, 2021.

K.R.S. 100.211(7) requires that the Council take action on this request by August 11, 2021.

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

**OBJECTORS**

▪ Julian Campbell, president of the South Gainesway Neighborhood Association

**OBJECTIONS**

▪ Concerned about additional traffic from the proposed development on Armstrong Mill Road

**VOTES WERE AS FOLLOWS:**

AYES: (8) Barksdale, Bell, Davis, Forester, Penn, Plumlee Pohl, and Wilson

NAYS: (0)

ABSENT: (3) de Movellan, Meyer, and Nicol

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-21-00003 carried.

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

Record ID: PLN-MAR-21-00003

Filing Received: 03/01/2021

Pre-Application Date: 02/03/2021

Filing Fee: \$550.00

### MAP AMENDMENT REQUEST (MAR) APPLICATION

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

<b>Applicant:</b> WYNNDALE DEVELOPMENT, LLC, 101 STABLE WAY, NICHOLASVILLE, KY 40356
<b>Owner(s):</b> CBT REAL ESTATE HOLDINGS, LLC, 300 W. VINE STREET, LEXINGTON, KY 40507
<b>Attorney:</b> BRUCE SIMPSON, STOLL KEENON OGDEN, PLLC, 300 W. VINE STREET, STE 2100, LEXINGTON, KY 40507

**2. ADDRESS OF APPLICANT'S PROPERTY**

1100 ARMSTRONG MILL ROAD, LEXINGTON, KY 40517 (a portion of)
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**3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY**

Zoning	Existing Use	Requested Use		Acreage	
		Zoning	Use	Net	Gross
R-1C	CHURCH	R-3	RESIDENTIAL	5.04	5.04
R-1D	CHURCH	R-3	RESIDENTIAL	0.18	0.38
R-1T	CHURCH	R-3	RESIDENTIAL	0.64	0.64

**4. COMPREHENSIVE PLAN**

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

**5. EXISTING CONDITIONS**

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

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

Roads:	LFUCG
Storm Sewers:	To Be Constructed
Sanity Sewers:	To Be Constructed
Refuse Collection:	Private
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





March 1, 2020

Lexington-Fayette Urban County Government  
Division of Planning, Zoning Subcommittee  
101 E. Vine Street, Suite 700  
Lexington, Kentucky 40507

*Via Electronic Mail Only*

*Re: Zone Change request for 1100 Armstrong Mill Rd, Lexington (the "Property")*

Commissioners and Staff:

CBT Real Estate Holdings, LLC ("CBTRE") is the owner of the above-referenced Property located at 1100 Armstrong Mill in Lexington. On or about January 28, 2021, CBTRE entered into a contract to sell the Property (the "Contract") to Wynndale Development LLC ("Purchaser"), which contract is contingent upon Purchaser's ability to obtain approval from LFUCG for re-zoning the Property in order to accommodate the construction of multi-family housing.

Purchaser has submitted to CBTRE the attached Preliminary Development Plan, and requested that CBTRE authorize Purchaser and/or its authorized agents to request a zoning change from LFUCG in order to permit the re-development of the Property in accordance with the attached.

As Manager of CBTRE, I hereby authorize Purchaser and/or its authorized agents to apply to LFUCG for any zoning changes necessary to enable re-development of the Property in accordance with the attached. The authority granted in this letter is limited to the specific purposes stated herein, and shall terminate automatically if the Contract is terminated, in which event CBTRE shall notify LFUCG in writing.

Thank you,

CBT Real Estate Holdings, LLC,  
a wholly owned subsidiary of Central Bank & Trust Co.

A handwritten signature in black ink, appearing to read 'Ellen M. Sharp'.

Ellen M. Sharp, Manager of CBTRE  
Senior Vice President, Central Bank & Trust Co.  
esharp@centralbank.com  
859-253-6235



**T. BRUCE SIMPSON, JR.**  
DIRECT DIAL: (859) 231-3621  
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bruce.simpson@skofirm.com

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

March 1, 2021

**HAND-DELIVERED AND FILED VIA ACCELA**

Mr. Larry Forrester, Chairperson  
Lexington-Fayette Urban County Government  
C/O Hal Baillie, Division of Planning  
101 East Vine Street  
Lexington, Kentucky 40507

RE: ZONE MAP AMENDMENT REQUEST FOR PROPERTY LOCATED AT  
1100 ARMSTRONG MILL RD FROM AN EXISTING R-1T, R-3, R1-C AND R1-D  
TO A UNIFIED R-3 ZONE FOR APPROXIMATELY 9.2 NET ACRES

Dear Chairperson Forrester,

I am pleased to submit this zone map amendment request on behalf of the Wynndale Development Company, LLC for property located at 1100 Armstrong Mill Rd. The subject property, consisting of 9.2 net acres, is currently split zoned, R-1T, R-3, R-1C and R-1D. In the past, the property has been used for a church, Lexington Baptist Temple and a large cell tower. However, while the church building, its related parking facilities and a cell tower remain, the church ceased its operations. The church building is in need of significant repairs. The applicant proposes to eliminate the split zoning of the property for the propose of rezoning the property to a unified R-3 zone so as to build 96 apartments in four (4) three story buildings, plus a clubhouse.

The subject property is bordered to the west by property zoned R-3 (Pinebrook Apartments) and some single-family homes which are located adjacent to the rear of the subject property which is not planned for development due to this portion of the subject property being located in a floodplain. The subject property is bordered to the south by vacant property zoned R-4 (High Density Apartments). The subject property is bordered to the east by more vacant property zoned R-4, some properties zoned R-1T (Townhouse Residential) (Leisure Creek Townhomes) and a remnant sliver of vacant land zoned R-1D (West Hickman Creek). The subject property is separated from the townhome community by West Hickman Creek. Finally, the subject property is bordered to the north, across Armstrong Mill Rd. by single-family homes zoned R-1C.



Mr. Larry Forrester, Chairperson  
March 1, 2021  
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## **GOALS AND OBJECTIVES**

We believe that our proposed development is in agreement with the 2018 Comprehensive Plan, specifically the following Goals and Objectives:

### **1. THEME A: GROWING SUCCESSFUL NEIGHBORHOODS**

#### **Goal 1. Expand housing choices**

##### **Objectives:**

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

#### **Goal 2. Support Infill and Redevelopment throughout the Urban Services Area as a 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.
- c. Incorporate adequate greenspace and open space into all development projects which serve the needs of the intended population.

#### **Goal 3. Provide well designed neighborhoods and communities.**

##### **Objectives:**

- a. Enable existing and new neighborhoods to flourish through neighborhood character preservation and public commitment to expand options for mixed use type housing throughout Lexington Fayette County.
- b. Strive for positive and safe social interactions in neighborhoods, including, but not limited to neighborhoods that are connected for pedestrians and various modes of transportation.
- c. Minimum disruption of natural features when building new communities.

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### **COMPLIANCE WITH THE ARMSTRONG MILL WEST SMALL AREA PLAN**

This application complies with many of the important goals and policies of the 2015 Armstrong Mill West Small Area Plan as set out in the following Goals and Objectives:

**Goal Number 1: Improve Neighborhood Safety and Security To Reduce The Opportunity For Crime.**

The subject property is currently an unoccupied large church building with a significant vacant parcel, all of which are largely unmonitored and located in the middle of an existing neighborhood. Such places can become attractive locations for vandalism, criminal mischief and other acts of criminal wrong doing. By constructing other compatible residential units with appropriate lighting on the site, this potential for criminal opportunity will be greatly reduced.

