

1. **TRANSY PROPERTY OWNERS, LLC ZONING MAP AMENDMENT AND MARLBORO MANOR SUBDIVISION, LEXINGTON MOTEL (BLAIR PROPERTY, KOPPUS & HART PROPERTY) (TRANSY HAGGARD APARTMENTS) DEVELOPMENT PLAN**

- a. **PLN-MAR-24-00018: TRANSY PROPERTY OWNERS, LLC** – a petition for a zone map amendment from a Neighborhood Business (B-1), Highway Service Business (B-3), Interchange Service Business (B-5P) and Mixed Low Density Residential (R-2) Zones to a Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3) & Medium Density Residential (R-4) Zones, for 12.49 net (20.09 gross) acres for properties located at 475 & 495 Haggard Lane and 450 Radcliffe Road. The applicant is seeking a variance to reduce the required front yard setback for a group residential project from twenty (20) feet to ten (10) feet.

COMPREHENSIVE PLAN AND PROPOSED USE

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

The applicant is proposing the rezoning of the subject properties to construct an affordable housing development that consists of 29 single-family detached residential units, 26 single-family attached residential units, and 179 multi-family residential units, for an overall density of 18.73 units per acre. The proposal utilizes single-family residential uses along Radcliffe Road and Haggard Lane with R-2 zoning and transitioning to single-family attached uses with R-3 zoning, culminating with multi-family residential uses in the R-4 zone. The multi-family residential component consists of a 4-story senior living use, and a series of smaller 3-story, garden style apartments. The applicant is proposing the construction of new public streets and alleys to serve the site. Sidewalk connections will be provided to link the entire development with the surrounding neighborhood.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval for the following reasons:

1. The requested Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), Medium Density (R-4) zones are in agreement with the 2045 Comprehensive Plan's Goals and Objectives for the following reasons:
 - a. The proposal will address a need for housing and provide for a variety of housing choices (Theme A Goal #1.d & 1.d; Theme E, Goal #1.d).
 - b. The proposal will increase the density of the area in a context-sensitive manner in an area available for infill and redevelopment (Theme A, Goal #2.a & 2.b).
 - c. The applicant's proposal includes opportunities for affordable and accessible housing options to meet the needs of Lexington's aging population (Theme A, Goal #1.c).
2. The justification and corollary development plan are in agreement with the policies of the 2045 Comprehensive Plan, for the following reasons:
 - a. The request responds to the context of the surrounding area, providing additional residential density and intensity (Design Policy #4; Density Policy #1 and #2).
 - b. The request will provide additional housing options for this area, which is predominately characterized by single family structures (Design Policy #8).
3. The justification and corollary development plan are in agreement with the development criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The Low-Density residential component of the development is in agreement with the criteria for Land Use as it increases the density on-site (A-DN2-1), provides for new compact single-family housing types (A-DN4-1), and is oriented towards providing affordable housing options (C-L16-1). The proposed Medium Density residential component of the development is in agreement with the criteria for Land Use, as the request increases density (A-DN2-1), the applicant provided for significant levels of public input prior to the submission of the application (D-PL7-1), and provides for dedicated senior housing (D-SP9-1).
 - b. The Low-Density and Medium-Density residential components of the development are in agreement with the criteria for Transportation, Connectivity, and Walkability as the request

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- expands upon the existing pedestrian infrastructure present on-site (A-DSI-2), and provides accessible routes to transit as well as providing connections to nearby parks and other complementary uses (A-DSI-2; A-DS4-1; D-CO2-1; D-CO2-2).
 - c. Both the proposed Low-Density and Medium-Density residential development are in agreement with the criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR2-1), and improves the tree canopy present on-site (B-RE1-1).
 - d. The proposed Low-Density and Medium-Density residential development is in agreement with the criteria for Site Design, as the development is in walking distance from a park (A-DS9-2), parking is located to the interior of the site (A-DS7-1), and the development provides accessible and delineated open spaces (A-EQ9-2).
 - e. The proposed Low-Density Residential component meets the criteria for Building Form, as the building orientation maximizes connections with the street (A-DS5-3). The proposed Medium-Density Residential component meets the criteria for Building Form, as the buildings are primarily oriented towards the street and result in a pedestrian-friendly atmosphere (A-DS5-3), comply with the Multifamily Design Standards (A-DS3-1), and do not result in development that is out of scale with the general vicinity (A-DN2-2).
4. The recommendation is made subject to approval and certification of PLN-MJDP-24-00093: MARLBORO MANOR SUBDIVISION, LEXINGTON MOTEL (BLAIR PROPERTY & KOPPIUS & HART PROPERTY) (TRANSY HAGGARD APARTMENTS) 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. **VARIANCE** – The applicant is also seeking a dimensional variance to reduce the required front yard for a group residential project from twenty (20) feet to ten (10) feet.

