

ORDINANCE NO. 054 - 2025

AN ORDINANCE CHANGING THE ZONE FROM NEIGHBORHOOD BUSINESS (B-1), HIGHWAY SERVICE BUSINESS (B-3), INTERCHANGE SERVICE BUSINESS (B-5P), AND MIXED LOW DENSITY RESIDENTIAL (R-2) ZONES TO MIXED LOW DENSITY RESIDENTIAL (R-2), PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) AND MEDIUM DENSITY RESIDENTIAL (R-4) ZONES, FOR 12.49 NET (20.09 GROSS) ACRES FOR PROPERTIES LOCATED AT 475 AND 495 HAGGARD LANE AND 450 RADCLIFFE ROAD, AS AMENDED TO INCLUDE CONDITIONAL ZONING RESTRICTIONS. (TRANSY PROPERTY OWNERS, LLC; COUNCIL DISTRICT 1).

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WHEREAS, at a Public Hearing held on December 12, 2024, a petition for a zoning ordinance map amendment for property located at 475 AND 495 Haggard Lane and 450 Radcliffe Road, changing the zone from Neighborhood Business (B-1), Highway Service Business (B-3), Interchange Service Business (B-5P), And Mixed Low Density Residential (R-2) zones to Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3) and Medium Density Residential (R-4) zones, for 12.49 net (20.09 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 10-0; and

WHEREAS, the Urban County Council agrees with the recommendation of the Planning Commission and desires to amend the recommendation to include conditional zoning restrictions; 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 475 AND 495 Haggard Lane and 450 Radcliffe Road, changing the zone from Neighborhood Business (B-1), Highway Service Business (B-3), Interchange Service Business (B-5P), And Mixed Low Density Residential (R-2) zones to Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3) and Medium Density Residential (R-4) zones, for 12.49 net (20.09 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That, under the provision of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply to the subject property:

1. The property shall be developed with a maximum of 29 dwelling units in the Mixed Low Density Residential (R-2) zone, a maximum of 26 dwelling units in the Neighborhood Residential (R-3) zone and a maximum of 179 dwelling units in the Medium Density Residential (R-4) zone, for a maximum of 234 dwelling units in this development at this location.

These restrictions are necessary and appropriate in order to minimize the impacts of new development on the existing residential areas within the Radcliffe-Marlboro and Elkhorn Park neighborhoods while maintaining compliance with the 2023 Comprehensive Plan, Imagine Lexington.

Section 3 – 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 4 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: February 25, 2025

*Linda Gorton*

MAYOR

ATTEST:

*[Signature]*  
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: July 25, 2025-1t  
0031-25:TWJ:4912-2069-3537, v. 1

Rec'd by \_\_\_\_\_

Date: \_\_\_\_\_

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

**IN RE: 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. (Council District 1)

Having considered the above matter on **December 12, 2024**, at a Public Hearing, and having voted **10-0** 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 Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), Medium Density Residential (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 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.

ATTEST: This 3<sup>rd</sup> day of January 2025.

  
Secretary, Jim Duncan

LARRY FORESTER  
CHAIR

KRS 100.211(7) requires that the Council take action on this request by March 12, 2025

Note: The corollary development plan, PLN-MJDP-24-00093: MARLBORO MANOR SUBDIVISION, LEXINGTON MOTEL (BLAIR PROPERTY & KOPPIUS & HART PROPERTY)(TRANSY HAGGARD APARTMENTS) was approved by the Planning Commission on December 12, 2024 and certified on December 23, 2024.

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

#### OBJECTORS

- Rolanda Woolfork, Lexington Historical Black Neighborhood Association Council
- Jose Socarras Ramosa
- Laine Brown

#### OBJECTIONS

- Voiced opposition and asserted that the neighborhood had been left out of important conversations and the garden style apartments were compatible with the neighborhood.
- Voiced opposition to the development because of the increased traffic and their desire to keep the neighborhood exclusively in the R-2 zone.
- Stated 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
- Frank Greene
- Rachel Sloane
- Joni Hollon
- Dan Wooten
- Michelle Hutchinson, President of the Marlboro Radcliffe Neighborhood Association
- Timothy Mitchell, 284 Radcliffe Road
- Lori Beaton
- Greg Widener
- Steven Harris
- Vivian Walker
- Gene Widener
- Anthony Brooks
- 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 in the R-2 zone.
- Stated concern about the width of the alleyway. He stated that the 20 foot dimension was technically enough, it would be difficult for any safety vehicle to operate safely.
- Stated that she was not against the development, but felt like the neighborhood had not been listened. She stated she thought this was “micro scale gentrification.”
- Stated opposition because the developer did not listen to the neighborhood’s wishes to make sure the development was all single family homes. She expressed concern that the new development would increase property taxes and house insurance payments
- Stated opposition because of his concerns with traffic, the safety of pedestrians on Haggard Lane, and decreased property values.
- Stated opposition because she felt like the developers had not been honest with the neighborhood and their desire to have single-family homes only.
- Stated opposition because of the increase in traffic and repeated the neighborhood’s desire to keep the houses single family homes.
- 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.
- Stated opposition to the development citing concerns with the amount of on-street parking.
- Stated opposition because of the stormwater runoff and potential flooding that this development could bring to the existing neighborhood.
- Stated concern about potential renters occupying the area.
- Stated that she was concerned with the entrance across from Benton Road and the potential cut through traffic this could cause.
- Stated concerns with traffic and urged the Planning Commission to think of the history of Lexington when voting on this development.

VOTES WERE AS FOLLOWS:

AYES: (10) Barksdale, Johnathon Davis, Zach Davis, Forester, Michler, Owens,  
Penn, Pohl, Wilson, and Worth  
NAYS: (0)  
ABSENT: (1) Nicol  
ABSTAINED: (0)  
DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-24-00018 carried.

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

## MAP AMENDMENT REQUEST (MAR) APPLICATION

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

**Applicant:**

TRANSY PROPERTY OWNERS, LLC, 600 W MAIN ST, STE 400, LOUISVILLE, KY 40202

**Owner(s):**

TRANSYLVANIA UNIVERSITY, 300 N BROADWAY, LEXINGTON, KY 40508

**Attorney:**

JON WOODALL, 201 East Main Street, Suite 900, Lexington, KY 40507

### 2. ADDRESS OF APPLICANT'S PROPERTY

 450 RADCLIFFE ST LEXINGTON KY  
 475 HAGGARD LN LEXINGTON KY  
 495 HAGGARD LN LEXINGTON KY 40505

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

Zoning	Existing Use	Zoning	Requested Use	Acreage	
				Net	Gross
B-3	Athletic Field	R-2	Residential	12.49	20.09
B-1		R-3			
B-5P		R-4			
R-2					

### 4. 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.	

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

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



November 4, 2024

Via Hand Delivery

Lexington-Fayette Urban County Planning Commission  
200 East Main Street  
Lexington, Kentucky 40507

**RE: Letter of Justification in Support of Zone Map Amendment**  
**Property: 495 & 475 Haggard Lane and 450 Radcliffe Road**  
**Our Client: Lexington AHC Fund, LLC**

Dear Commissioners:

Please be advised that I represent Lexington AHC Fund, LLC (hereinafter the "Applicant"). My client is seeking to rezone approximately 12.84 acres located off of Radcliffe Road and Haggard Lane (the "Property"), previously utilized as Transylvania University's baseball field. The Property is currently zoned Neighborhood Business (B-1) and Corridor Business (B-3). The Applicant is seeking to rezone the Property to a mix of Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), and Medium Density Residential (R-4) zones in order to construct single family homes, townhouses and multi-family residential units. We submit that this proposal is in complete accord with the adopted 2045 Comprehensive Plan and respectfully request your approval of our request.

**1. Property History**

The subject Property has historically been utilized by Transylvania as their primary location for baseball activities until they began utilizing Legends Field in 2019. Since that time, the Property has remained as a baseball field owned by Transylvania but was seldom utilized by the university. Given the current use of Legends Field, Transylvania made a conscious decision to market and sell this property with an eye towards affordable housing, which this community so desperately needs more of. As such, Transylvania worked with a group of local lending institutions led by Mr. Luther Deaton and Central Bank as well as private and non-profit developers to create a landmark opportunity for Lexington. The goal was to enable the purchase of the Property at a price point that makes a truly transformational affordable housing development possible. "The property is worth approximately \$3.2 million but Transylvania University ultimately decided to sell the property for \$2.8 million, in an effort to give back to the Lexington community, said Transylvania President Brien Lewis. Lewis spoke at a press conference Wednesday at Transy announcing the new affordable housing partnership."<sup>1</sup>

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<sup>1</sup> <https://www.kentucky.com/news/local/counties/fayette-county/article284060378.html>  
Law Offices: Lexington | Louisville



## **2. Collaborative Effort**

This type of collaborative involvement of stakeholders is exactly what the Comprehensive Plan recognizes is needed and compelled to address the affordable housing crisis in Fayette County. “In Public/Private Partnerships Are Crucial To Meet The Demand For Affordable Housing, Shimon Shkury recognizes the pressing requirement for additional housing, particularly affordable housing. The Comprehensive Plan acknowledges that the collaboration of various stakeholders is crucial in creating and preserving affordable housing.”<sup>2</sup> Afterall, “homes are where jobs go to sleep at night.” Wendy Smith, Deputy Executive Director-Housing Programs, Kentucky Housing Corporation; 2024 Urban League Empowerment Dinner.

Realizing the pressing needs of our community, Transylvania President, Brien Lewis, explained, “We are proud of the role Transylvania plays as a part of the Lexington community and how this project gives us the opportunity to be part of a visionary solution.”<sup>3</sup> That visionary solution of providing affordable housing is one of the major needs discussed in the 2045 Comprehensive Plan. It is no secret that there is an affordable housing crisis in Fayette County and the Applicant is eager and excited to help fill this void. “Lexington is currently facing a severe affordable housing crisis, as highlighted in the National Low Income Housing Coalition's 2021 Out of Reach report for Kentucky.”<sup>4</sup> “Lexington needs more than 22,549 additional housing units to meet housing demand.”<sup>5</sup>

In addition to the local lending entities, our Project Team also includes the following;

1. Winterwood Inc. – Mr. Zach Worsham, Vice President;
2. AU Associates, Inc. – Mr. Johan Graham, President;
3. EHI Consultants – Mr. Ed Holmes, President;
4. Prime Engineering, Inc. – Mr. Stephen Garland, P.E.;
5. Urban League of Cities – Mr. P.G. Peebles;
6. Lexington Housing Authority – Mr. Austin Simms, Executive Director; and
7. Lexington Habitat for Humanity – Mr. Darryl Neher – CEO.

These stakeholders have come together to plot a new way forward for our community when it comes to the creation of transformational housing.

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<sup>2</sup> Comprehensive Plan at Page 77-78.

<sup>3</sup> <https://www.transy.edu/1780/2024/01/transylvania-makes-affordable-housing-development-possible/>

<sup>4</sup> Comprehensive Plan at Page 74.