**Goal Number 2: Improve Circulation By Focusing On Improved Connectivity, Alternative Transportation Infrastructure and Increased Safety of Streets.**

The applicant proposes to work with the appropriate LFUCG officials on the design, location, construction and maintenance of a shared use path or walking trail in the designated greenway which borders the West Hickman Creek. There are possibilities with this pedestrian and bicycle connection to link up with existing neighborhoods for which there is no existing connection. This subject property also has the potential for a vehicular connection to be connected into the existing parking lot of the adjacent apartment community to the west. This could be a beneficial connection for residents of both properties.

**Goal Number 3: Promote Peaceful, Safe and Livable Neighborhoods With Equitable And Affordable Housing Choices**

The applicant proposes to build 96 new market rate apartments which will provide new and additional housing choices which currently do not exist on the subject property.

**Goal Number 4: Maintain Character Of Neighborhood Form And Enhance Areas In Need Of Improvement**

The applicant will be constructing a new apartment community which will have context sensitive design and be compatible with the existing residential uses. This proposal will replace a vacant and substandard vacant building with new housing opportunities which will enhance this part of the Armstrong Mill West neighborhood.

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### **NEIGHBORHOOD ENGAGEMENT**

Due to Covid Restrictions, face to face meetings with residents of the existing neighborhoods cannot be held. As a result, there will be at least two separate "zoom type" meetings with the residents of the neighborhood once we receive email addresses from those persons in the notification area.

### **PLACE TYPE, DEVELOPMENT TYPE AND REQUESTED ZONE**

The Placebuilder defines seven place-types within the Urban Service Area boundary. The most appropriate place type for the subject property is ENHANCED NEIGHBORHOOD, which is defined as:

"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 multimodal connections is crucial to neighborhood success and viability."

As noted above, the subject property is adjacent a mixture of apartments, townhomes and single-family houses. The Enhanced Neighborhood encourages a variety of residential densities, including medium-high density residential which is the most appropriate place-type for the site.

### **DEVELOPMENT CRITERIA**

In addition to complying with the place-type provided for in the Comprehensive Plan, this application is also in compliance with the development criteria applicable for a medium-high density residential development.

#### **Site Design, Building Form and Location**

##### **A-DS3-1**

Using the Imagine Lexington Enhanced Neighborhood Development Criteria for Medium-High Density Residential, specifically the Multi-Family Design Standards in Appendix 1 (v. July 11, 2016) as a supplemental guide to complement the Lexington Zoning Ordinance, this application will comply with these design criteria.

Mr. Larry Forrester, Chairperson  
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**A-DS4-2**

This new apartment community will have four 3-story buildings. This new apartment community will be adjacent to an existing apartment community.

**A-DS5-3**

Assuming appropriate arrangement can be agreed to with LFUCG, this new apartment community will have a new pedestrian connection along the West Hickman Creek and to existing neighborhoods.

**A-DS5-4**

The new apartment community has significant interior pedestrian connections in order for the residents to enjoy the amenities which will be set aside for their use.

**A-DS7-1**

The majority of the parking is oriented towards the interior of the property.

**A-DS7-2**

The parking along Armstrong Mill Rd. will be screened with appropriate landscaping.

**A-DS7-3**

There are no parking structures for this development.

**A-DS10-1**

This new apartment community is within walking distance to a soon to be constructed segment of a proposed shared use trail and is also within walking distance to a small-scale commercial development which is located off Tates Creek Rd.

**A-DS11-1**

This criteria is not applicable to this proposed development. The limited size of the property prohibits the construction of parks or schools.

**A-DS12-1**

The proposed apartment community is located within reasonable walking to the commercial area off Tates Creek Rd.

Mr. Larry Forrester, Chairperson  
March 1, 2021  
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**A-DN2-1**

This proposed infill development will increase residential density of the existing vacant and underutilized property.

**A-DN2-2**

This proposed apartment community will have significant setbacks from the existing single-family neighborhoods.

**A-DN3-2**

This proposed apartment community is limited in size and location from existing commercial uses.

**A-DN4-1**

This proposed apartment community is limited in size and location from existing commercial uses.

**A-EQ7-1**

This criteria is not applicable as no new school site is proposed.

**B-PR9-1**

There is a greenway and creek which is located at the eastern boundary of this site. This area will be preserved by utilizing the existing topography to the greatest extent possible. This feature will be an important aesthetic amenity for the future residents of this apartment community.

**B-SU11-1**

Green infrastructure, to the extent it is economically feasible will be utilized.

**C-LI6-1**

This proposed apartment community can provide pedestrian connections to the adjacent commercial uses.

**C-LI6-2**

This development criteria does not apply to this multifamily development.

Mr. Larry Forrester, Chairperson  
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**C-LI7-1**

This multifamily development will be a compatible infill project and will blend with the existing neighborhood.

**C-PS10-2**

There will be sufficient parking.

**C-PS10-3**

There will be no overparking with this new apartment community.

**D-PL7-1**

All property owners within 500 feet of the subject property will be invited to a neighborhood meeting where the proposed development was discussed and questions answered via zoom. There will be two of these meetings.

**D-PL9-1**

There are no historically significant structures to be preserved on this development site.

**D-PL10-1**

There are no current plans for designating public art easements due to the small amount of land that is being utilized and the need to increase density on the subject property

**D-SP3-1**

There is currently within the area adequate right of way, easements for infrastructure, including wireless communication to serve the proposed apartment community.

**D-SP3-2**

There is no cell tower on the subject property

**E-GR4-1**

This criteria is not applicable as there are no existing structures to reuse.

Mr. Larry Forrester, Chairperson  
March 1, 2021  
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**E-GR5-1**

This criteria is not applicable as there are no historic structures on the subject property.

**E-GR9-4**

This application will intensify the use of vacant and underutilized land which has been inside the urban services area.

**A-DS1-1**

There are no plans to create a shelter or mass transit infrastructure. However, in the future, should enough residents of the apartment community want such an amenity, it will be provided.

**A-DS1-2**

There will be direct pedestrian linkages to Armstrong Mill Rd. which is the location of the nearest bus route.

**A-DS4-1**

There will be pedestrian connections to the existing neighborhood and shared use trail. There will be a pedestrian connection to the greenspace amenity which will serve this apartment community.

**A-DS5-1**

There will be internal pedestrian routes to separate pedestrian traffic from vehicular driving areas.

**A-DS5-2**

There will not be any new roadways created with this apartment community.

**A-DS10-2**

The greenway will be a new focal point for this new apartment community.

**A-DS13-1**

There are no sub streets to which a connection can be made.

Mr. Larry Forrester, Chairperson

March 1, 2021

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**B-SU4-1**

There is a greenspace component added to this proposed apartment community and it will be a featured aesthetic amenity within walking distance for the residents.

**C-PS10-1**

Shared use parking is not needed.

**D-CO1-1**

There are dedicated rights of way along Armstrong Mill Rd. to promote multimodal facilities but these are beyond the control of the applicant.

**D-CO2-1**

Due to the limited area of the proposed apartment community, the applicant is not able to address off site transportation facilities to accommodate alternative modes of transportation. However, the interior of the development is designed to protect pedestrian from conflicts with vehicular traffic.

**D-CO2-2**

This development criteria is beyond the capability of the applicant to address, given it is only developing a small 8-acre site for apartments.

**D-CO4-1**

This criteria is not applicable as there are no dead end streets or cul-de-sacs being constructed with this development.

**D-CO4-2**

This criteria does not apply as the applicant is utilizing the existing roadways which were designed to serve the subject property.

**D-CO4-3**

The development of the site will minimize grading so as to preserve and enhance the greenspace area.