The Zoning Committee Recommended: **Disapproval**.

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

- 1. The applicant has not provided sufficient justification to meet the requirements of article 7 of the zoning ordinance or KRS 100.243. There do not appear to be special circumstances that are unique to the subject property that do not generally apply to other property in the vicinity or in the same zone that justify the need for the variance. The property is a large greenfield site that does not feature any environmental constraints.
 - 2. The applicant has not provided any information that demonstrates that meeting the 20-foot required setback on the 12.49 acre greenfield site would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant. It appears that the requirement could be met by relocating open space areas and parking areas.
- c. **PLN-MJDP-24-00093: MARLBORO MANOR SUBDIVISION, LEXINGTON MOTEL (BLAIR PROPERTY & KOPPIUS & HART PROPERTY) (TRANSY HAGGARD APARTMENTS) (2/3/25) ***
– located at 475 & 495 HAGGARD LANE and 450 RADCLIFFE ROAD, LEXINGTON, KY

Council District: 1
Project Contact: Prime AE

Note: The purpose of this plan is to depict the development of 29 single-family dwellings, 26 townhomes, and 5 multi-family buildings in support of the requested zone change from a Neighborhood Business (B-1), Corridor Business (B-3) zones, Interchange Service Business (B-5P), and Mixed Low Density Residential (R-2) to a Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), and Medium Density Residential (R-4) zone.

The Subdivision Committee Recommends: **Approval**, subject to the following revised conditions:

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1. Provided the Urban County Council approves the zone change to R-2, R-3, & R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval if environmentally sensitive areas.
7. Correct spelling in Note #19.
8. Include purpose statement.
9. Provided the Planning Commission grants the requested variances.
10. Denote location of possible driveways for single-family and townhomes.
11. Discuss lots proposed to be dedicated as public right-of-way.
12. Discuss Placebuilder criteria.

Note: The applicant submitted a letter to the Planning Commission December 11, 2024 withdrawing the associated variance, thus no action is required.

Staff Presentation – Mrs. Eve Miller presented the staff report and recommendations for the zone change application. She displayed photographs of the subject property and the general area. She stated that the applicant was seeking a zone map amendment from a Neighborhood Business (B-1), Highway Service Business (B-3), Interchange Service Business (B-5P) and Mixed Low Density Residential (R-2) Zones to a Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3) & Medium Density Residential (R-4) Zones, for 12.49 net (20.09 gross) acres for properties located at 475 & 495 Haggard Lane and 450 Radcliffe Road. Mrs. Miller stated that the applicant was seeking to develop an affordable housing development that consists of 29 single family detached units, 26 townhome units, and 176 multi-family residential units catered for seniors. Mrs. Miller indicated that the applicant was applying with the Enhanced Neighborhood Place Type and a Low Density Residential and Medium Density Residential Development Type. Mrs. Miller indicated that both selections were appropriate for the development.

Mrs. Miller gave a brief history of the property, noting an attempt at making the site a commercial shopping center that never came to fruition in 1986 and from 2000 to 2019 it was used as a recreational field by Transylvania University until it was sold in 2024. Additionally, Mrs. Miller showcased the corresponding development plan noting the location and features of the 29 single family homes, 26 townhome units, and the 176 multi-family units as well as the proposed new public streets to serve the area along with 222 parking spaces.

Mrs. Miller noted that even though the property is not located in a floodplain, the Division of Engineering has notified Staff of problems with flooding in the area and the developer will be required to address those issues at the time of the final development plan.

Mrs. Miller continued by stating that the applicant had met with members of the nearby neighborhood many times in 2024, and heard their concerns related to traffic, safety, stormwater and the current flooding, as well as the height of the apartment complex and making sure it is in the character of the neighborhood.

Mrs. Miller concluded by stating that Staff is recommending Approval and could answer any questions from the Planning Commission.

Commission Question – Mr. Mike Owens asked about the 222 parking spaces and if there would be comingling between the single-family, townhomes, and apartment complex. Mrs. Miller indicated that there would not be.