<sup>5</sup> <https://www.kentucky.com/news/local/counties/fayette-county/article293941459.html>

We believe this proposed development is highly appropriate for this site and reflects the kind of development needed and contemplated by Imagine Lexington. Imagine Lexington encourages redevelopment of properties to allow for denser developments, particularly along key corridors and where property is underutilized. Indeed, Imagine Lexington challenges Lexington as a community to embrace infill opportunities that provide for needed housing density while respecting overall neighborhood context. The proposed development is precisely the type of development that is needed to address the overall shortage of housing units in Fayette County. Moreover, the thoughtful planning envisioned by our design team will integrate with the neighborhood in a reasonable way, capturing needed density but also respecting the context of the neighborhood where possible.

### **3. Compliance with the 2045 Comprehensive Plan**

We are excited to present this proposal to the Planning Commission for consideration. We believe it meets numerous goals and objectives of the Comprehensive Plan, and further complies with relevant standards articulated in the “Placebuilder” included as part of the Comprehensive Plan. We submit that this proposal comports with the 2045 Comprehensive Plan in the following ways:

#### **A. Goals and Objectives**

##### **Theme A – Growing and Sustaining Successful Neighborhoods**

This proposal comports with Theme A of the Comprehensive Plan. In reviewing Theme A, we maintain that this development is consistent with the applicable design policies articulated, and is appropriately dense. We further submit that it meets the following goals and objectives articulated in Theme A:

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

Goal 1 of Theme A of the Comp Plan lists several objectives. Among them is that Lexington should “[a]ccommodate the demand for housing in Lexington responsibly, *prioritizing higher-density* and a mixture of housing types” (emphasis supplied). This proposal emphasizes housing density in a responsible fashion as well as provides a mix of housing types consisting of single-family residences, multi-family residential and townhouses. The Applicant has sought to identify an area of our community that is currently underutilized. This proposal addresses the need for additional affordable housing with differing types of housing units while emphasizing density.

Theme A also emphasizes “Explor[ing] opportunities for unused and underused publicly owned land to be developed for affordable housing developments.” While this land was privately owned by Transy, it has been underutilized since Transy’s transition to

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Legends Stadium. Reimagining the site as the Project Team has done will advance the need for a sustainable and affordable housing development.

***Goal 2: Support infill & redevelopment throughout the urban service area as a strategic component of growth.***

Goal 2 of Theme A emphasizes that areas for infill and redevelopment should be identified throughout the urban service area. This site falls within the urban service area and will better utilize existing land for more housing stock in varying form. The applicant believes that it is identifying an area of our community suited for redevelopment and can set a standard for responsible and appropriate development in the area.

***Goal 3: Provide well-designed neighborhoods & communities.***

We believe this proposal addresses two of the objectives of Goal 3 of Theme A in a direct way. First, it will assist with providing various modes of transportation as an option. LexTran Route 17 – Northside Connector has four stop locations which are at the Property. There are two stops located on Haggard Lane and Court and two stops located on Radcliffe Road. It is also in close proximity to the North Broadway Corridor and I-75. Further, as is shown on the Development Plan submitted herewith, there are two internal streets proposed to be developed which further connects the development to surrounding neighborhood through seamless transitions to Radcliffe Road and Haggard Court.

**Theme B – Protect the Environment**

We also submit that this proposal comports with goals and objectives articulated in Theme B of the Comp Plan.

***Goal 2: Identify and mitigate local impacts of climate by tracking and reducing Lexington-Fayette County's carbon footprint and greenhouse gas emissions and commit to community-wide net zero greenhouse gas emissions by the year 2050.***

As previously noted, this proposed development is ideally located to reduce the need for reliance upon personal automobiles given the close proximity to numerous LexTran bus stop locations. This is a key objective of Goal 2 of Theme B.

**Theme D – Improving a Desirable Community**

We further submit that this proposal comports with the goals and objectives articulated in Theme D of the Comp Plan.

***Goal 1: Work to achieve an effective, equitable & comprehensive transportation system.***

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We believe this proposal meets several of the objectives of Goal 1 of Theme D. We intend to interface with Lextran and remain committed to working with them so that the proposed development can be effectively served by public transit. This is in direct relation to Objective C of Goal 1. We also believe that the design and layout of the internal streets has created a seamless transition from the surrounding public streets to allow for safe and effective ingress and egress to the development.

**Goal 2:** *Support a model of development that focuses on people-first to meet the health, safety, and quality of life needs of Lexington-Fayette County's residents and visitors.*

We believe this proposal satisfies Objective E of Goal 2 in that the Applicant has sought to develop housing stock that will be affordable and vary in forms to allow for the working force to own.

*Theme E – Maintaining a Balance Between Planning For Urban Uses and Safeguarding Rural Land.*

Finally, we submit that this proposal meets the goal of safeguarding rural land by providing needed housing units in an appropriately dense manner, thus reducing pressure on the Urban Service Boundary.

**B. The Placebuilder**

We have further evaluated our proposal under the design criteria set forth in the Placebuilder. In consultation with Planning staff, we submit that this proposal should be evaluated with reference to the Enhanced Neighborhood Place Type, and that the proposed development is appropriately classified as medium density residential and low density residential. We submit that this classification is appropriate because of the Property's proximity to existing residential areas and will be providing differing housing types.

*Standards That Are Applicable to Our Proposal*

*A-DN2-1:* This development is appropriately dense and seeks to redevelopment underutilized land.

*A-DN4-1:* This development proposes compact single-family housing stock.

*B-SU3-1:* As is seen on the submitted development plan, this development is appropriately compact and provides a mix of differing housing stock.

*C-LI6-1:* Affordable housing will be incorporated into this development.

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*D-PL7-1:* Extensive outreach has already occurred with the neighboring properties, neighborhood associations and neighborhood residents/leadership.

*E-GR3-1:* The Applicant and team will seek to follow the recommendations of the Parks Master Plan.

*E-GR9-3:* This development will have a mix of housing types and incorporates context sensitive multi-family residences into the single-family residence types.

*A-DS1-1:* This development is bordered by four LexTran Route 17 bus stops all of which touch or adjoin the Property.

*A-DS1-2:* There are sidewalks along the internal streets which are pedestrian friendly that allow easy access to the LexTran bus stops.

*A-DS4-1:* This Property is within walking distance of Marlboro Park and the LexTran bus routes provides transportation to other areas of the city.

*A-DS5-1:* Vehicular use areas will be shielded from bike storage areas and the LexTran bus stop locations.

*A-DS5-2:* Trees and buildings along the street will create and promote vertical elements that will create a walkable streetscape.

*A-DS10-1:* As discussed above, the development is within walking distance of a community park.

*C-PS10-1:* As is seen on the development plan, this development is appropriately parked without a surplus.

*D-CO1-1:* We believe this developments internal streets and appropriately reflect the desired place-type of Enhanced Neighborhood by creating a seamless transition to the already existing neighborhood.

*D-CO2-1:* This development allows for multimodal transportation and encourages same with its location to bus stops and available parking for single vehicular use.

*D-CO2-2:* This development will comply with Lexington's Complete Streets Policy.

*D-CO4-1:* There are no proposed dead-end streets or cul-de-sacs.



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*D-CO4-2:* There are two internal streets through the development that will alleviate congestion around the development and surrounding neighborhood.

*D-CO4-3:* Due to the previous use as a baseball field, minimal grading will be needed.

*D-CO5-1:* This criteria is detailed on the development plan and is evidenced by the stop signs throughout the internal streets and zebra style cross walks with a stop bar.

*B-PR2-1:* There are no environmentally sensitive areas on this Property.

*B-PR3-1:* There are no conservation properties adjacent to the Property.

*B-PR7-1:* Given the Properties historic use as a baseball field, there is minimal tree coverage on the Property.

*B-PR9-1:* Minimum grading will be needed given the current flat topography of the Property.

*B-PR10-1:* Given the residential nature of the development and surrounding areas, the development will be cognizant of and avoid upward lighting and over lighting.

*B-SU4-1:* The Applicant has sought not to overpark this development to avoid unnecessary impervious surfaces.

*B-SU11-1:* Where possible, the Applicant will seek to plant native plants and low impact landscaping.

*B-RE1-1:* The applicant will seek to plant additional trees along the single family residential aspects of the development where possible.

*D-SP10-1:* Providing trees within the planting strip will be prioritized.

*A-DS7-1:* Parking for the multi-family aspects of the development are oriented to the interior of the development as shown on the development plan. There is one parking area which does not face internally but is bordered by I-75's off ramp.

*A-DS9-1:* Appropriate amenities will be provided within the developments green and open spaces.

*A-EQ9-2:* Internal open spaces will be appropriately marked as private where appropriate.

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*C-LI8-1:* This development will enhance connectivity of this Property to the surrounding neighborhood by providing well designed streets for seamless transitions.

*C-PS10-2:* This Development will not be overparked. As is shown on the development plan, there will be sufficient open parking areas for the multi-family aspects and driveway/garage parking for the single-family aspects thereby avoiding overparking.

*D-PL4-1:* There will be ample open space on this Property with amenities to enhance these areas for use by the residents.

*D-SP3-1:* Adequate easements will be in place for infrastructure to be provided.

*A-DS3-1:* The development will comply with the Multi-Family Design Standards.

*A-DS5-3:* The multi-family aspects of the development have adequate sidewalks to connect to the internal streets and exterior streets of the development.

*A-DS8-1:* As is shown on the development plan, there are a variety of housing options being provided in the form of townhomes and multi-family residential units.

*A-DS12-1:* This development is located within close proximity to the Walmart Supercenter located on New Circle Road.

*E-ST8-2:* This development will provide community space in the form of open space for residents to utilize.

*A-DS11-1:* The layout of the streets will direct residents to the open spaces in a clear and concise manner.

*A-DS5-4:* The Applicant has sought to make this development as walking friendly as possible by providing sidewalks throughout which connect to public transit bus stops and connects to the open spaces within the development.

*A-DS4-2:* As is seen on the development plan, the Applicant has proposed developing single-family homes closest to the existing residences to prevent as a large step up in scale and placed the multi-story buildings in the interior of the development.

*A-DN2-2:* The development is not in contrast to the existing development adjacent to the Property.

*B-RE2-1:* There is a public park within walking distance of this development and is visible from existing public roads.

*Standards Not Applicable*

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- C-LI7-1:* The Applicant is only proposing residential uses.  
*C-PS15-2:* The Applicant is only proposing residential uses.
- D-SP1-1:* The Applicant is not proposing any schools at this development.
- D-SP9-1:* The Applicant is proposing affordable housing geared for any age but not predominantly for senior adults.
- E-GR9-1:* The Applicant is only proposing residential units.
- A-DS13-1:* There are no proposed stub streets.
- B-PR2-2:* No conservation areas are present or proposed.
- B-RE5-1:* No flood plain is present.
- B-RE5-2:* No flood plain is present.
- B-RE5-3:* This Property is not located within the Royal Springs Water Aquifer.
- A-DS9-2:* There is a park within walking distance.
- A-EQ9-1:* No school is proposed.
- D-SP1-2:* No school is proposed.
- D-SP2-1:* No school is proposed.
- D-SP3-2:* No cellular tower is proposed on site.
- E-GR4-1:* There are no existing structures on site.
- E-GR5-1:* There are no historic structures on site.