Mr. Larry Forrester, Chairperson  
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**D-CO5-1**

This development criteria does not apply as no new streets are being created with this development.

**D-SP1-3**

This development criteria does not apply as there are no school sites within the general proximity of the subject property

**B-PR2-2**

There will be no division of floodplains into privately owned parcels with flood insurance.

**B-PR2-3**

Floodplains will be incorporated into the accessible greenspace on the eastern edge of the subject property and will be made an amenity for the residents of this new apartment community.

**B-PR7-1**

There will be connections to the greenway that borders the eastern section of the subject property.

**B-PR7-2**

The existing tree inventory will be documented.

**B-PR7-3**

This development will improve the tree canopy because there are no trees currently on the subject property.

**B-RE1-1**

Street trees will be installed as required by the zoning ordinance.

**B-RE2-1**

Green infrastructure will be utilized if economically feasible.

Mr. Larry Forrester, Chairperson  
March 1, 2021  
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**D-SP2-1**

This development criteria is not applicable as there are no school sites proposed for the subject property.

**S-SP2-2**

This development criteria does not apply as there is no school site planned for the subject property.

**E-GR3-1**

The greenway that borders the eastern edge of the subject property will be featured as amenity for as many apartment units as possible. Additionally, there will be pedestrian access to the greenway from the apartment complex.

**E-GR3-2**

The new focal point within this small parcel will be the greenway that borders the eastern edge of the property.

**CONCLUSION**

We believe the proposed apartment community is in compliance with the 2018 Comprehensive Plan and the Armstrong Mill West Small Area Plan. This new development will add much needed density while being designed in such a manner that it will be complimentary to the existing residential neighborhood.

This new apartment community will also be designed to comply with the multifamily design guidelines.

We look forward to sharing our proposal with the Planning Commission.

Very truly yours,



T. Bruce Simpson, Jr.



T. BRUCE SIMPSON, JR.  
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May 4, 2021

**HAND-DELIVERED**

Mr. Larry Forester, Chairperson  
Lexington Fayette Urban County Planning Commission  
C/O Hal Baillie, Division of Planning, 101 East Main Street  
Lexington, Kentucky 40507

Re: Supplemental Information Regarding The Zone Map Amendment  
Application For 1100 Armstrong Mill Rd.

Dear Chairperson Forester,

This is in follow up to our meeting with the Planning staff regarding certain questions they had pertaining to our zone map application for 1100 Armstrong Mill Rd. In accordance with our discussion with the staff, this is to clarify that should the zone map amendment request be approved, we will be increasing the height of the driveway leading to the subject property from Armstrong Mill Rd. above the FEMA designated floodplain. Additionally, we have modified our preliminary development plan to reflect pedestrian access from the proposed apartment community to the proposed trail which is also reflected on the preliminary development plan. Finally, we have submitted proposed architectural renderings which depict what this new apartment community will look like upon completion.

With these responses to the staff's concerns, we believe we are in compliance with the 2018 Comprehensive Plan, including the Armstrong Mill Road West Small Area Plan and that this clarification warrants our application being approved by the Planning Commission. I look forward to appearing before the Planning Commission this Thursday.

May 4, 2021  
Page 2

Thank you.

Sincerely,

A handwritten signature in black ink that reads "T. Bruce Simpson, Jr." in a cursive style.

T. Bruce Simpson, Jr.

CC: Mr. Steve Perry  
Mr. Rory Kahly

1100 Armstrong Mill Road(a portion of)  
CBT Real Estate Holdings, LLC Property  
Zone Change from R-1D to R-3  
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED SOUTH OF AND ADJACENT TO ARMSTRONG MILL ROAD LOCATED APPROXIMATELY 0.3 MILES EAST OF THE INTERSECTION OF TATES CREEK ROAD AND ARMSTRONG MILL ROAD IN SOUTHEAST LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

**BEGINNING AT A POINT** in the northeastern most corner of Parcel #5 as shown on Plat Cabinet K, Slide 112 of record in the Fayette County Clerk's Office; Thence North 28 Degrees 55 Minutes 05 Seconds East, a distance of 30.00 feet to a point in the centerline of Armstrong Mill Road; thence with said centerline South 61 degrees 04 minutes 55 Seconds East, a distance of 156.56 feet to a point; Thence leaving said centerline South 28 Degrees 55 Minutes 05 Seconds West, a distance of 58.74 feet to a point; Thence South 69 degrees 33 minutes 24 seconds West, a distance of 69.99 feet to a point; Thence North 58 Degrees 38 Minutes 41 Seconds West, a distance of 129.55 feet to a point; Thence North 42 Degrees 30 Minutes 19 Seconds East, a distance of 78.50 feet to the **POINT OF BEGINNING** and containing 0.38 acres gross and 0.18 acres net.

1100 Armstrong Mill Road(a portion of)  
CBT Real Estate Holdings, LLC Property  
Zone Change from R-1T to R-3  
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED SOUTH OF AND ADJACENT TO ARMSTRONG MILL ROAD LOCATED APPROXIMATELY 0.3 MILES EAST OF THE INTERSECTION OF TATES CREEK ROAD AND ARMSTRONG MILL ROAD IN SOUTHEAST LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

**COMMENCING AT A POINT** in the northeastern most corner of Parcel #5 as shown on Plat Cabinet K, Slide 112 of record in the Fayette County Clerk's Office; Thence with the eastern line of Parcel #5 South 42 Degrees 30 Minutes 19 Seconds West, a distance of 78.50 feet to **THE TRUE POINT OF BEGINNING**; thence South 58 degrees 38 minutes 41 Seconds East, a distance of 129.55 feet to a point; Thence South 69 Degrees 33 Minutes 24 Seconds West, a distance of 69.98 feet to a point; Thence South 53 degrees 28 minutes 41 seconds West, a distance of 377.61 feet to a point; Thence South 73 Degrees 01 Minutes 40 Seconds West, a distance of 46.07 feet to a point; Thence North 42 Degrees 30 Minutes 19 Seconds East, a distance of 447.67 feet to the **POINT OF BEGINNING** and containing 0.64 acres gross and net.

1100 Armstrong Mill Road(a portion of)  
CBT Real Estate Holdings, LLC Property  
Zone Change from R-1C to R-3  
Lexington, Fayette County, Kentucky

A TRACT OR PARCEL OF LAND SITUATED SOUTH OF AND ADJACENT TO ARMSTRONG MILL ROAD LOCATED APPROXIMATELY 0.3 MILES EAST OF THE INTERSECTION OF TATES CREEK ROAD AND ARMSTRONG MILL ROAD IN SOUTHEAST LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

**BEGINNING AT A POINT** in the southwestern most corner of Parcel #5 as shown on Plat Cabinet K, Slide 112 of record in the Fayette County Clerk's Office; Thence with the western line of Parcel #5 North 44 Degrees 11 Minutes 01 Seconds East, a distance of 703.95 feet to a point; thence leaving said western line South 60 degrees 25 minutes 59 Seconds East, a distance of 331.17 feet to a point; Thence South 42 Degrees 30 Minutes 19 Seconds West, a distance of 362.93 feet to a point; Thence South 73 degrees 01 minutes 40 seconds West, a distance of 66.14 feet to a point; Thence South 48 Degrees 02 Minutes 04 Seconds West, a distance of 303.98 feet to a point in the southern line of Parcel #5; Thence with southern line North 58 Degrees 39 Minutes 14 Seconds West, a distance of 285.91 feet to the **POINT OF BEGINNING** and containing 5.04 acres gross and net.

# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-21-00003: WYNNDALE DEVELOPMENT, LLC

## DESCRIPTION OF ZONE CHANGE

Zone Change & Acreage:	R-1C to R-3: 5.04 net (5.04 gross) acres R-1D to R-3: 0.18 net (0.38 gross) acres R-1T to R-3: <u>0.64 net (0.64 gross) acres</u> Total: 5.86 net (6.06 gross) acres
Location:	1100 Armstrong Mill Road (a portion of)



## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	R-1C / R-1D / R-1T / R-3	Vacant Church / Cell Tower
To North	R-3 / R-1C	Single & Multi-Family Residential
To East	R-1T / R-1D	Townhomes / Open Space
To South	R-4	Townhomes / Open Space
To West	R-3	Single & Multi-Family Residential

## URBAN SERVICE REPORT

**Roads** - The subject property has frontage along a small portion of Armstrong Mill Road at its northern boundary. Armstrong Mill Road is a minor Arterial roadway, which connects Tates Creek Road and Man O War Boulevard. Armstrong Mill Road will be enhanced with a capital improvement project, which will include the establishment of a shared-use trail along the southern portion of the roadway.

**Curb/Gutter/Sidewalks** - In this area, Armstrong Mill Road does not have curb and gutter, or sidewalks. A proposed roadway improvement project will include greater facilities including curb, gutter, sidewalks, and a shared-use trail.

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

**Storm Sewers** - The subject property is located within the West Hickman watershed. The northern portion of the site is the location of the confluence of the Landsdowne Drive Tributary and West Hickman Creek. The subject property is within a special hazard area as the majority of the site is covered by a FEMA floodplain, which includes the West Hickman Creek floodway. The applicant must comply with all local, state, and federal regulations to best protect the waterway, as well as the potential users of the subject property.

**Sanitary Sewers** - Sanitary sewers exist in the immediate area. The subject property would be served by the West Hickman Wastewater Treatment Facility, in northern Jessamine County. A sanitary sewer line was recently constructed along the West Hickman Creek to serve the surrounding neighborhoods. There is a potential retired sanitary sewer line that cuts through the site. The current state of this line must be determined. Sanitary sewer capacity will need to be verified by the Capacity Assurance Program (CAP) prior to certification of the final development plan.

**Refuse** - The Urban County Government serves this area with refuse collection on Mondays. However, supplemental service by private refuse haulers is commonly utilized for multi-family residential land uses, such as the proposed.

**Police** - The nearest police station is the East Sector Roll Call Center, located less than 1.5 miles to the north of the subject property, off Centre Parkway in Gainesway.

**Fire/Ambulance** - Fire Station #7 is located less than 1.5 miles northwest of the subject property, along Tates Creek Road between Raven Road and Dove Run Road.

**Transit** - LexTran transit route service is available along Armstrong Mill Road via the Tates Creek Road Route (#3). The current facility does not include a transit seating or shelter.

**Parks** - There are two public parks within close proximity of the development. Kirklevington Park is located approximately ¾ mile west of the subject property, located along Redding Road, and Gainesway Park is located approximately ½ mile northeast of the subject property located on Appian Way.



## SUMMARY OF REQUEST

The applicant is seeking a zone change from the Single Family Residential (R-1C and R-1D) zones and the Townhouse Residential (R-1T) zone to the Planned Neighborhood Residential (R-3) zone for a portion of the property located at 1100 Armstrong Mill Road. The zone change application is seeking to construct four, three-story multi-family residential structures (a total of 96 dwelling units) and an accessory clubhouse.

## PLACE-TYPE

**ENHANCED NEIGHBORHOOD** An existing residential area that could be enhanced with additional amenities, housing types, and neighborhood-serving retail, services, and employment options that contribute to a sustainable neighborhood. Vibrant neighborhoods include a range of uses. The development that occurs in this place-type should be context-sensitive to the surrounding area and implemented in a way that adds to the sense of place. Multi-modal connections from new elements within enhanced neighborhoods are crucial to their success and long-term viability.

## DEVELOPMENT TYPE

**MEDIUM DENSITY RESIDENTIAL**

Primary Land Use, Building Form, & Design  
Primarily attached and multi-family units. Multi-family units should complement and enhance existing development through quality design and connections.

Transit Infrastructure & Connectivity  
Nearby commercial/employment uses and greenspaces should be easily accessible, and bicycle and pedestrian modes should be maximized to connect residents to destinations.

Quality of Life Components  
These developments should include intentional open space designed to fit the needs of area residents, and a variety of neighborhood-serving commercial/employment uses.

## PROPOSED ZONING



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

## PROPOSED USE



This petitioner is proposing the High Density Apartment (R-4) zone to construct a residential development comprised of four, three-story multi-family structures. The proposed development will include one, two, and three bedroom units, a clubhouse, and associated parking. The development proposes a total of 96 units at a residential density of 10 dwelling units per net acre.

## APPLICANT & COMMUNITY ENGAGEMENT



Within their letter of justification, the applicant indicated that they planned to hold at least two virtual meetings for the surrounding neighbors to learn about the project and provide feedback. To date, the applicant has not submitted any material regarding those meetings. They should report to the Committees and the Planning Commission any comments or interactions regarding the proposed rezoning and development.

## PROPERTY & ZONING HISTORY

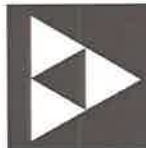


The subject property has gone through numerous changes over the years, both in lotting and zoning. The portion of the property that is currently zoned Single Family Residential (R-1C) and the area that is zoned Planned Neighborhood Residential (R-3) along the frontage of the property were zoned as such prior to the comprehensive rezoning of Fayette County in 1969. The areas east of West Hickman Creek were rezoned Single Family Residential (R-1D) and Townhouse Residential (R-1T) in 1974, which allowed the development of the single family residential on the Leisure Creek and James S. Bird Properties. These portions of the property were consolidated to the subject property in 1990 (Cabinet I, Slide 229). The southern most portion of the site was rezoned from the Agricultural Urban (A-U) zone to the Planned Neighborhood Residential (R-3) zone to allow for the construction of the multi-family residential to the west of the site. This portion of the property was consolidated to the subject property in 1996 (Cabinet K, Slide 112).

While much of the surrounding development shifted to residential over the course of the last five decades, the subject property remaining in local government ownership until 1987, when it was purchased by the Lexington Baptist Temple. In the early 1990s, the church leased a portion of its land in the rear of the property to allow for the construction of a large lattice cell tower. The church operated in the area until the late 2010s, when the property was purchased by CBT Real Estate Holdings, LLC.

In 2015, the Urban County Planning Commission adopted the Armstrong Mill West Small Area Plan. The plan incorporated extensive community engagement and was produced to guide both public improvements and private investment. The themes of the Plan include a focus on placemaking, enhancing connectivity, enhancing the pedestrian environment, improving public safety through design, re-greening impervious areas, improving access to housing with a specific emphasis on affordability, and creating a healthy food oasis. Any future development in the area should incorporate these recommendations into their design.

## COMPREHENSIVE PLAN COMPLIANCE



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

The applicant opines that their proposed rezoning is in agreement with several goals, objectives, and policies of the 2018 Comprehensive Plan. In the following section, the staff describes some of the elements that are in agreement with the Comprehensive Plan and some areas that necessitate greater discussion.