Mr. Owens also asked the dimension of the alleyways behind the single family homes and Mrs. Miller stated that she did not have those dimensions, but the applicant would probably have that data.

Development Plan Presentation – Mr. Chris Chaney oriented the Planning Commission to the location and characteristics of the subject property. Mr. Chaney reiterated that there are 29 single family detached units, 26 townhome units, and 176 multi-family residential units and that the applicant had fulfilled the conditions that Staff had initially asked for. Mr. Chaney stated that there are 5 remaining sign-offs and two additional conditions related to depicting the location of the shared drive-ways of the townhomes as well as a discussion on the dimensions of the alley.

Mr. Chaney concluded by stating that Staff is recommending Approval and could answer any questions from the Planning Commission.

Commission Question – Mr. Mike Owens asked about the dimensions of the alleyway again and Mr. Chaney indicated that there was 20 feet of pavement depicted on the preliminary development plan.

Applicant Presentation – Mr. Jon Woodall, attorney for the applicant, began by giving a brief rundown of the different parties that came together to make this possible including Habitat for Humanity, Winterwood, AU Associates, and The Lexington Urban League. Mr. Woodall invited Mr. Ed Holmes and Mr. Stephen Garland, the design professionals for the project to discuss their vision for the project.

Mr. Ed Holmes stated that the goal was to make this a context sensitive site that recognized the existing neighborhood and its residents. From there they wanted to add more density with the townhouses and garden apartments, but keep the front facing single family homes, while putting in three entrances to disperse the traffic and provide circulation. Mr. Holmes stated that they wanted to make the site as green and walkable as possible and make it a self-contained community.

Mr. Woodall asked Mr. Holmes if the houses along Radcliffe Road would be owner occupied and Mr. Holmes indicated that they would be, as well as the townhomes.

Mr. Stephan Garland noted that there were 18 site criteria that an applicant would generally need, and for this site, they are meeting 17 of them.

Mr. Woodall noted that drainage was a significant topic of discussion with the neighborhood and something that they have been trying to be mindful of and made the point that this site drains in the opposite direction toward North Elkhorn Creek west of Georgetown Road.

Mr. Woodall and Mr. Garland displayed a map showing three local bus stops in close proximity to the development and the current traffic signals at Haggard Road, Paris Pike, Russell Cave Road, and Radcliffe Road that will serve this area. Mr. Garland noted that in their traffic study the largest delay from this development will come from the Haggard Lane/Paris Pike intersection that would lead to a 3 second increase at the ultimate buildout. Mr. Garland stated that the KYTC recognizes the need on Paris Pike and has issued a request for proposals for a planning study to alleviate issues on that road.

Mr. Garland and Mr. Woodall showcased a proposed tree exhibit that had street trees and perimeter trees every 40 feet and noted that interior landscape trees would be required.

Mr. Woodall introduced Johan Graham with AU Associates who stated that the five affordable housing developers in the City of Lexington came together to make this project possible. Mr. Graham stated that through collaboration with the affordable housing developers and members of the business community, they were able to give themselves enough runway for this to become feasible. Mr. Graham stated that the entire affordable housing community in Lexington is behind Staff's recommendations to help improve the lives of their residents.

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Mr. Zack Worsham with Winterwood, introduced himself and noted that the housing shortage in Lexington is in the tens of thousands and applauded the overwhelming collaboration between different developers to make this project possible.

Mr. Darryl Neher, CEO of Lexington Habitat for Humanity, stated that this development would put 55 affordable housing units in Lexington, when there are currently only 75 available at a similar price point. Mr. Neher noted the 550 homes that they have built in this area that are more energy efficient than the 2009 development standards dictate. These will be high quality homes and Mr. Neher committed to working with the neighborhood to alleviate their concerns.

Mr. PG Peebles, with the Lexington Urban League, stated his support for the project and gave a brief history of the Leagues' 40 year history of providing affordable housing for the people of Lexington. Mr. Peebles stated that for too long affordable housing has been demonized as poor quality, but gave his assurances to the neighborhood that these houses will add value to their neighborhood.

Mr. Woodall concluded by stating the applicant agrees with Staff's recommendations and could answer any questions from the Planning Commission.

Commission Questions – Mr. Bill Wilson asked if the information on traffic and the drainage was conveyed to the neighborhood. Mr. Woodall stated that they did not have the traffic study information at the time of the last neighborhood meeting and would be willing to share all the information they had.

Mr. Wilson also asked what “affordable” meant to the applicant and Mr. Woodall stated that generally meant 80% of area median income.