**Conclusion**

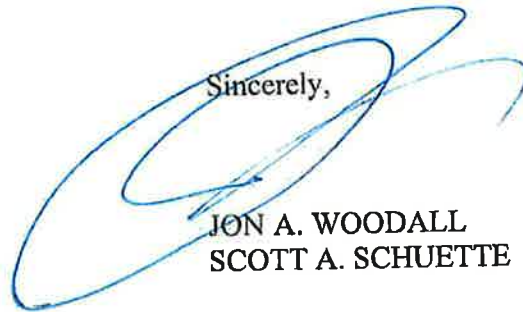
In sum, we submit that our proposal is in harmony with the 2045 Comprehensive Plan. We are eager to present this transformational housing project to the Planning Commission for consideration. In the interim, we look forward to our continued discussions with Planning Staff and the Commission. We humbly request your approval of the application submitted herewith.

Thank you in advance for your consideration.



Lexington-Fayette Urban County Planning Commission  
November 4, 2024  
Page 10

Sincerely,

A large, stylized handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

JON A. WOODALL  
SCOTT A. SCHUETTE

JAW/ss

4877-8664-4605, v. 1

November 1, 2024

Via Hand Delivery

Lexington-Fayette Urban County Planning Commission  
200 East Main Street  
Lexington, Kentucky 40507

**RE: Letter of Justification in Support of Zone Map Amendment**  
**Property: 495 & 475 Haggard Lane and 450 Radcliffe Road**  
**Our Client: Lexington AHC Fund, LLC**

Dear Commissioners:

Please be advised that I represent Lexington AHC Fund, LLC (hereinafter the "Applicant"). My client is seeking to rezone approximately 12.84 acres located off of Radcliffe Road and Haggard Lane (the "Property"), previously utilized as Transylvania University's baseball field. The Property is currently zoned Neighborhood Business (B-1) and Corridor Business (B-3). The Applicant is seeking to rezone the Property to a mix of Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), and Medium Density Residential (R-4) zones in order to construct single family homes, townhouses and multi-family residential units. We submit that this proposal is in complete accord with the adopted 2045 Comprehensive Plan and respectfully request your approval of our request.

**1. Property History**

The subject Property has historically been utilized by Transylvania as their primary location for baseball activities until they began utilizing Legends Field in 2019. Since that time, the Property has remained as a baseball field owned by Transylvania but was seldom utilized by the university. Given the current use of Legends Field, Transylvania made a conscious decision to market and sell this property with an eye towards affordable housing, which this community so desperately needs more of. As such, Transylvania worked with a group of local lending institutions led by Mr. Luther Deaton and Central Bank as well as private and non-profit developers to create a landmark opportunity for Lexington. The goal was to enable the purchase of the Property at a price point that makes a truly transformational affordable housing development possible. "The property is worth approximately \$3.2 million but Transylvania University ultimately decided to sell the property for \$2.8 million, in an effort to give back to the Lexington community, said Transylvania President Brien Lewis. Lewis spoke at a press conference Wednesday at Transy announcing the new affordable housing partnership."<sup>1</sup>

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<sup>1</sup> <https://www.kentucky.com/news/local/counties/fayette-county/article284060378.html>

## **2. Collaborative Effort**

This type of collaborative involvement of stakeholders is exactly what the Comprehensive Plan recognizes is needed and compelled to address the affordable housing crisis in Fayette County. “In Public/Private Partnerships Are Crucial To Meet The Demand For Affordable Housing, Shimon Shkury recognizes the pressing requirement for additional housing, particularly affordable housing. The Comprehensive Plan acknowledges that the collaboration of various stakeholders is crucial in creating and preserving affordable housing.”<sup>2</sup> Afterall, “homes are where jobs go to sleep at night.” Wendy Smith, Deputy Executive Director-Housing Programs, Kentucky Housing Corporation; 2024 Urban League Empowerment Dinner.

Realizing the pressing needs of our community, Transylvania President, Brien Lewis, explained, “We are proud of the role Transylvania plays as a part of the Lexington community and how this project gives us the opportunity to be part of a visionary solution.”<sup>3</sup> That visionary solution of providing affordable housing is one of the major needs discussed in the 2045 Comprehensive Plan. It is no secret that there is an affordable housing crisis in Fayette County and the Applicant is eager and excited to help fill this void. “Lexington is currently facing a severe affordable housing crisis, as highlighted in the National Low Income Housing Coalition's 2021 Out of Reach report for Kentucky.”<sup>4</sup> “Lexington needs more than 22,549 additional housing units to meet housing demand.”<sup>5</sup>

In addition to the local lending entities, our Project Team also includes the following;

1. Winterwood Inc. – Mr. Zach Worsham, Vice President;
2. AU Associates, Inc. – Mr. Johan Graham, President;
3. EHI Consultants – Mr. Ed Holmes, President;
4. Prime Engineering, Inc. – Mr. Stephen Garland, P.E.;
5. Urban League of Cities – Mr. P.G. Peoples;
6. Lexington Housing Authority – Mr. Austin Simms, Executive Director; and
7. Lexington Habitat for Humanity – Mr. Darryl Neher – CEO.

These stakeholders have come together to plot a new way forward for our community when it comes to the creation of transformational housing.

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<sup>2</sup> Comprehensive Plan at Page 77-78.

<sup>3</sup> <https://www.transy.edu/1780/2024/01/transylvania-makes-affordable-housing-development-possible/>

<sup>4</sup> Comprehensive Plan at Page 74.

<sup>5</sup> <https://www.kentucky.com/news/local/counties/fayette-county/article293941459.html>

We believe this proposed development is highly appropriate for this site and reflects the kind of development needed and contemplated by Imagine Lexington. Imagine Lexington encourages redevelopment of properties to allow for denser developments, particularly along key corridors and where property is underutilized. Indeed, Imagine Lexington challenges Lexington as a community to embrace infill opportunities that provide for needed housing density while respecting overall neighborhood context. The proposed development is precisely the type of development that is needed to address the overall shortage of housing units in Fayette County. Moreover, the thoughtful planning envisioned by our design team will integrate with the neighborhood in a reasonable way, capturing needed density but also respecting the context of the neighborhood where possible.

### **3. Compliance with the 2045 Comprehensive Plan**

We are excited to present this proposal to the Planning Commission for consideration. We believe it meets numerous goals and objectives of the Comprehensive Plan, and further complies with relevant standards articulated in the “Placebuilder” included as part of the Comprehensive Plan. We submit that this proposal comports with the 2045 Comprehensive Plan in the following ways:

#### **A. Goals and Objectives**

##### **Theme A – Growing and Sustaining Successful Neighborhoods**

This proposal comports with Theme A of the Comprehensive Plan. In reviewing Theme A, we maintain that this development is consistent with the applicable design policies articulated, and is appropriately dense. We further submit that it meets the following goals and objectives articulated in Theme A:

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

Goal 1 of Theme A of the Comp Plan lists several objectives. Among them is that Lexington should “[a]ccommodate the demand for housing in Lexington responsibly, *prioritizing higher-density* and a mixture of housing types” (emphasis supplied). This proposal emphasizes housing density in a responsible fashion as well as provides a mix of housing types consisting of single-family residences, multi-family residential and townhouses. The Applicant has sought to identify an area of our community that is currently underutilized. This proposal addresses the need for additional affordable housing with differing types of housing units while emphasizing density.

Theme A also emphasizes “Explor[ing] opportunities for unused and underused publicly owned land to be developed for affordable housing developments.” While this land was privately owned by Transy, it has been underutilized since Transy’s transition to



Legends Stadium. Reimagining the site as the Project Team has done will advance the need for a sustainable and affordable housing development.

***Goal 2: Support infill & redevelopment throughout the urban service area as a strategic component of growth.***

Goal 2 of Theme A emphasizes that areas for infill and redevelopment should be identified throughout the urban service area. This site falls within the urban service area and will better utilize existing land for more housing stock in varying form. The applicant believes that it is identifying an area of our community suited for redevelopment and can set a standard for responsible and appropriate development in the area.

***Goal 3: Provide well-designed neighborhoods & communities.***

We believe this proposal addresses two of the objectives of Goal 3 of Theme A in a direct way. First, it will assist with providing various modes of transportation as an option. LexTran Route 17 – Northside Connector has four stop locations which are at the Property. There are two stops located on Haggard Lane and Court and two stops located on Radcliffe Road. It is also in close proximity to the North Broadway Corridor and I-75. Further, as is shown on the Development Plan submitted herewith, there are two internal streets proposed to be developed which further connects the development to surrounding neighborhood through seamless transitions to Radcliffe Road and Haggard Court.

**Theme B – Protect the Environment**

We also submit that this proposal comports with goals and objectives articulated in Theme B of the Comp Plan.

***Goal 2: Identify and mitigate local impacts of climate by tracking and reducing Lexington-Fayette County's carbon footprint and greenhouse gas emissions and commit to community-wide net zero greenhouse gas emissions by the year 2050.***

As previously noted, this proposed development is ideally located to reduce the need for reliance upon personal automobiles given the close proximity to numerous LexTran bus stop locations. This is a key objective of Goal 2 of Theme B.

**Theme D – Improving a Desirable Community**

We further submit that this proposal comports with the goals and objectives articulated in Theme D of the Comp Plan.

***Goal 1: Work to achieve an effective, equitable & comprehensive transportation system.***

We believe this proposal meets several of the objectives of Goal 1 of Theme D. We intend to interface with Lextran and remain committed to working with them so that the proposed development can be effectively served by public transit. This is in direct relation to Objective C of Goal 1. We also believe that the design and layout of the internal streets has created a seamless transition from the surrounding public streets to allow for safe and effective ingress and egress to the development.

**Goal 2:** *Support a model of development that focuses on people-first to meet the health, safety, and quality of life needs of Lexington-Fayette County's residents and visitors.*

We believe this proposal satisfies Objective E of Goal 2 in that the Applicant has sought to develop housing stock that will be affordable and vary in forms to allow for the working force to own.

*Theme E – Maintaining a Balance Between Planning For Urban Uses and Safeguarding Rural Land.*

Finally, we submit that this proposal meets the goal of safeguarding rural land by providing needed housing units in an appropriately dense manner, thus reducing pressure on the Urban Service Boundary.

**B. The Placebuilder**

We have further evaluated our proposal under the design criteria set forth in the Placebuilder. In consultation with Planning staff, we submit that this proposal should be evaluated with reference to the Enhanced Neighborhood Place Type, and that the proposed development is appropriately classified as medium density residential and low density residential. We submit that this classification is appropriate because of the Property's proximity to existing residential areas and will be providing differing housing types.