### GOALS & OBJECTIVES

The applicant opines that they are in agreement with the adopted Goals and Objectives of the 2018 Comprehensive Plan. They state that the proposed rezoning will grow successful neighborhoods (Theme A) by expanding housing choices by accommodating the demand for housing in Lexington responsibly, prioritizing a higher density development and allowing for a mix of housing types (Theme A, Goal #1.a). The proposed development also seeks to support infill and redevelopment (Theme A, Goal #2) by developing a residential land use on a parcel that is currently vacant, while also providing a well-designed neighborhood and community (Theme A, Goal #3) that integrates multi-family residential development within the established mixed-type housing area. Finally, the applicant indicates that by including multi-family residential on vacant land they are reducing pressure on the Urban Service Area boundary (Theme E, Goal #1.a).

The staff agrees that these aspects of the applicant's proposal and that these Goals and Objectives of the 2018 Comprehensive can be met with the proposed development. However, staff currently has concerns as to how the applicant will connect their development for safe positive interactions for pedestrians and provide enhanced access to various modes of transportation (Theme A, Goal #3.b), and how they will minimize the disruption of natural features when building new communities (Theme A, Goal #3.c). Each of these elements are referenced in the applicant's justification, but there is no clear understand as to how they are being achieved with the associated development.



### ARMSTRONG MILL WEST SMALL AREA PLAN

As an adopted element of the 2018 Comprehensive Plan, the 2015 Armstrong Mill West Small Area Plan is an important element of review for a zone change request that is within the plan's boundaries. Within the letter of justification, the applicant indicates that they are in agreement with the Small Area Plan. They opine that through the development of the subject property they will improve neighborhood safety and security, (SAP Goal #1) by reducing vacant land, increase the lighting of the area, and "provide eyes on the street." Additionally, the applicant indicates that they will maintain the character of the neighborhood form and enhance areas in need of improvement (SAP Goal #4), by developing in a large vacant lot.

Staff agrees with these two elements of the applicant's justification. However, the applicant also indicates that they will improve circulation by focusing on improved connectivity, alternative transportation infrastructure, and increased safety of streets (SAP Goal #2) and promote peaceful, safe and livable neighborhoods with equitable and affordable housing choices (SAP Goal #3). The applicant's current development plan does not depict the access and circulation that is described within the letter of justification. The applicant should seek to clarify how they will achieve the circulation and improved connectivity. Additionally, in reference to Goal #3, the applicant indicates that they will be providing market rate housing. This goal is specifically focused on owner-occupancy, affordable housing, infrastructure updates, and adaptive reuse of structures. The staff cannot find that the applicant would be able to achieve this goal with the proposed 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 2018 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 Place-Type and Development Type.

The applicant has indicated that the site is located within the Enhanced Neighborhood Place-Type and is seeking to create a Medium Density Residential Development Type. Within this Place-Type and Development Type, the Comprehensive Plan states that special care should be taken to address mixing housing types, connecting the pedestrian and multi-modal transportation networks, context sensitive development, and the inclusion of neighborhood serving amenities and green spaces. Staff concurs with the applicant's assessment of the Place-Type and agrees that medium density residential development can be appropriate for the subject property within a High Density Apartment (R-4) zone.

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.

#### 1. Site Design, Building Form and Location

Despite compliance with some of the criteria for Site Design, Building Form and Location, there were several criteria that necessitated added discussion and warranted a staff response.

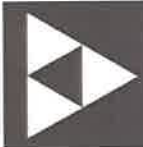
*A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.*

The applicant has not addressed the Multi-family Design Standards with their letter of justification nor the development plan. The applicant must address the site planning, open space and landscaping, and architectural design of Appendix A of the 2018 Comprehensive Plan. Special attention should be paid to the circulation throughout the site and how the open space will be accessed. Elevation drawings or renderings may be submitted to illustrate how the application is seeking to meet the Multi-family Design Standards.

*A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.*

The current development plan depicts a single access point to the structures from Armstrong Mill Road. Within the Greenway Master Plan there is a secondary trail that is planned along West Hickman Creek that is meant to provide greater connectivity to the community. The applicant should include an easement for the trail and should provide internal connections for the potential residents.

*B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to*



*the greatest extent possible.*

The applicant has indicated that they will minimize disturbances to the environmentally sensitive areas; however, they plan to construct both the clubhouse and a portion of one of the buildings in the FEMA regulatory floodplain. To do so, the applicant has submitted documentation as to how they will raise the elevation of the land to bring the buildings out of the floodplain. The applicant should consider low impact solutions that will not modify the floodplain in such a way that would change the water flow patterns.

*B-SU11-1 Green infrastructure should be implemented in new development.*

Within the applicant's letter of justification, they indicate that the inclusion of green infrastructure where feasible. The applicant should explore how and/or where such infrastructure could be utilized on site.

*D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.*

The applicant should provide information as to how they have interacted with the surrounding neighbors.

### 2. Transportation and Pedestrian

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

*A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.*

Within the applicant's letter of justification, they indicate that this criteria is being met on the development plan. There is no indication of an enhanced transit shelter or seating to be provided at the transit stop along Armstrong Mill Road. If the applicant is seeking to provide a shelter at this location, they should work with the Division of Planning, Transportation Section, and LexTran to discuss the design and viability of such a shelter.

*A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.*

*D-CO2-1 Safe facilities for all users and modes of transportation should be provided.*

The current development plan depicts a single access point to the structures from Armstrong Mill Road. Within the Greenway Master Plan there is a secondary trail that is planned along West Hickman Creek that is meant to provide greater connectivity to the community. The applicant should include an easement for the trail and should provide internal connections for the potential residents.

### 3. Greenspace and Environmental Health

The proposed rezoning meets the criteria for Greenspace and Environmental Health as it works with the current landscape, limits the impacts on the surrounding environment, and adds both street trees and internal tree canopy coverage.

*A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.*

The applicant has indicated that they will minimize disturbances to the environmentally sensitive areas; however, they plan to construct both the clubhouse and a portion of one of the buildings in the floodplain. Again, the applicant should consider low impact solutions that will not modify the floodplain.

*B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.*

Within the Greenway Master Plan there is a secondary trail that is planned along West Hickman Creek that is meant to provide greater connectivity to the community. An easement for the trail and internal connections for the potential residents should be depicted.

*B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase*



*survivability.*

*B-PR7-3 Developments should improve the tree canopy.*

The applicant should provided staff with a tree inventory map and a proposed planting plan to show how they will be providing trees on the site.

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



1. The applicant should provide greater information as to how they are meeting the following Goals and Objectives:
  - a. Theme A, Goal #3.b: Strive for positive & safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians & various modes of transportation.
  - b. Theme A, Goal #3.c: Minimize disruption of natural features when building new communities.
2. The applicant should provide greater information as to how they are meeting the Armstrong Mill West Small Area Plan. They should provide greater information as to how they are meeting the following Goals:
  - a. SAP Goal #2: Connectivity and mobility
  - b. SAP Goal #3: Housing
3. The zone change application 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. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
  - b. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
  - c. B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
  - d. B-SU11-1 Green infrastructure should be implemented in new development.
  - e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
  - f. A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
  - g. A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
  - h. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
  - i. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
  - j. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
  - k. B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
  - l. B-PR7-3 Developments should improve the tree canopy.

## SUPPLEMENTAL STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-21-00003: WYNNDALE DEVELOPMENT, LLC

### STAFF REVIEW

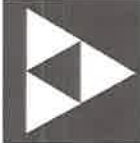
As outlined in the initial staff report and discussed during the April Subdivision and Zoning Subcommittee meetings, there were several overriding concerns regarding the proposed rezoning for a portion of the property located at 1100 Armstrong Mill Road. These concerns included safe vehicular and pedestrian movement from the proposed development to Armstrong Mill Road, agreement with the Development Criteria for the Enhanced Neighborhood Place-Type and the Medium Density Residential Development Type, and agreement with the Armstrong Mill West Small Area Plan. Each of these concerns were related to the Goals and Objectives of the Comprehensive Plan, but also focused on safety requirements when proposing to develop along a floodplain and within close proximity to a floodway. Since the committee meetings, the applicant's team has met with staff from the Divisions of Planning to discuss the areas of potential conflict and seek remedies, which would allow for the best possible solution for the Urban County.