Mr. Pohl inquired if there were renderings on the single-family units and if there would be an effort to differentiate those units from “cookie cutter” houses. Mr. Woodall indicated that they did not have renderings, but they would differentiate. Mr. Pohl stated he thought it was important that the houses look different from each other.

Mr. Pohl also asked if the houses would have front porches. Mr. Ed Holmes responded that it was their intention to have front porches.

Ms. Ivy Barksdale asked how many bedrooms and bathrooms were in the houses. Mr. Neher indicated that they build to the needs of the families and they do not know at this point how many each would have but generally they deal with a space that is 1,300 to 2,100 square feet.

Ms. Judy Worth asked if Mr. Neher had already identified specific families and asked for clarification on the process. Mr. Neher indicated that the process had different requirements, but the first one is need. From there it is a 12 month process with educational programing where they work with the families on their needs. Mr. Neher indicated that a majority of the homes they build are three bedroom houses.

Public Comment – Jordan Lloyd stated his support for the project, the benefits it would bring to the community, and how Lexington desperately needs affordable housing.

Carla Blanton, chair-elect of Commerce Lexington, expressed her support for the project, affordable housing, and her belief that this could be the model of how you build affordable housing in Lexington.

Todd Johnson, Building Industry Association of Central Kentucky, urged the Planning Commission to approve this development and stated that it will address a huge need for housing in Lexington.

Raquel Carter, Lexington for Everyone, stated her support for this project because it will allow people to own homes, which opens the door for upward mobility and gives people equity.

Rolanda Woolfork, Lexington Historical Black Neighborhood Association Council, voiced her opposition and asserted that the neighborhood had been left out of important conversations and the garden style apartments were not compatible with the neighborhood.

Jose Socarras Ramos voiced his opposition to the development because of the increased traffic and their desire to keep the neighborhood exclusively zoned R-2.

Laine Brown stated his opposition because he wanted the houses to look like the other houses in the neighborhood and was concerned about the length of the alley.

Lewis Boggess stated that he was not opposed to the houses, just the three and four story apartment buildings and would prefer the development be exclusively owner occupied houses.

Frank Greene stated his concern about the alleyway. He said that the 20 foot dimensions was technically enough, but it would be difficult for any safety vehicle to operate safely.

Rachel Sloane stated that she was not against the development, but felt like the neighborhood had had not been listened. She stated she thought this was "micro scale gentrification."

Joni Hollon stated her opposition because the developer did not listen to the neighborhood's wishes to make sure the development was all single family homes and that it would make their property taxes and house insurance payments increase.

Dan Wooten stated his opposition because of his concerns with traffic, the safety of pedestrians on Haggard Lane, and decreased property values.

Michelle Hutchinson, President of the Marlboro Radcliffe Neighborhood Association, stated her opposition because she felt like the developers had not been honest with the neighborhood and expressed the desire to have single-family homes only.

Timothy Mitchell, 284 Radcliffe, stated his opposition because of the increase in traffic and repeated the neighborhood's desire to have R-2 single family homes.

Lori Beaton stated that she was not against developing this space, but wanted keep the entire property single family homes and stated her concerns about the increased traffic.

Greg Widener stated his opposition to the development citing concerns with the amount of on street parking.

Steven Harris stated his opposition because of the drainage and potential flooding that this development could bring to the existing neighborhood.

Vivian Walker stated her concern about potential renters occupying the area.

Gene Widener stated that she was concerned with the entrance across from Benton Road and the potential cut through traffic this could cause.

Nick Nicholson stated his support of the application and said that it was the most important development for the future of affordable housing in Lexington. He stated it was in compliance with the Comprehensive Plan and had multiple types of housing. He urged the Planning Commission to approve the development.

Anthony Brooks, stated his concerns with traffic and urged the Planning Commission to think of the history of Lexington when voting on this development.

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Applicant Rebuttal – Mr. Woodall began by thanking the neighbors for showing up and stating their concerns and said that this is what made Lexington such a special place to live. Mr. Woodall stated that at the end of the day, the development is in compliance with the Comprehensive Plan and while he understood the comments from the neighborhood, meeting with them was never about just checking a box. Additionally, Mr. Woodall pointed out that if they did exactly what the applicant asked with only single family homes, it would not have met the Comprehensive Plan and it would be dead on arrival. Mr. Woodall stated that the apartment could have been taller, but they listened to the neighbors and did not think that would fit the context of the neighborhood. Mr. Woodall asked the neighborhood not to think that they were misled and repeated his understanding of their concerns.

