

## Legal Counsel.

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May 17, 2019

Mr. William Wilson Chairman Lexington-Fayette Urban Co. Planning Commission 200 E. Main Street Lexington, Kentucky 40507

Dear Chairman Wilson:

I previously provided a justification letter dated May 9, 2019 related to the application of Winterwood, Inc. (the "Applicant") for a zone change request. The Applicant continues to rely upon that justification, but by this letter provides additional information related to a conditional use permit ("CUP") for a proposed community center on the subject site.

The proposed community center will be used by AVOL of Lexington ("AVOL") to provide services to medically vulnerable individuals. The services provided by AVOL include outreach, education, and non-laboratory rapid health screenings for medically vulnerable persons and those at-risk for various health conditions, including older adults. Service recipients receive referrals and connectivity to health services, housing support, nutrition resources, emergency services and empowerment education including classes on topics such as affordable and accessible housing, financial education, nutrition, healthy relationships, risk and harm reduction, among others. These services are offered to both onsite residents and the general public. The community center will also host occasional social events including dinners, seminars, movie nights, etc. at least once per month. Community groups, including various clinics at UK, Lexington Fairness, and the Pride Community Services Organization, may hold occasional meetings at the community center.

The community center will be primarily used by AVOL volunteers, office personnel, and on-site residents and individuals seeking AVOL's support, but will also be open to the public. The community center will include up to ten (10) office spaces so that volunteers and staff can meet individually with individuals seeking support. The community center will also contain one or two multi-use meeting/gathering spaces for small community group meetings and classes/workshops and social activities, and will house the Applicant's maintenance and management offices for the proposed multi-family development. All operations and activities at the community center will be supervised by AVOL staff and volunteers. Regular office hours will be 9 a.m. to 8 p.m.

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on Mondays and Wednesdays, 9 a.m. to 5 p.m. on Tuesdays, 9 a.m. to 6 p.m. on Thursdays, and 9 a.m. to 1 p.m. on Fridays. The community center will occasionally host weekend events lasting no longer than a few hours.

A CUP for the proposed community center complies with the zoning ordinance because a community center is a permitted conditional use in an R-3 zone, which is the new zone requested by the Applicant. The CUP will not have an adverse influence on existing or future development of the subject property or its surrounding neighborhood because, as set forth above, it will provide a community-serving use to medically vulnerable and at-risk individuals. The community center will be supervised at all times by trained AVOL staff and volunteers.

The existing public facilities and services are adequate to serve the proposed use. The road system, sewage disposal facilities, utilities, fire and police protection, and other services and facilities relevant to the proposed use are also adequate to serve the community center as it will be fully integrated into the Applicant's proposed development. The community center will not impact any streets, but will have access to Versailles Road via the proposed driveway of the Applicant's development. The community center will not have any adverse impact on any identified environmentally sensitive area (ESA), geologic hazard area (GHA), or any other resources of special concern as no such resources exist on the subject property.

Please consider the foregoing information, in addition to the information set forth in my justification letter of May 9, 2019, in evaluating the Applicant's requested CUP for the proposed community center.

Sincerely,

Clifford H. Ashburner

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