Following continued discussion with staff, the applicant has submitted new materials to address those areas of concern. The applicant had previously provided information regarding potential modifications to the floodplain, which would raise the elevation of the access point above the elevation that would be impacted by the potential flooding during the 100-year storm event.

Also, included in the supplemental documentation is an architectural rendering of the proposed developments exterior, which seeks to provide greater information as to the Architectural Design, associated with the Multi-family Design Standards (A-DS3-1). While the documentation does not describe the Site Planning and Open Space Standards, the associated preliminary development plan does address many of staff's concerns with these elements. The development plan depicts multiple access points into the structures, articulated front wall plains, and fenestration along the ground floor (A-DS5-3, A-DS5-4). Additionally, as depicted on the updated preliminary development plan, the applicant provided more detail as to how they propose to provide direct and safe access to the shared-use trail that is located along the floodplain, which acts as the applicants open space (A-DS1-2, D-CO2-1, D-SP6-1).

Within the supplemental information submitted by the applicant, there is greater clarification regarding the tie between the proposed rezoning and the Armstrong Mill West Small Area Plan. The applicant has modified their language regarding their agreement with SAP Goal #3, which is focused on the availability of affordable housing and owner occupancy. They state that they are unable to meet the goal of affordability, due to the restrictions and site development complications caused by the floodplain. The staff understands the restrictions of the site and that the applicant will not be able to achieve this goal.

The status of the shared-use trail, that is depicted along the floodplain, is of particular interest for staff, specifically pertaining to the continuity between the applicant's justification for the zone change, what is depicted on the preliminary development plan, and the agreement with the Armstrong Mill West Small Area Plan. SAP Goal #2 stresses the need to improve circulation of users by focusing on improved connectivity, alternative transportation infrastructure, and increased safety of streets. Within the letter of justification, the applicant relies heavily on the interconnectivity of the site. This specific focus on infrastructure is also tied to the applicant's justification for agreement with Theme A, Goal #3.b. The applicant states that they are providing connections to the shared-use trail and connecting to the greenway. The associated development plan depicts two delineated access points to the greenway and the shared-use trail. These connections to the site and the construction of the trail meet the goals of the Armstrong Mill West Small Area Plan and shows greater agreement with the Comprehensive Plan. While the specific location of the share-use trail will be determined at the time of the final development plan, due to the description of the trail by the applicant and the inclusion of the trail as part of the applicant's open space, the construction of the trail is an essential element regarding the justification for agreement with the Armstrong Mill West Small Area Plan, as well as the 2018 Comprehensive Plan.



With the inclusion of the color rendered plan view, the architectural renderings, the lighting study, and the tree canopy diagram, the applicant has been able to demonstrate agreement with the Development Criteria for the Corridor Place-Type and the Medium Density Residential Development Type.

The applicant opines agreement with the adopted Goals and Objectives of the 2018 Comprehensive Plan. They state that the proposed rezoning will grow successful neighborhoods (Theme A) by expanding housing choices by accommodating the demand for housing in Lexington responsibly, prioritizing a higher density development and allowing for a mix of housing types (Theme A, Goal #1.a). The proposed development also seeks to support infill and redevelopment (Theme A, Goal #2) by developing a residential land use on a parcel that is currently vacant, while also providing a well-designed neighborhood and community (Theme A, Goal #3) that integrates multi-family residential development within the established mixed-type housing area. Finally, the applicant indicates that by including multi-family residential on vacant land they are reducing pressure on the Urban Service Area boundary (Theme E, Goal #1.a).

Additionally, the new information provided by the applicant also addresses several other aspects of the 2018 Comprehensive Plan, which were not described with their initial submission. The documentation shows how the applicant is working to achieve an effective and comprehensive transportation system (Theme D, Goal #1) by prioritizing a pedestrian-first design (Theme D, Goal #1.a), with the inclusion of safe pedestrian access to the property and to the shared-use trail. This also allows for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation (Theme A, Goal #3.b) by providing a safe and more accessible link to the proposed enhanced pedestrian infrastructure.

In review of the original submission of the applicant's materials and the updated materials, staff can now find that the proposed rezoning is in agreement with the 2018 Comprehensive Plan.

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



1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning will grow successful neighborhoods (Theme A) by expanding housing choices by accommodating the demand for housing in Lexington responsibly, prioritizing a higher density development and allowing for a mix of housing types (Theme A, Goal #1.a).
  - b. The proposed development also seeks to support infill and redevelopment (Theme A, Goal #2) by developing a residential land use on a parcel that is currently vacant, while also providing a well-designed neighborhood and community (Theme A, Goal #3) that integrates multi-family residential development within the established mixed-type housing area.
  - c. The proposed rezoning will achieve an effective and comprehensive transportation system (Theme D, Goal #1) by prioritizing a pedestrian-first design (Theme D, Goal #1.a), by providing safe pedestrian access to Armstrong Mill Road and the shared-use trail.
  - d. The proposed rezoning allows for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation (Theme A, Goal #3.b) by providing a safe and more accessible link to the proposed enhanced pedestrian infrastructure and improving the safety of the access drive to Armstrong Mill Road.
  - e. The proposed rezoning addresses the goal of absorbing vacant and underutilized land within the Urban Service Area (Theme E, Goal #1.a), and accommodating the demand for housing in Lexington responsibly, prioritizing a higher-density housing type.
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that allows increased residential options, provides for safe pedestrian mobility and provides amenities for both residents and the surrounding community. In addition, the development will meet the Multi-Family Design Guidelines.
  - b. The proposed rezoning includes safe facilities for the potential users of the site by enhancing the pedestrian facilities to Armstrong Mill Road and the shared-use trail. The proposed development is also providing safe and clear access to the building. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
  - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it minimizes the impact on the floodplain, while adding needed density to the Urban Service Area.
3. The proposed rezoning is in agreement with the Armstrong Mill West Small Area Plan, for the following reasons:
  - a. The proposed development will improve circulation of users by focusing on improved connectivity, alternative transportation infrastructure, and increased safety of streets (SAP Goal #2).
  - b. The proposed development will improve neighborhood safety and security, (SAP Goal #1) by reducing vacant land, increasing the lighting of the area, and "providing eyes on the street."
  - c. The proposed rezoning will maintain the character of the neighborhood form and enhance areas in need of improvement (SAP Goal #4), by redeveloping a large vacant lot.
4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00011: LFUCG, Millcreek Subdivision, Unit 3 & Jonestown, 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. WYNNDALE DEVELOPMENT, LLC ZONING MAP AMENDMENT & LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN ZONING DEVELOPMENT PLAN

- a. PLN-MAR-21-00003: WYNNDALE DEVELOPMENT, LLC (5/30/21)\*- a petition for a zone map amendment from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 5.04 net and gross acres, from a Single Family Residential (R-1D) zone to a Planned Neighborhood Residential (R-3), for 0.18 net (0.38 gross) acre, and from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) for 0.64 net and gross acre, for property located at 1100 Armstrong Mill Road (a portion of).

COMPREHENSIVE PLAN AND PROPOSED USE

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

The applicant is seeking a zone change from the Single Family Residential (R-1C and R-1D) zones and the Townhouse Residential (R-1T) zone to the Planned Neighborhood Residential (R-3) zone for a portion of the property located at 1100 Armstrong Mill Road. The zone change application is seeking to construct four, three-story multi-family residential structures (a total of 96 dwelling units) and an accessory clubhouse.