Mr. Woodall concluded by stating that the Zoning and Subdivision Committees, as well as Staff recommended approval of this application, and urged the Planning Commission to do the same.

Public Rebuttal – Michelle Hutchinson, President of the Marlboro Radcliffe Neighborhood Association, stated that the neighborhood was not necessarily against a development going there, they just did not feel like there was enough communication at the meetings. Ms. Hutchinson stated her wish that the whole project was communicated to them earlier and that this process had hurt her feelings.

Staff Rebuttal – Mrs. Eve Miller stated that the width of the alley will be finalized at the time of the final development plan and that Fire and Emergency Services typically request 20 feet at the time of the Technical Review Committee. Finally, Ms. Miller indicated that Traffic Engineering was available for questions about the traffic study if they wished to ask them.

Commission Questions and Comments – Ms. Worth asked when the New Circle Road trunk line project as well as the traffic improvements on Paris Pike would be completed. Ms. Traci Wade stated that she could not speak to the timing of the application, but stated that New Circle trunk line is scheduled to begin next year and they will rectify the water issues in this area. Mr. David Filiatreau stated that the phase one improvements on Citation Boulevard would be completed next year and then phase two would most likely start next year.

Mr. Owens asked if Mr. Filiatreau could discuss the traffic calming measures that are going into place on Radcliffe Road. Mr. Filiatreau stated that those measures are in committee right now to help reduce speeds and he thought those measures would happen next year.

Staff Comment – Captain Greg Lengal, Division of Fire and Emergency Services, stated that the 20 foot unobstructed width is the fire code standard for alleyways and that what the applicant was showing on their plan was acceptable as long as there is no street parking on the alleyway. Captain Lengal stated he felt comfortable with the fire engine's ability to safely move down the alleyway.

Commission Questions and Comments – Chairman Larry Forester asked Mr. Ed Holmes if there was a mechanism to alleviate the neighborhood's concerns about property values and people selling the house to make a profit. Mr. Holmes stated there was discussion of a COT model where the equity and investment stays with the house so it could not be sold at market prices.

Mr. Wilson stated that public engagement was a very important part of the Comprehensive Plan, but public engagement does not mean public agreement but can help lead to a better community dialogue. Mr. Wilson stated that he thought there were very good organizations and people working on this and he understood the neighborhood's concerns and they are listening to what they are saying.

Mr. Frank Penn stated that affordable housing has been a priority on the three Comprehensive Plan that he has been a part of and that during expansion, rural land does not necessarily mean cheap land. Mr. Penn stated that in order to build affordable housing you have to create a model and make it work, and everyone has to participate. Mr. Penn stated that he thought he had to give this development a chance to work because it is the first affordable housing application that he's seen that has a chance.

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Ms. Ivy Barksdale stated that as a real estate agent she sees the need for housing everyday and in order to do that, compromises need to be made. Bigger lot sizes and all brick houses are becoming too expensive to build and in order for Lexington to grow we need to look at things differently. Ms. Barksdale stated that neighborhoods are going to have to look different then they are now and a mix of housing is necessary. Ms. Barksdale stated that she understood the neighborhood's concerns, but that most of their concerns had nothing to do with this project. Ms. Barksdale stated that the neighborhood's concerns are not falling on deaf ears and that she hopes they are fixed soon, but she is supporting this application.

Mr. Owens stated that he agreed with Ms. Barksdale's points and he understood the neighborhood's concerns because he lived here in the 1980s and the traffic then was bad. Mr. Owens stated that at the time of the final development plan he was going to do everything in his power to ensure that the some of the issues were alleviated. Mr. Owens concluded by stating that he appreciated everyone coming to the meeting to talk about their concerns, but he would be supporting this application.

Action – A motion was made by Mr. Wilson and seconded by Mr. Penn and carried 10-0 (Nicol absent) to approve PLN-MAR-24-00018: TRANSY PROPERTY OWNERS, LLC for reasons provided by Staff.

Action – A motion was made by Mr. Wilson and seconded by Ms. Worth and carried 10-0 (Nicol absent) to approve PLN-MJDP-24-00093: MARLBORO MANOR SUBDIVISION, LEXINGTON MOTEL (BLAIR PROPERTY & KOPPIUS & HART PROPERTY) (TRANSY HAGGARD APARTMENTS) with the 9 conditions provided by Staff.

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