*Standards That Are Applicable to Our Proposal*

*A-DN2-1:* This development is appropriately dense and seeks to redevelopment underutilized land.

*A-DN4-1:* This development proposes compact single-family housing stock.

*B-SU3-1:* As is seen on the submitted development plan, this development is appropriately compact and provides a mix of differing housing stock.

*C-LI6-1:* Affordable housing will be incorporated into this development.

*D-PL7-1:* Extensive outreach has already occurred with the neighboring properties, neighborhood associations and neighborhood residents/leadership.

*E-GR9-3:* This development will have a mix of housing types and incorporates context sensitive multi-family residences into the single-family residence types.

*A-DS1-1:* This development is bordered by four LexTran Route 17 bus stops all of which touch or adjoin the Property.

*A-DS1-2:* There are sidewalks along the internal streets which are pedestrian friendly that allow easy access to the LexTran bus stops.

*A-DS4-1:* This Property is within walking distance of Marlboro Park and the LexTran bus routes provides transportation to other areas of the city.

*A-DS5-1:* Vehicular use areas will be shielded from bike storage areas and the LexTran bus stop locations.

*A-DS5-2:* Trees and buildings along the street will create and promote vertical elements that will create a walkable streetscape.

*A-DS10-1:* As discussed above, the development is within walking distance of a community park.

*C-PS10-1:* As is seen on the development plan, this development is appropriately parked without a surplus.

*D-CO1-1:* We believe this developments internal streets and appropriately reflect the desired place-type of Enhanced Neighborhood by creating a seamless transition to the already existing neighborhood.

*D-CO2-1:* This development allows for multimodal transportation and encourages same with its location to bus stops and available parking for single vehicular use.

*D-CO2-2:* This development will comply with Lexington's Complete Streets Policy.

*D-CO4-1:* There are no proposed dead end streets or cul-de-sacs.

*D-CO4-2:* There are two internal streets through the development that will alleviate congestion around the development and surrounding neighborhood.

*D-CO5-1:* This criteria is detailed on the development plan and is evidenced by the stop signs throughout the internal streets and zebra style cross walks with a stop bar.

*B-PR2-1:* There are no environmentally sensitive areas on this Property.

*B-PR3-1:* There are no conservation properties adjacent to the Property.

*B-PR7-1:* Given the Properties historic use as a baseball field, there is minimal tree coverage on the Property.

*B-PR9-1:* Minimum grading will be needed given the current flat topography of the Property.

*B-PR10-1:* Given the residential nature of the development and surrounding areas, the development will be cognizant of and avoid upward lighting and over lighting.

*B-SU4-1:* The Applicant has sought not to overpark this development to avoid unnecessary impervious surfaces.

*B-SU11-1:* Where possible, the Applicant will seek to plant native plants and low impact landscaping.

*B-RE1-1:* The applicant will seek to plant additional trees along the single family residential aspects of the development where possible.

*D-SP10-1:* Providing trees within the planting strip will be prioritized.

*A-DS7-1:* Parking for the multi-family aspects of the development are oriented to the interior of the development as shown on the development plan. There is one parking area which does not face internally but is bordered by I-75's off ramp.

*A-DS9-1:* Appropriate amenities will be provided within the developments green and open spaces.

*A-EQ9-2:* Internal open spaces will be appropriately marked as private where appropriate.

*C-LI8-1:* This development will enhance connectivity of this Property to the surrounding neighborhood by providing well designed streets for seamless transitions.

*C-PS10-2:* This Development will not be overparked. As is shown on the development plan, there will be sufficient open parking areas for the multi-family aspects and driveway/garage parking for the single family aspects thereby avoiding overparking.



*D-PL4-1:* There will be ample open space on this Property with amenities to enhance these areas for use by the residents.

*D-SP3-1:* Adequate easements will be in place for infrastructure to be provided.

*A-DS3-1:* The development will comply with the Multi-Family Design Standards.

*A-DS5-3:* The multi-family aspects of the development have adequate sidewalks to connect to the internal streets and exterior streets of the development.

*A-DS8-1:* As is shown on the development plan, there are a variety of housing options being provided in the form of townhomes and multi-family residential units.

*A-DS12-1:* This development is located within close proximity to the Walmart Supercenter located on New Circle Road.

*E-ST8-2:* This development will provide community space in the form of open space for residents to utilize.

*A-DS11-1:* The layout of the streets will direct residents to the open spaces in a clear and concise manner.

*A-DS5-4:* The Applicant has sought to make this development as walking friendly as possible by providing sidewalks throughout which connect to public transit bus stops and connects to the open spaces within the development.

*A-DS4-2:* As is seen on the development plan, the Applicant has proposed developing single-family homes closest to the existing residences to prevent as a large step up in scale and placed the multi-story buildings in the interior of the development.

*A-DN2-2:* The development is not in contrast to the existing development adjacent to the Property.

*B-RE2-1:* There is a public park within walking distance of this development and is visible from existing public roads.

*Standards Not Applicable*

*C-LI7-1:* The Applicant is only proposing residential uses.

*C-PS15-2:* The Applicant is only proposing residential uses.

*D-SP1-1:* The Applicant is not proposing any schools at this development.

*D-SP9-1:* The Applicant is proposing affordable housing geared for any age but not predominantly for senior adults.

*E-GR9-1:* The Applicant is only proposing residential units.

*A-DS13-1:* There are no proposed stub streets.

*B-PR2-2:* No conservation areas are present or proposed.

*B-RE5-1:* No flood plain is present.

*B-RE5-2:* No flood plain is present.

*B-RE5-3:* This Property is not located within the Royal Springs Water Aquifer.

*A-DS9-2:* There is a park within walking distance.

*A-EQ9-1:* No school is proposed.

*D-SP1-2:* No school is proposed.

*D-SP2-1:* No school is proposed.

*D-SP3-2:* No cellular tower is proposed on site.

*E-GR4-1:* There are no existing structures on site.

*E-GR5-1:* There are no historic structures on site.

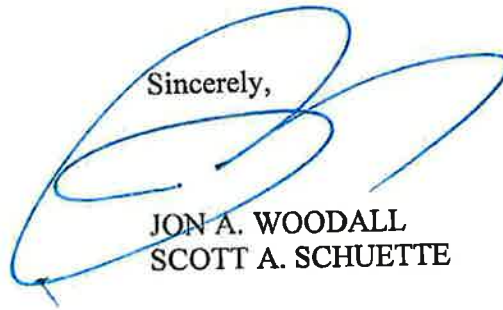
### **Conclusion**

In sum, we submit that our proposal is in harmony with the 2045 Comprehensive Plan. We are eager to present this transformational housing project to the Planning Commission for consideration. In the interim, we look forward to our continued discussions with Planning Staff and the Commission. We humbly request your approval of the application submitted herewith.

Thank you in advance for your consideration.

Lexington-Fayette Urban County Planning Commission  
November 1, 2024  
Page 10

Sincerely,

A large, stylized handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

JON A. WOODALL  
SCOTT A. SCHUETTE

JAW/ss

4877-8664-4605, v. 1

JON A. WOODALL  
jwoodall@mcbrayerfirm.com



201 EAST MAIN STREET, SUITE 900  
LEXINGTON, KY 40507  
859.231.8780 EXT. 1260

November 19, 2024

*Via Hand Delivery*  
Lexington-Fayette Urban County Planning Commission  
200 East Main Street  
Lexington, Kentucky 40507

RE: Supplemental Letter of Justification in Support of Variance  
Request and Multi-Family Design Standards  
Property: 495 & 475 Haggard Lane and 450 Radcliffe Road  
Our Client: Lexington AHC Fund, LLC

Dear Commissioners:

Please be advised that I represent Lexington AHC Fund, LLC (hereinafter the "Applicant"). My client is seeking to rezone approximately 12.49 acres located off of Radcliffe Road and Haggard Lane (the "Property"), previously utilized as Transylvania University's baseball field. The Property is currently zoned Neighborhood Business (B-1) and Corridor Business (B-3). The Applicant is seeking to rezone the Property to a mix of Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), and Medium Density Residential (R-4) zones in order to construct single family homes, townhouses and multi-family residential units. In addition, the Applicant is also requesting the approval of a dimensional variance to reduce the building setback along Proposed Road "A" from 20 feet to 10 feet. Lastly, the Applicant also submits that this project complies with the Multi-Family Design Standards in many regards as discussed herein and as depicted on Exhibit A.

#### 1. Variance

As can be seen on the development plan submitted with this application, the Applicant is proposing development of three internal streets, Road A, Road C and Alley B. Road A is the buffer between the proposed R-3 and R-4 zoning thereby separating the townhomes and multi-family aspects of the development. Pursuant to the Zoning Ordinance, the R-4 group residential development is required to have a twenty-foot set back. However, in asking for a variance to reduce this setback requirement to ten-feet, the Applicant submits that this variance request actually promotes the Multi-Family Design Standards.

Specifically, the Multi-Family Design Standards and Placebuilder emphasize activating the ground level to "ensure that all building entries are prominent, visible, and accessible from the street." SP.3. These Standards also emphasize "provid[ing] as many private, ground level entries to individual units as possible." SP.2. Further, Placebuilder

Law Offices: Lexington | Louisville

Government Affairs: Franklin | Washington, D.C.

mcbrayerfirm.com

likewise emphasizes "building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere." A-DSS-3.

As such, the Applicant submits that this variance request will not "adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations." In fact, the variance sought actively promotes the applicable zoning regulations, specifically the Multi-Family Design Standards and Placebuilder, and will not alter the essential character of the area as these will be internal setbacks within the development. Finally, the requested variance will not create a nuisance or hazard.

Further, this request arises from special circumstances given the size and shape of the Property while seeking to provide sufficient density. The strict application of this twenty-foot set back requirement will force the Applicant to remove additional housing and will alter the layout of the differing residential aspects. Lastly, this request is not the result of any willful violation of the zoning ordinance by the Applicant.

As such, the Applicant respectfully requests approval of the variance reducing the setback requirement in the R-4 zone from twenty feet to ten feet.

## II. Multi-Family Design Standards

The Applicant submits that this development will comply with the Multi-Family Design Standards including Site Planning, Open Space and Landscaping and Architectural Design. As can be seen on Exhibit A, the applicable site planning and open space and landscaping provisions are labeled within the plan. In addition, this Project complies with the following site planning criteria:

- SP.1 – Utilizing the Alley, the majority of the single-family houses are rear loaded from the Alley and not Radcliffe Road.
- SP.2 – the Garden Style Apartments utilize breezeways to provide ground level entries to individual units.
- SP.3 - This plan activates the street with the 10' Building Line Setbacks, allowing a more engaged pedestrian viewshed.
- SP.4 – The setbacks are uniform per the use and zone, the majority of the setbacks are 10' front and rear yard.
- SP.5 – The site incorporates a continuous pedestrian network of sidewalks.
- SP.6 – The open space amenities are connected to the pedestrian network.
- SP.7 – The parking lots are all at the rear or side of the apartment and senior living sites.
- SP.8 – The parking lots for the Garden style apartments are configured to be smaller scale and provide the sense of a dedicated parking lot to each building.