The Zoning Committee Recommended: Postponement for the reasons provided by staff.

The Staff Recommends: Postponement, for the following reasons:

1. The applicant should provide greater information as to how they are meeting the following Goals and Objectives:
    - a. Theme A, Goal #3.b: Strive for positive & safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians & various modes of transportation.
    - b. Theme A, Goal #3.c: Minimize disruption of natural features when building new communities.
  2. The applicant should provide greater information as to how they are meeting the Armstrong Mill West Small Area Plan. They should provide greater information as to how they are meeting the following Goals:
    - a. SAP Goal #2: Connectivity and mobility
    - b. SAP Goal #3: Housing
  3. The zone change application 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. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
    - b. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
    - c. B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
    - d. B-SU11-1 Green infrastructure should be implemented in new development.
    - e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
    - f. A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
    - g. A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
    - h. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
    - i. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
    - j. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
    - k. B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
    - l. B-PR7-3 Developments should improve the tree canopy.
- b. PLN-MJDP-21-00011: LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN (5/30/21)\* - located at 1100 ARMSTRONG MILL RD., LEXINGTON, KY.  
Project Contact: EA Partners (Council District 8)

Note: The purpose of this amendment is to rezone the property to R-3.

The Subdivision Committee Recommended: Postponement. There are concerns about conflicts with the FEMA floodplain, and floodplain setback.

1. Provided the Urban County Council rezones the property to the R-3 zone; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.

3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. United States Postal Service Office's approval of kiosk locations or easement.
8. Correct plan title.
9. Denote record plan information for property.
10. Denote 20' perimeter setback per Article 9 of the Zoning Ordinance.
11. Delineate area of existing tree canopy.
12. Clarify 25' setback notation and floodplain notation.
13. Discuss timing of sanitary sewer building conflict resolution.
14. Discuss resolution and timing of clubhouse floodplain conflict.
15. Discuss resolution and timing of 25' setback and building conflict.
16. Discuss improvements to Armstrong Mill Road.
17. Discuss potential trail location along creek/greenway.
18. Discuss Placebuilder criteria.
  - a. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
  - b. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
  - c. B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
  - d. B-SU11-1 Green infrastructure should be implemented in new development.
  - e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
  - f. A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
  - g. A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
  - h. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
  - i. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
  - j. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
  - k. B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
  - l. B-PR7-3 Developments should improve the tree canopy.

Staff Zoning Presentation: Mr. Baillie presented the staff report and recommendations for the zone change application. He displayed several photographs of the subject property and aerial photos of the general area, noting that the application was submitted under the Enhanced Neighborhood Place-Type and Medium Density Development Type. The applicant proposes to develop a multi-family complex with four, three-story structures, with two- and three-bedroom units. The development is proposed to include a total of 96 units, at a residential density of 10 dwelling units per acre. Mr. Baillie noted that the density for the proposed development is somewhat low, but the property is constrained by a FEMA floodplain. He explained that the subject property is surrounded by single-family, townhouse, duplex, and multi-family development.

Referring to an aerial photograph of the property, Mr. Baillie noted its location at the confluence of the West Hickman Creek and a tributary. That confluence, and the extent of the floodplain, was an area of concern for staff, since the sole access for the property would be located very near the confluence. Based on those concerns, the applicant modified the plan to include modifications to the roadway system to bring it above the level of the 100-year floodplain. A multi-use trail is also proposed along the floodplain. Mr. Baillie noted the location of a large cellular phone tower on the property, which is proposed to remain.

Mr. Baillie stated that, based on additional information provided by the applicant and their updated development plan, staff was able to recommend approval, for the following reasons:

1. The requested Planned Neighborhood Residential (R-3) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning will grow successful neighborhoods (Theme A) by expanding housing choices by accommodating the demand for housing in Lexington responsibly, prioritizing a higher density development and allowing for a mix of housing types (Theme A, Goal #1.a.).
  - b. The proposed development also seeks to support infill and redevelopment (Theme A, Goal #2) by developing a residential land use on a parcel that is currently vacant, while also providing a well-designed neighborhood and community (Theme A., Goal #3) that integrates multi-family residential development within the established mixed-type housing area.
  - c. The proposed rezoning will achieve an effective and comprehensive transportation system (Theme D, Goal #1) by prioritizing a pedestrian-first design (Theme D, Goal #1.a.), by providing safe pedestrian access to Armstrong Mill Road and the shared-use trail.

- d. The proposed rezoning allows for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that area connected for pedestrians and various modes of transportation (Theme A, Goal #3.b) by providing and a safe and more accessible link to the proposed enhanced pedestrian infrastructure and improving the safety of the access drive to Armstrong Mill Road.
  - e. The proposed rezoning addresses the goal of absorbing vacant and underutilized land within the Urban Service Area (Theme E, Goal #1.a), and accommodating the demand for housing in Lexington responsibly, prioritizing a higher-density housing type.
2. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
    - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as the site creates a residential development that allows increased residential options, provides for safe pedestrian mobility and provides amenities for both residents and the surrounding community. IN addition, the development will meet the Multi-Family Design Guidelines.
    - b. The proposed rezoning includes safe facilities for the potential users of the site by enhancing the pedestrian facilities to Armstrong Mill Road and the shared-use trail. The proposed development is also providing safe and clear access to the building. These improvements address the Transportation and Pedestrian Connectivity development criteria of the 2018 Comprehensive Plan.
    - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it minimized the impact on the floodplain, while adding needed density to the Urban Service Area.
  3. The proposed rezoning is in agreement with the Armstrong Mill West Small Area Plan, for the following reasons:
    - a. The proposed development will improve circulation of users by focusing on improved connectivity, alternative transportation infrastructure, and increased safety of streets (SAP Goal #2).
    - b. The proposed development will improve neighborhood safety and security, (SAP Goal #1) by reducing vacant land, increasing the lighting of the area, and "providing eyes on the street."
    - c. The proposed rezoning will maintain the character of the neighborhood form and enhance areas in need of improvement (SAP Goal #4), by redeveloping a large vacant lot.
  4. This recommendation is made subject to approval and certification of PLN-MJDP-21-00011: LFUCG, Millcreek Subdivision, Unit 3 & Jonestown, 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 Development Plan Presentation: Mr. Martin directed the Commission's attention to the development plan, and briefly explained the proposed request. He explained, with regard to the significant floodplain and the proposed trail system, that the staff would like to reserve the right to work with the applicant at the time of the Final Development Plan in order to develop the best layout for that important piece of pedestrian infrastructure.

Mr. Martin stated that the Subdivision Committee recommended postponement of this plan, due to numerous concerns about the proposed development. Since that time, the applicant submitted a revised plan that addressed many of the concerns. Mr. Martin said that the staff was now recommending approval, subject to the following revised conditions:

1. Provided the Urban County Council rezones the property to R-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. United States Postal Service Office's approval of kiosk locations or easement.
- ~~8. Correct plan title.~~
- ~~9. Denote record plan information for property.~~
- ~~10. Denote 20' perimeter setback per Article 9 of the Zoning Ordinance.~~
- ~~11. Delineate area of existing tree canopy.~~
- ~~12. Clarify 25' setback notation and floodplain notation.~~
- ~~13. Discuss timing of sanitary sewer building conflict resolution.~~
- ~~14. Discuss resolution and timing of clubhouse floodplain conflict.~~
- ~~15. Discuss resolution and timing of 25' setback and building conflict.~~
- ~~8.46. Discuss Denote: Improvements to Armstrong Mill Road shall be determined at the time of the Final Development Plan.~~
- ~~9.47. Discuss Denote: Potential trail location and construction along creek/greenway shall be determined at the time of the Final Development Plan.~~
- 10.48. Discuss Placebuilder criteria.
  - a. A-DS3-1 Multi-family residential developments should comply with the Multi-family Design Standards in Appendix 1.
  - b. A-DS5-3 Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
  - c. B-PR9-1 Minimize disturbances to environmentally sensitive areas by utilizing the existing topography to the greatest extent possible.
  - d. B-SU11-1 Green infrastructure should be implemented in new development.