- SP.9 – Open space is viewable from each building.
- SP.10 – The site utilizes 3 entrance/exist connections to the adjacent public roadways and sidewalks, and the apartments have 2 entrance exits to provide emergency services circulation.
- SP.11 – The blocks are broken into 3 sections for the town houses, and the apartments have 2 entrance/exits. The walkable block sections are less than 450' (800' recommended as a maximum).
- SP.12 – Traffic calming devices are the narrow (in comparison to public local roads), tighter turn radii on the alley and public street have been utilized, and the site has crosswalks that have been designed as high visibility crosswalks.
- SP.14 – The streets and alleys include sidewalks, the lights have not been designed yet, but a pedestrian style lighting scheme is appropriate for this project. Street trees, interior trees, and perimeter trees and shrubs are all utilized.
- SP.15 – All parking areas will be appropriately lit while minimizing impact on surrounding properties.
- SP.16 – ADA visibility is required, and ADA units are required by KHC funding
- SP.17 – The streets are balanced with townhouses on one side and the apartments on the other.

While the architectural aspects of the development are still evolving, the Applicant can state that the following Architectural Design aspects of the Multi-Family Design Standards will be met:

- AD.1 – This development proposes a mix of group residential housing, single family housing and townhomes. As such, this will help transition from lower to higher density aspects of the development. Specifically, the single-family homes are buffered from the group residential housing by the townhouses.
- AD.2 – This development relates in size and height to surrounding uses. The single-family homes that already exist in the area will be closest to the single-family homes proposed in this development. Further, the group residential aspects also fit the height and size of the adjoining hotel to the rear of the Property.
- AD.3 – The varying residential uses will provide a breakup as to the height of the structures.
- AD.4 – As is discussed above, the open space within this development will be viewable from the residential aspects of the development thereby enhancing views and making the spaces feel larger.
- AD.5 – There will be minimal to no "blank walls" facing the street.
- AD.6 – The Applicant will seek to design in a way which enhances the buildings character.
- AD.7 – The Applicant has not yet settled on colors or materials but will seek to emphasize the distinctions between the differing uses.
- AD.8 – The Applicant will seek to provide consistent design throughout the structures.

AD.9 – The Applicant will seek to implement built-form transitions.

Lastly, this development likewise complies with the Open Space & Landscaping of the Multi-Family Design Standards. These are depicted in green on Exhibit A.

- OS.1 – The open space is easily visible and accessible from the differing residential aspects of the development.
- OS.2 – The centralization of the open space can be seen on the preliminary development plan.
- OS.3 – The open space associated with the group residential buildings is appropriate in size.
- OS.4 – Street trees and internal landscaping will enhance and provide boundaries for the privately controlled spaces.
- OS.5 – See preliminary development plan depicting trees and landscaping around the internal parking areas.
- OS.6 – The parking is situated internally for the group residential developments and the waste is likewise located away from the single-family residences to provide an adequate buffer.
- OS.11 – As shown on the preliminary development plan, the internal streets will include trees.
- OS.12 – The light fixtures will be compatible with the style, material, color and scale of the project.
- OS.13 – The Applicant will actively seek to avoid any light infringing upon neighboring properties and/or private spaces.

As such, the Applicant submits that this application complies with the Multi-Family Design Standards as detailed herein above and on Exhibit A.

**Conclusion**

In sum, we submit that our proposal is in harmony with the Multi-Family Design Standards and that the variance request is approvable for the reasons provided herein.

Thank you in advance for your consideration.

Sincerely,  
  
JON A. WOODALL  
SCOTT A. SCHUETTE







**ZONE CHANGE DESCRIPTION**

**475, 495 HAGGARD LANE & 450 RADCLIFFE ROAD**

**B-3 & B-1 TO R-4**

**495 HAGGARD LANE & 450 RADCLIFFE ROAD**

**B-1 TO R-2 & R-3**

**LEXINGTON, FAYETTE COUNTY, KENTUCKY**

All those tracts or parcels of land situated north of Haggard Court, east of Haggard Lane, south of Radcliffe Road and west of Interstate 75, in Lexington, Fayette County, Kentucky being more fully described and bounded as follows, to wit:

**475, 495 HAGGARD LANE & 450 RADCLIFFE ROAD B-3 & B-1 to R-4**

**BEGINNING** at a point in the Haggard Court centerline, said point being a common corner to 475 Haggard Lane and 1950 Haggard Court;

Thence with said Haggard Court, South 52°49'30" West, 311.00 feet to a point in the Haggard Lane centerline:

Thence with said Haggard Lane centerline for two (2) lines:

1. North 41°31'18" West, 328.58 feet to a point,
2. North 40°23'28" West, 26.21 feet to a point;

Thence leaving said Haggard Lane for thirteen (13) lines:

1. North 49°36'32" East, 151.50 feet to a point,
2. North 49°36'32" East, 38.00 feet to a point,
3. Along a curve to the left having a radius of 100.00 feet, an arc length of 157.08 feet and a chord North 04°36'32" East, 141.42 feet to a point,
4. North 40°23'28" West, 37.13 feet to a point,
5. Along a curve to the right having a radius of 100.00 feet, an arc length of 125.98 feet and a chord North 04°17'58" West, 117.82 feet to a point,
6. Along a compound curve to the right having a radius of 300.00 feet, an arc length of 100.44 feet and a chord North 41°22'58" East, 99.97 feet to a point,
7. North 50°58'25" East, 222.14 feet to a point,

8. Along a curve to the left having a radius of 100.00 feet, an arc length of 148.70 feet and a chord North 08°22'26" East, 135.37 feet to a point,
9. North 36°36'47" East, 151.12 feet to a point,
10. North 61°36'33" East, 552.82 feet to a point,
11. South 28°23'27" East, 362.91 feet to a point,
12. South 52°56'30" West, 1,060.60 feet to a point,
13. South 37°10'30" East, 328.99 feet to the point of beginning, containing 529,958 square feet or 12.17 acres (gross) and 272,610 square feet or 6.26 acres (net), more or less.

**495 HAGGARD LANE & 450 RADCLIFFE ROAD B-1 to R-2**

**BEGINNING** at the intersection of the centerlines of Haggard Lane and Radcliffe Road;

Thence leaving said Haggard Lane and with said Radcliffe Road for eight (8) lines:

1. North 50°06'54" East, 15.14 feet to a point,
2. Along a non-tangent curve to the left with a radius of 511.74 feet, an arc length of 208.12 feet and a chord North 38°27'52" East, 206.68 feet,
3. North 26°48'50" East, 36.17 feet to a point,
4. Along a curve to the right with a radius of 515.00 feet, an arc length of 175.94 feet and a chord North 36°36'07" East, 175.08 feet to a point,
5. Along a compound curve to the right with a radius of 515.00 feet, an arc length of 59.59 feet and a chord North 49°42'14" East, 59.56 feet to a point,
6. North 53°01'08" East, 117.45 feet to a point,
7. Along a curve to the left with a radius of 490.00 feet, an arc length of 140.30 feet and a chord North 44°48'57" East, 139.83 feet to a point,
8. Along a compound curve to the left with a radius of 490.00 feet, an arc length of 121.05 feet and a chord North 29°32'10" East, 120.74 feet to a point;

Thence leaving said Radcliffe Road and with 400 Radcliffe Road, South 75°43'39" East, 176.13 feet to a point;

Thence leaving said 400 Radcliffe Road for nine (9) lines:

1. South  $36^{\circ}36'47''$  West, 186.77 feet to a point,
2. South  $53^{\circ}23'13''$  East, 3.46 feet to a point,
3. Along a non-tangent curve to the right with a radius of 643.54 feet, an arc length of 183.70 feet and a chord South  $44^{\circ}49'00''$  West, 183.07 feet to a point,
4. South  $53^{\circ}01'13''$  West, 115.90 feet to a point,
5. Along a curve to the left with a radius of 379.60 feet, an arc length of 165.85 feet and a chord South  $40^{\circ}30'13''$  West, 164.54 feet to a point,
6. South  $27^{\circ}59'12''$  West, 104.49 feet to a point,
7. Along a curve to the left with a radius of 99.50 feet, an arc length of 118.75 feet and a chord South  $06^{\circ}12'08''$  East, 111.82 feet to a point,
8. South  $40^{\circ}23'28''$  East, 231.60 feet to a point,
9. South  $49^{\circ}36'32''$  West, 151.50 feet to a point in said Haggard Lane;

Thence with said Haggard Lane, North  $40^{\circ}23'28''$  West, 446.83 feet to the point of beginning, containing 186,629 square feet or 4.28 acres (gross) and 147,560 square feet or 3.39 acres (net), more or less.

**495 HAGGARD LANE & 450 RADCLIFFE ROAD B-1 to R-3**

**BEGINNING** at a point in the Haggard Lane centerline;

Thence leaving said Haggard Lane, North  $49^{\circ}36'32''$  West, 151.50 feet to the **TRUE POINT OF BEGINNING**;

Thence for twenty (20) lines:

1. North  $40^{\circ}23'28''$  West, 231.60 feet to a point,
2. Along a curve to the right with a radius of 99.50 feet, an arc length of 118.75 feet and a chord North  $06^{\circ}12'08''$  West, 111.82 feet to a point,
3. North  $27^{\circ}59'12''$  East, 104.49 feet to a point,
4. Along a curve to the right with a radius of 379.60 feet, an arc length of 165.85 feet and a chord North  $40^{\circ}30'13''$  East, 164.54 feet to a point,

5. North 53°01'13" East, 115.90 feet to a point,
6. Along a non-tangent curve to the left with a radius of 643.54 feet, an arc length of 183.70 feet and a chord North 44°49'00" East, 183.07 feet to a point,
7. North 53°23'13" West, 3.46 feet to a point,
8. North 36°36'47" East, 186.77 feet to a point,
9. South 75°43'39" East, 24.47 feet to a point,
10. North 61°36'33" East, 527.25 feet to a point,
11. South 28°23'27" East, 64.62 feet to a point,
12. South 61°36'33" West, 552.82 feet to a point,
13. South 36°36'47" West, 151.12 feet to a point,
14. Along a non-tangent curve to the right with a radius of 100.00 feet, an arc length of 148.70 feet and a chord South 08°22'26" West, 135.37 feet to a point,
15. South 50°58'25" West, 222.14 feet to a point,
16. Along a curve to the left with a radius of 300.00 feet, an arc length of 100.44 feet and a chord South 41°22'58" West, 99.97 feet to a point,
17. Along a compound curve to the left with a radius of 100.00 feet, an arc length of 125.98 feet and a chord South 04°17'58" East, 117.82 feet to a point,
18. South 40°23'28" East, 37.13 feet to a point,
19. Along a curve to the right with a radius of 100.00 feet, an arc length of 157.08 feet and a chord South 04°36'32" West, 141.42 feet to a point,
20. South 49°36'32" West, 38.00 feet to the TRUE POINT OF BEGINNING, containing 158,704 square feet or 3.64 acres (gross) and 123,807 square feet or 2.84 acres (net), more or less.



## TRANSY PROPERTY OWNERS, LLC (PLN-MAR-24-00018)

475 & 495 HAGGARD LANE, 450 RADCLIFF ROAD

### Applicant/ Owner

TRANSY PROPERTY OWNERS, LLC

600 W MAIN STREET

LEXINGTON, KY 40505

ATTORNEY: jwoodall@mcbayerfirm.com

## Application Details

### Acreage:

12.49 net (20.09 gross) acres

### Current Zoning:

Neighborhood Business (B-1), Corridor Business (B-3), Interchange Service Business (B-5P), Mixed Low Density (R-2) zones.

### Proposed Zoning:

Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), Medium Density Residential (R-4) zones.

### Place-type/Development Type

Enhanced Neighborhood

Low and Medium Density Residential

For more information about the Enhanced Neighborhood Place-type see *Imagine Lexington* pages 342-351. For more information on the Low and Medium Density Residential Development Types see page 270.

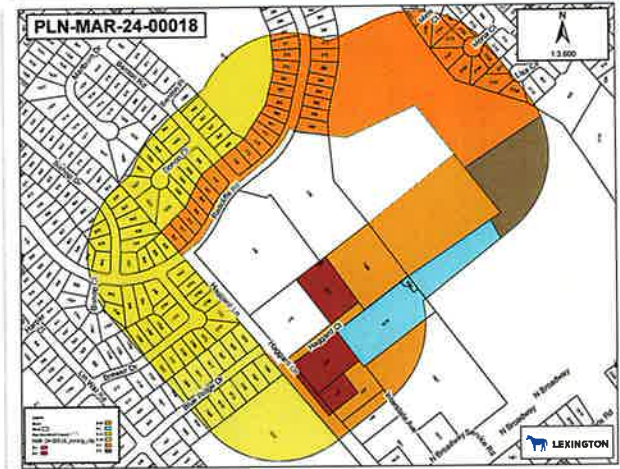
### Description:

The applicant is proposing 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 a total density of 18.73 units per net acre. The applicant is also requesting a variance to reduce the required front yard setback for a group residential project from twenty (20) feet to ten (10) feet.

## Public Engagement

- The applicant has indicated that they have conducted three separate meetings with the surrounding neighborhoods to discuss the proposal.

Rezone the properties for an affordable housing development with various types of dwelling units.



## Status

- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

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



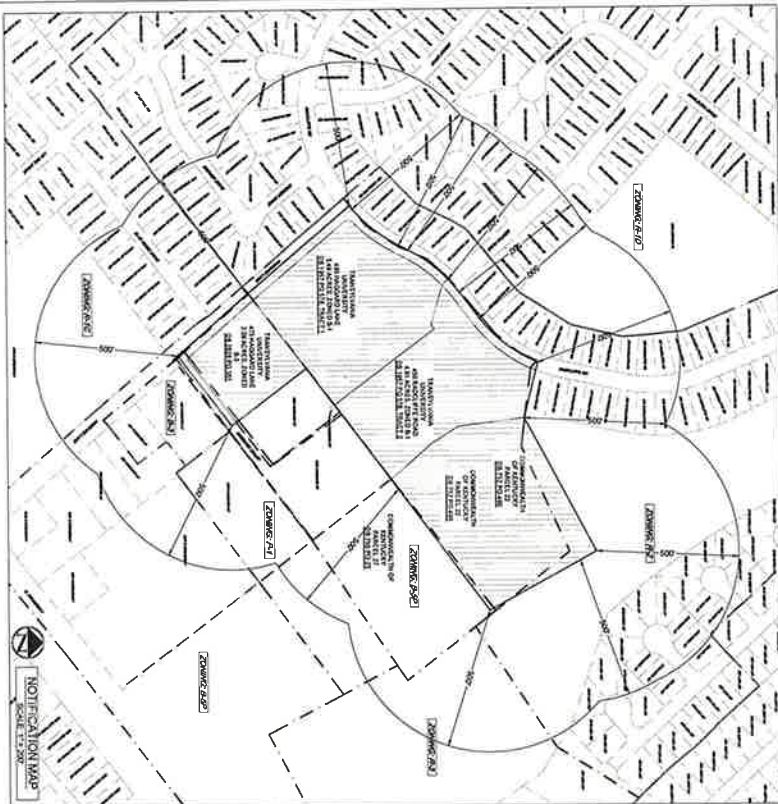
LEXINGTON  
Planning







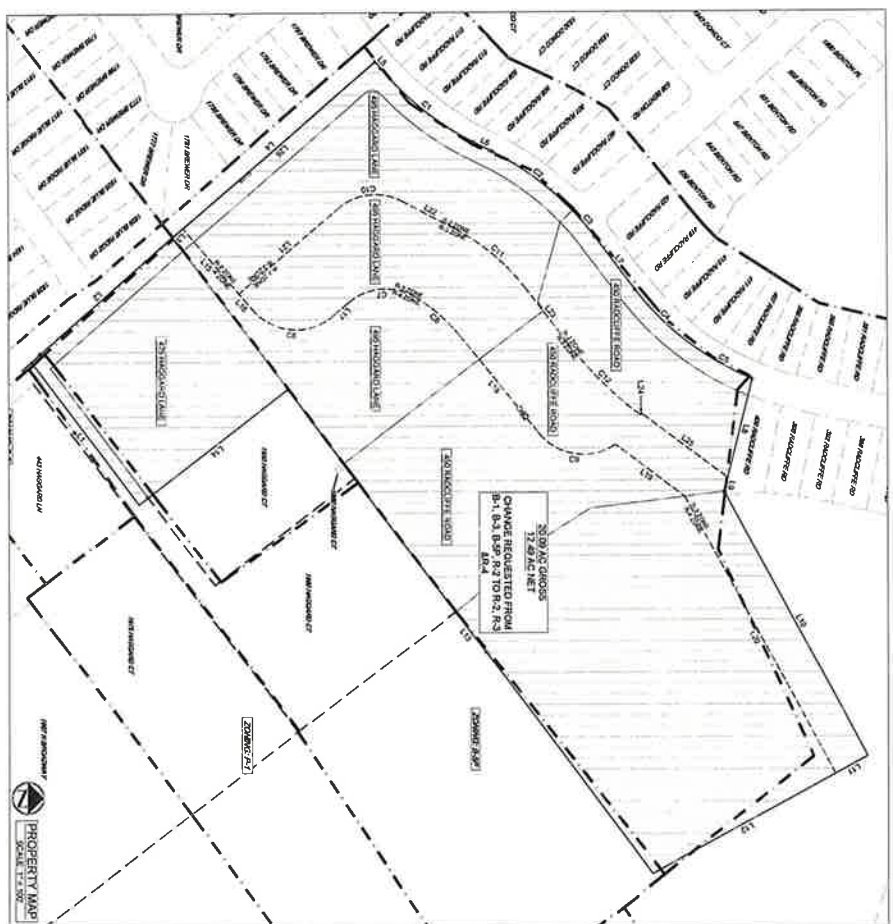


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LINE TABLE		
LINE	BEARING	DISTANCE
L1	505° 46' 30"W	311.00
L2	N41° 31' 18"W	328.36
L3	N40° 25' 28"W	28.21
L4	S60° 23' 28"E	472.04
L5	N05° 00' 54"E	15.14
L6	N02° 46' 50"E	36.17
L7	N53° 01' 00"E	112.45
L8	S57° 43' 04"E	178.13
L9	S72° 43' 30"E	24.47
L10	N41° 36' 34"E	527.25
L11	S20° 23' 27"E	64.62
L12	S20° 23' 27"E	302.81
L13	S52° 36' 30"W	1000.00

LINE TABLE		
LINE	REMARKS	DISTANCE
L14	0307-26.30E	239.60
L15	0407-26.20W	151.50
L16	0407-26.22W	24.00
L17	0407-26.23E	371.3
L18	0507-26.40W	222.46
L19	0507-26.47W	151.12
L20	0607-26.33W	552.02
L21	0607-26.30W	231.02
L22	0607-26.15E	104.40
L23	0607-26.13E	115.02
L24	0607-26.17E	3.40
L25	0607-26.47E	180.77
L26	0607-26.30E	444.83

CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	206.42	511.14
C2	115.44	519.07
C3	94.99	516.07
C4	140.37	400.07
C5	121.09	400.07
C6	116.08	300.07
C7	125.86	100.07
C8	100.44	300.07
C9	140.37	100.07
C10	105.67	319.07
C11	105.67	319.07
C12	153.72	643.34




DATE	11-01-2016
PROJECT NO.	20004
DESIGNED BY	###
DRAWN BY	###
SCALE	AS NOTED

LEXINGTON HOTEL  
1600 W. MAIN STREET, STE 400  
LOUISVILLE, KY 40202

TRANSY-HAGGARD  
RADCLIFFE APTS  
495 RADCLIFFE ROAD  
LEXINGTON, KY 40505

651 Palmetto Drive, Suite  
Lexington, Kentucky 40505  
659 366 0145




  
 CLERK OF COURT



**Lexington**  
651 Perimeter Drive, Suite 300  
Lexington KY 40517  
859.368.0145

## Parking Demand Mitigation Study

475 Haggard Lane, 495 Haggard Lane, and 450 Radcliffe Road

### (1) Review of national best practices for parking calculations for the project, including the current ITE Manual Parking ranges or the ranges produced by the ITEParkGen Report;

For the anticipated development at this property, the ITE Parking Recommendations are as follows:

LAND USE TYPE	UNIT OF MEASURE	STANDARD VALUES (ITE 6 <sup>th</sup> Edition)
Affordable Garden Style Apartment	Per Dwelling Unit	1.0
Senior Living	Per Dwelling Unit	0.61

A screen capture of the ITE Land Use code and graph is located at the end of this report.

The on street parking only takes into account the parallel parking spaces that would be available interior of the site, and does not include any parking on Haggard Lane, Haggard Ct, or Radcliffe Road.

### (2) The anticipated parking demand for the project;

Based on the values from (1), the anticipated parking demand for this project is:

LAND USE TYPE	UNIT OF MEASURE	Project Unit Value	Project Bike Total	Project Required Parking Total	Project Provided Parking Total	Project Value
Affordable Garden Style Apartment	Per Dwelling Unit	83	-	83	133	1.10 / 1.60
Senior Living	Per Dwelling Unit	96	-	59	89	0.61 / 0.93
Total Off street Parking					222 off street	
On Street Parking	Per parallel parking spot	-	-	-	59 on street	-
		<b>Total</b>	-	<b>142</b>	<b>281</b>	

Based on the location of the proposed development and the provision of bike parking and bus stops, the following reductions are allowable, but are not being requested:

- Bicycle Reduction: 5%
- Transit Locations adjacent to the site: 10%

**(3) How the anticipated parking demand will be satisfied on-site or off-site;**

The anticipated parking demand will be satisfied on-site by the provided 222 Onsite (off street) vehicle parking spaces and the 59 on street parallel parking. A concern of the existing neighborhood was that our parking would “leak” into their streets. Therefore, we are providing excess parking than what would be normally required at their request. The Garden Style Apartments meet the old requirement of 0.9 parking spaces per bedroom, and exceeds the old requirement of 1.5 per unit with a 1.6 per unit.