- e. D-PL7-1 Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- f. A-DS1-1 Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
- g. A-DS5-1 Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
- h. D-CO2-1 Safe facilities for all users and modes of transportation should be provided.
- i. A-DS4-3 Development should work with the existing landscape to the greatest extent possible, preserving key natural features.
- j. B-PR2-3 Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- k. B-PR7-2 Trees should be incorporated into development plans; prioritize grouping of trees to increase survivability.
- l. B-PR7-3 Developments should improve the tree canopy.

Commission Questions: Ms. Plumlee asked if there was only one access to the subject property. Mr. Martin answered affirmatively, noting that the single access heightened staff's concerns about the proximity to the floodplain.

Applicant Presentation: Bruce Simpson, attorney, stated that the subject property was challenging. During the two years that the existing church remained vacant, no other congregations expressed an interest in locating there, likely due to the poor condition of the building. The property is constrained by the expense of removing the church, as well as the existing cell tower and the floodplain.

Mr. Simpson stated that the applicant is in agreement with the staff's recommendation and the revised conditions, with the exception of condition #9 as it relates to the shared-use trail. He explained that the applicant is willing to work with LFUCG to construct the trail, but they will need additional funding to provide that community amenity.

Citizen Comments: Julian Campbell, South Gainesway Neighborhood Association, stated that the neighbors had not received notification of any of the changes that had been made to the plan, so he did not believe it was fair for the application to go forward. Ms. Wade stated that the notification requirement is one notice letter, to be sent to property owners within 500 feet of the subject property, as well as the closest neighborhood associations. Once that notice goes out, there are no requirements to provide additional notice unless the applicant postpones. Ms. Wade noted that the revised plan is very similar to what was originally submitted, with the exception of shifting some square footage and removing a proposed clubhouse that was wholly within the floodplain.

Mr. Campbell stated that the neighbors' primary concern was the traffic on Armstrong Mill Road. He opined that a traffic light or some type of control device might have been needed near the access to the subject property. Mr. Campbell asked the staff to consider revisiting the Armstrong Mill West Small Area Plan, to keep it current and make it more effective for the area.

Staff Comments: Mr. Parker stated, with regard to Mr. Campbell's comments, that an access location at the bottom of a hill can be a challenge. He said that he was not aware of any improvement plans at this time, but he does believe that Armstrong Mill Road has adequate capacity to support the proposed development. Ms. Wade added that state roadway improvements are proposed, including a portion of the trail. Mr. Baillie noted that the trail on the subject property was proposed as part of the Greenway Master Plan and Lexington Bike and Pedestrian Master Plan. The state project is proposing a shared-use trail, and potential widening of the bridge on Armstrong Mill Road.

Commission Questions: Ms. Barksdale asked if there were any plans to assist those making left-hand turns in the area. Mr. Baillie explained that residential developments typically generate less traffic, adding that there might be the potential for lighting changes along Armstrong Mill Road that could provide breaks in the traffic and make left turns easier. Mr. Baillie noted that the Planning staff also believes that the carrying capacity is sufficient for the proposed development.

Zoning Action: A motion was made by Mr. Penn, seconded by Mr. Wilson, and carried 8-0 (de Movellan, Meyer, and Nicol absent), to approve PLN-MAR-21-00003: WYNNDALE DEVELOPMENT, LLC for the reasons provided by staff.

Development Plan Action: A motion was made by Mr. Penn, seconded by Mr. Wilson and carried 8-0 (de Movellan, Meyer, and Nicol absent) to approve PLN-MJDP-21-00011: LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN PLN-MJDP-21-00011: LFUCG, MILLCREEK SUBDIVISION, UNIT 3 & JONESTOWN, subject to the 10 conditions as listed in the revised staff recommendation.

## VI. COMMISSION ITEMS

- A. AMENDMENT TO ADOPTED MEETING & FILING SCHEDULE – A motion was made by Ms. Plumlee, seconded by Mr. Wilson, and carried 8-0 (de Movellan, Meyer, and Nicol absent) to amend the adoption Meeting & Filing Schedule in order to add a work session to the regularly scheduled May 27, 2021, public hearing for Zoning Items.

## VII. STAFF ITEMS

- A. ARTICLE 4-5(b) IMPROVEMENT PLAN PROGRESS REPORT - When the project engineer has completed approximately fifty percent (50%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how stormwater, sanitary sewer and environmental conditions imposed by

the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient meeting. The report is for information only, and no action by the Commission shall be taken; however, there shall be no issuance of the Notice To Proceed, as outlined in section 4-5(d), until the Planning Commission meeting is complete.

1. PLN-FRP-19-00046: DENTON FARM, INC., UNIT 4-E – located at 3752 BRANHAM PARK, LEXINGTON, KY.  
Council District 7  
Project Contact: John Hill
2. PLN-FRP-21-00010: BLACKFORD PROPERTY, PHASE 3, UNIT 1-Q & UNIT 1-P, SECTION 3 (LOTS 46 & 47) (7/4/21)\*  
- located at 3385 BLACKFORD PARKWAY (A PORTION OF) AND 3221 BAY SPRINGS PARK (A PORTION OF), LEXINGTON, KY.  
Council District 12  
Project Contact: EA Partners, PLC
3. PLN-FRP-21-00011: BLACKFORD PROPERTY, PHASE 3, UNIT 1-R (7/4/21)\* - located at 3385 BLACKFORD PARKWAY (A PORTION OF) & 3221 BAY SPRINGS PARK (A PORTION OF), LEXINGTON, KY.  
Council District 12  
Project Contact: EA Partners, PLC
4. PLN-FRP-21-00018: COOPER PROPERTY (COPE, MITCHELL & COOPER PROPERTY) "WALDORF WAY" (8/1/21)\* - located at 1370 DEER HAVEN LN., LEXINGTON, KY.  
Council District 12  
Project Contact: EA Partners, PLC

Staff Presentation: Ms. Wade directed the Commission's attention to the Improvement Plan Progress Reports, noting that no Commission action was needed, and those reports are information only.

**VIII. AUDIENCE ITEMS** – No such items were presented.

**IX. NEXT MEETING DATES**

Imagine Nicholasville Road Corridor Plan Public Hearing, Thursday, 1:30 p.m., Video Teleconference .....	May 20, 2021
Technical Committee, Wednesday, 8:30 a.m., Video Teleconference .....	May 26, 2021
<b>Zoning Items Public Hearing, Thursday, 1:30 p.m., Video Teleconference .....</b>	<b>May 27, 2021</b>
Subdivision Committee, Thursday, 8:30 a.m., Video Teleconference .....	June 3, 2021
Zoning Committee, Thursday, 1:30 p.m., Video Teleconference .....	June 3, 2021
<b>Subdivision Items Public Meeting, Thursday, 1:30 p.m., Video Teleconference .....</b>	<b>June 10, 2021</b>

**X. ADJOURNMENT**

\* - Denotes date by which Commission must either approve or disapprove request.