Similarly, the senior living is in excess of the requirement of the ITE parking generation, and is in excess of the Industry standard of senior living that is a ratio 0.78 which would require 96 units to have 75 parking spaces. We have provided on the Preliminary Development Plan 89 parking spaces which relates to a parking ratio of 0.92, once again to avoid any inconvenience to the existing surrounding neighborhood.

**(4) The methods and strategies to be implemented in order to reduce vehicle trips by site users;**

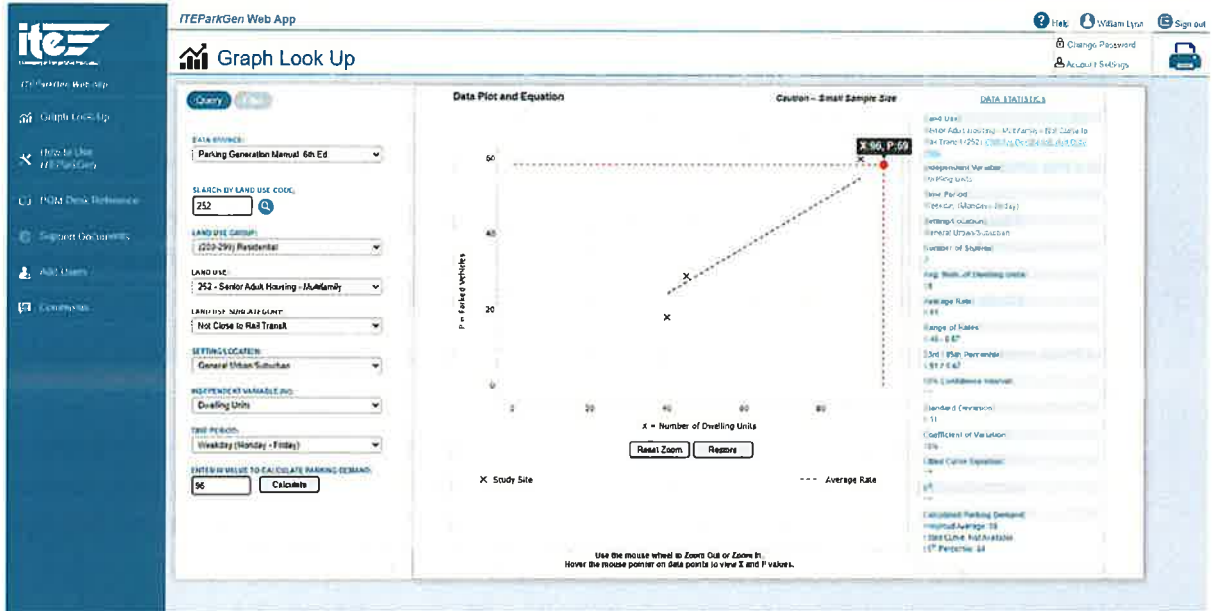
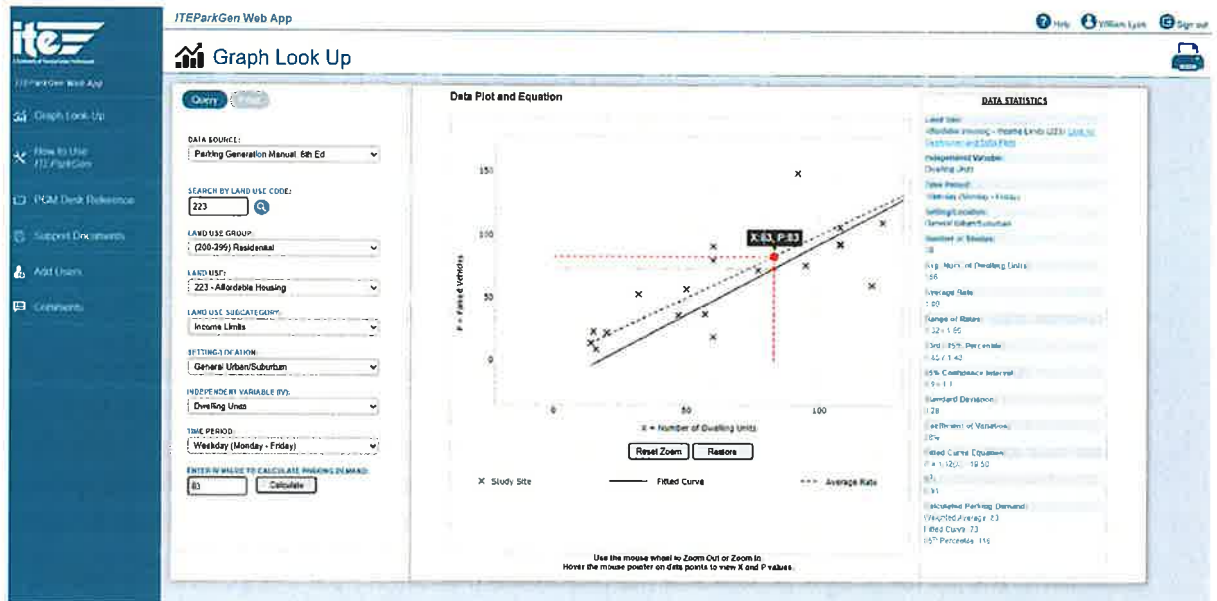
The placement of long term and short term bike parking will allow for short distance trips to the nearby businesses, church, and the adjacent city park. We are not requesting a reduction for bike parking, but will have some bike parking as an amenity to the site.

**(5) The methods and strategies to be implemented in order to promote transportation options by site users;**

Bicycle parking options are to be provided for users of the site, whether visitors to the on-site establishments or residents who will be able to travel by bicycle to the city park. Further, two LEXTran bus stops are adjacent to the development. One at the intersection of Radcliffe and Benton Roads, and the second at Blue Ridge Drive and Haggard Lane.

**(6) The projected mode share by site users from the utilization of the Study's strategies.**

Due to the location of the site being fairly removed from the downtown corridor and approximately 2 miles from the nearest grocery store (Krogers at Bryan Station and New Circle) We anticipate that 99% of trips to the site will be by vehicle. The rest will come from bicycles.



**Stephen Garland, PE LSIT**  
Director, Site



# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-24-00018: TRANSY PROPERTY OWNERS, LLC

## DESCRIPTION OF ZONE CHANGE

**Zone Change:** From: Neighborhood Business (B-1), Corridor Business (B-3), Interchange Service Business (B-5P), and Mixed Low Density (R-2) zones  
To Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), Medium Density Residential (R-4) zones

**Acreage:** 12.49 (20.09 gross) acres

**Location:** 475 & 495 Haggard Lane, 450 Radcliffe Road



## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Properties	B-1, B-3, R-2	Transylvania University Athletic Fields
To North	R-2	Residential
To East	P-1, B-5P, R-2	Interstate, Hotel and Church uses
To South	B-3, R-1C	Residential and Church uses
To West	R-1C	Residential

## URBAN SERVICE REPORT

**Roads** - The subject property is bordered by Haggard Lane and Radcliffe Road, both classified as urban collector roadways. Radcliffe Road connects to Russell Cave Road north of the subject properties. North Broadway connects Haggard Lane to New Circle (KY 4) in this part of Lexington-Fayette County. The I-64/I-75 interchange borders the subject properties to the east from North Broadway.

**Curb/Gutter/Sidewalks** - Curb, gutter and sidewalks exist along Haggard Lane and Radcliffe Road. The subject properties have existing sidewalk infrastructure on Haggard Lane and Radcliffe Road.

**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 Cane Run watershed. Despite not being in a FEMA Special Flood Hazard Area, the Division of Engineering has stated that there are known flooding issues on Haggard Lane. The developer will be required to address stormwater management on the subject property in compliance with the Engineering Stormwater Manual.

**Sanitary Sewers** - This area is located within the Cane Run sewershed and will be serviced by the Town Branch Wastewater Treatment Facility. 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 portion of the Urban Service Area with refuse collection on Thursdays. Multi-family development may be served by the Urban County Government with collection, although additional private collection is often utilized to supplement these services.

**Police** - The subject property is served by the West Sector Roll Call Center, although the nearest police station is located approximately 4 miles southeast of the subject property, at the Central Roll Call Center, located on the corner of Winchester Road and Industry Road.

**Fire/Ambulance** - The nearest fire station (No. 8) is located approximately 1 mile southwest of the subject property on North Broadway.



Transit - This area is served by Lextran Route #17, which has a stop at the intersection of Radcliffe Road and Benton Road, and is approximately 50 feet from the subject property.

Parks - Marlboro Park is located approximately 150 feet to the north, across Radcliffe Road. There are also several additional parks located within 2 miles, including Elkhorn Park, Mary Todd Park, Martin Luther King Park, and William Floyd Park.

## SUMMARY OF REQUEST

The applicant is seeking to rezone the subject properties from a Neighborhood Business (B-1), Corridor Business (B-3), Interchange Service Business (B-5P), and Mixed Low Density (R-2) zones to Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), and Medium Density Residential (R-4) zones to allow for the construction of an affordable housing development. Additionally, the applicant is seeking a variance in order to reduce the required front yard for a group residential project from twenty (20) feet to ten (10) feet.

## PLACE-TYPE

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

## DEVELOPMENT TYPES

**LOW DENSITY RESIDENTIAL**  
Primary Land Use, Building Form, & Design  
A mix of attached and detached single-family homes, of varying formats, and low density multi-family dwelling units. Homogeneous neighborhoods that do not include a mix of housing types should be avoided. Low density residential is only appropriate as a component of “Enhanced Neighborhoods” and “new Complete Neighborhoods” and should be supplemented by a variety of uses and housing options to create sustainable places.

### Transit Infrastructure & Connectivity

Multi-modal network connections, including connected streets, are required to keep an efficient transportation network that provides viable options for all users.

### Quality of Life Components

These developments should include intentional open space designed to fit the needs of area residents and be in walking distance of nearby neighborhood-serving commercial/employment uses.

**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

**R-2**

The intent of this zone is to provide for a mix of low density residential development and supporting uses. This zone should be in areas of the community where services and facilities are/will be adequate to serve the anticipated population. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan. This zone may be used for zero-lot-line houses, patio houses, and other compact housing types.

**R-3**

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

**R-4**

The intent of this zone is to provide for medium to medium-high density multi-family dwellings and supporting uses. This zone should be in areas of the community where services and facilities are/will be adequate to serve the anticipated population. The medium to medium-high density residential uses should be located along collector and arterial streets. Where lower density development occurs in this zone, it should be located along local streets. Adequate multi-modal connections should be available to all residents. Medium to medium-high density multi-family dwellings should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

## PROPOSED USE



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 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.

## APPLICANT & COMMUNITY ENGAGEMENT



The applicant has indicated that they have met with members of the neighborhood on several occasions in 2024, the most recent official meeting being on November 11th to discuss the proposal. The applicant also indicated that they would continue to follow up with the neighborhood if further questions arose about the proposal.

## PROPERTY & ZONING HISTORY

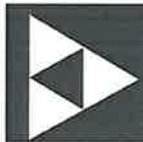


The subject properties were zoned Neighborhood Business (B-1) at the time of the 1969 comprehensive rezoning of the City and County. In 1972, 475 Haggard Lane was rezoned to B-3 with the intent to develop a commercial retail development and convenience store. A subsequent development plan was approved for the site for a shopping center in 1986, but was never developed. Since 2000, the properties located at 450 and 495 Radcliffe Rd have been utilized by Transylvania University as their primary location for outdoor recreational fields and baseball activities. In 2019, Transylvania moved its baseball team to the Lexington Legends baseball stadium, Legends Field, located off North Broadway in Lexington. In 2024, a group of local businesspeople and nonprofits purchased the property from Transylvania University with the aim to convert the land from the current athletic use to create affordable housing, including single family detached, attached and multi-family dwelling units.

The predominant land use for the area is residential in nature. The areas located to the north, and southwest of the subject property are zoned Single Family Residential (R-1C as well as R-1D), and Mixed Low Density Residential (R-2) and are a part of the Elkhorn Park and Radcliffe neighborhoods. These neighborhoods are primarily comprised of single family homes. South of the subject properties exist several service zones, including Corridor Business (B-3), Interchange Business (B-5P), and Professional Office (P-1).

The request also includes portions of the right-of way for the interstate interchange, which includes portions of R-2 and B-5P zoning. These areas are included in the gross acreage of the request, but are not included in the area being developed.

## COMPREHENSIVE PLAN COMPLIANCE



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

### GOALS, OBJECTIVES & POLICIES

The applicant relays in their letter of justification that they are in agreement with the adopted Goals and Objectives of the 2045 Comprehensive Plan. The applicant also provides a brief discussion of the Goals and Objectives of the 2045 Comprehensive Plan that are being met with this request, noting that the development addresses a need for housing that is affordable, and emphasizes the proposed increase in residential density. The applicant details in their justification letter the intent of over seven stakeholders made up of local businesspeople and nonprofits with the aim to convert the land from the current athletic use to create affordable housing through a mix of creative funding mechanisms that the group hopes will be replicated (Theme A Goal #1.d; Theme E, Goal #1.d).

The applicant states that the request will provide additional variety in housing choice (Theme A, Goal #1.b), that 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). The Elkhorn and Radcliffe neighborhoods primarily consists of detached single-family development, by introducing multi-family residential uses into an area predominately



characterized by single-family attached and detached units, the applicant justifies that they are meeting goals relating to providing a variety of housing types and densities. They further state that by developing an underutilized parcel of land within the Urban Service Area, that they are supporting policies relating to redevelopment and strategic growth. Additionally, 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). The applicant's justification letter also notes the intent of the development to provide a well designed neighborhood along a major corridor, North Broadway, in Lexington (Theme E, Goal #1.b & Goal #3.b). The proposed development is located along LexTran's route #17, providing public transportation access, as well as near the I-75, I-64 highways and Russell Cave Road through neighborhood connections. Finally, the applicant also indicates that they are seeking to uphold the Urban Service Area concept (Theme E, Goal #1) by maximizing development on vacant land within the Urban Services Area (Theme E, Goal #1.d).

With respect to the policies of the Comprehensive Plan, the applicant opines that the request responds to the context of the surrounding area, providing additional density and intensity (Design Policy #4; Density Policy #1 and #2). The request will provide additional housing options for this area, which is predominately characterized by single family structures (Design Policy #8). Staff agrees that the applicant's proposal is in agreement with the Goals, Objectives, and Policies of the 2045 Comprehensive Plan.



## MULTI-FAMILY DESIGN STANDARDS

In connection with the proposed multi-family uses, the applicant submitted an annotated site plan, renderings of the proposed design, and a supplemental justification to demonstrate compliance with the Multi-Family Design Standards. Below, staff discusses the respective criteria:

### Site Design:

The request meets the criteria for site design as the request uses the buildings to help reinforce the streetscape (SP.1). The request promotes connectivity by expanding the sidewalk network throughout the site and providing connections to the surrounding neighborhood (SP.5). The proposal locates the parking areas internally, and breaks the lots into smaller sections to limit their visual impact (SP.8).

### Open Space

Staff finds that the request meets the requirements for Open Space, as the open space areas are located centrally to the site (OS.1), and are accessible for residents in each of the development's housing types (OS.2). These spaces are delineated and separated from the private open space (OS4).

### Architectural Design.

The development uses single-family attached and detached units, as well as two differing multi-family residential designs to provide visual variety for the development (AD.1). The development begins at a compatible height to the existing neighborhood, increases in height and intensity as the development steps back away from Radcliffe Road (AD.2). The proposed building design uses windows and alternating materials to avoid blank wall faces (AD.4; AD.5).

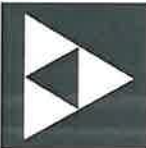


### **PARKING DEMAND MITIGATION STUDY**

Under the requirements of the Parking and Landscaping Zoning Ordinance Text Amendment, all “Significant Developments,” or developments with over 5,000 square-feet of building coverage that require a Zoning Map Amendment, shall provide a Parking Demand Mitigation Study for the project that details the following information:

1. Review of national best practices for parking calculations for the project, including the current ITE Manual Parking ranges or the ranges produced by the ITEParkGen Report;
2. The anticipated parking demand for the project;
3. How the anticipated parking demand will be satisfied on-site or off-site;
4. The methods and strategies to be implemented in order to reduce vehicle trips by site users;
5. The methods and strategies to be implemented in order to promote transportation options by site users;
6. The projected mode share by site users from the utilization of the study’s strategies.

Within the applicant’s review of the parking demand, they have provided specific calculations based on the ITE manual for the proposed residential multi-family uses. Based on the provided square footage, the ITE manuals indicate that the development would require a minimum of 142 parking spaces. The applicant’s proposal calls for a total of 222 off-street parking spaces, as well as the potential for up to 59 on-street parking spaces. The applicant notes that the parking does exceed the amount recommended by the manual, but indicates that the higher parking total was implemented to address community concerns over parking spilling over into the neighborhood. The applicant notes that the overall parking demand will be reduced based on the use’s proximity to a transit route.

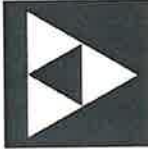


### **PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE**

In an effort to allow for the greatest contextual development of Lexington’s Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject property. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the 2045 Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant has indicated that the site is located within the Enhanced Neighborhood Place-Type. Due to the inclusion of several different housing types, ranging from single-family detached residences to four-story multi-family development, the applicant’s proposal contains elements of both the Low Residential and Medium Density Residential Development Type. Both Low and Medium Density Residential Development types are recommended within the Enhanced Neighborhood Place-Type. The applicant has chosen to utilize multiple zones in order to “step back” the intensity of development from the neighborhood. The applicant’s proposed R-2 and R-4 zones are recommended within the Placebuilder element; however, the applicant’s proposed R-3 zone is not. While the R-3 zone is not generally recommended for this Place-Type, staff finds its use in this application to be appropriate, as it provides for a transition between the allowable intensity between the R-2 and R-4 zones.





## **DEVELOPMENT CRITERIA**

The applicant has indicated that the site is located within the Enhanced Neighborhood Place-Type and is seeking to utilize the property as both Low Density Residential and Medium Density Residential Development Type. Staff concurs with the applicant's assessment of the Place-Type and agrees that a Low Density Residential and Medium Density Residential development can be appropriate for the subject property. Staff agrees with the applicant's assessment that the Mixed Low Density Residential (R-2), Planned Neighborhood Residential (R-3), Medium Density (R-4) zones can be appropriate for this location. As the applicant has chosen two separate development-types, staff will evaluate the criteria for both the Low Density Residential Development and the Medium Density Residential Development.

### **1. LAND USE**

Staff finds that the proposed 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).

Staff finds that 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).

### **2. TRANSPORTATION, CONNECTIVITY, AND WALKABILITY**

Staff finds that both 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 expands upon the existing pedestrian infrastructure present on-site (A-DSI-2), 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).

### **3. ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY**

Staff finds that 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).

### **4. SITE DESIGN**

Staff finds that both the proposed Low-Density and Medium-Density residential development is in agreement with the criteria for Site Design criteria 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).

While these aspects of the criteria are being met, the applicant should provide greater information on how an affordable housing development will maintain designated open space areas. Additionally, the applicant should detail how several proposed parcels of public right-of-way will be dedicated to the city and the appropriateness of those designations.

### **5. BUILDING FORM**

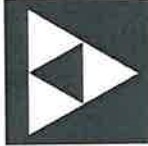
Staff finds that the proposed Low-Density Residential component meets the criteria for Building Form, as the building orientation maximizes connections with the street (A-DS5-3).

Staff also finds that 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).

**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 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-MIDP-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.

## STAFF REPORT ON VARIANCE REQUEST



As part of their application, the petitioner 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.

Before any variance is granted, the Planning Commission must find the following:

- a. The granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Planning Commission shall consider whether:
  1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone.
  2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
  3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- b. The Planning Commission shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

### ZONING ORDINANCE

Article 6-4(c) states that the Planning Commission may hear and act upon requested variances associated with a zone change. In such cases, they may assume all of the powers and responsibilities of the Board of Adjustment, as defined in Article 7-6(b) of the Zoning Ordinance.

Article 9-6(c) states that the required front yard for a group residential project in the R-4 zone is twenty (20) feet.

### CASE REVIEW

The applicant is seeking a dimensional variance for the northern portion of the “garden apartment” section of the development in order to reduce the required front setback. For group residential projects within the R-4 zone, a front yard of twenty (20) feet is required. The applicant wishes to reduce this required setback to ten feet. The applicant opines in their letter of justification that a reduced setback will result in a improved streetscape and a more activated development. The applicant also opines that the reduced setback supports the provisions of the Multi-Family Design Standards.

In staff’s review of the applicant’s justification, there does not appear to be any discussion of any unique circumstances surrounding the property that would justify the need for the requested variance. The subject properties total over 12 acres in size, and is greenfield development. Additionally, the applicant has not demonstrated that meeting the 20-foot requirement would limit their utilization of the property. It appears that there is sufficient room to meet the required setbacks by shifting the location of open spaces and parking areas. Due to the lack of special circumstances and the overall flexibility the applicant has with the design, staff cannot support the variance request as proposed.

**STAFF RECOMMENDS: DISAPPROVAL 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.



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-DS1-2), and provides accessible routes to transit as well as providing connections to nearby parks and other complementary uses (A-DS1-2; 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:

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.

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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.

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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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