



## **Section 7: Justification for Requested Change**

The requested zone change for 0.69 Acres (Gross), 0.47 Acres (Net) Wholesale and Warehouse Business (B-4) and 0.62 Acres (Gross), 0.55 Acres Net) Two Family Residential (R-2) to Highway Service Business (B-3) Zone is more appropriate than the existing zoning for the following reasons;

1. The current skewed orientation of Detroit Avenue and Dayton Avenue to Winchester Road creates odd shaped lots Fronting along Winchester Road that are difficult to develop. To properly develop the lots, more depth along Detroit Avenue will be needed. The proposed Zone Change will better align the buildable portion of the proposed development with the Speedway across Detroit Avenue.
2. The Current residences owned by the applicants along Detroit Avenue and Dayton Avenue are in disrepair. Prior to their purchase of the properties, Code Enforcement had sited the properties with numerous violations due to neglect and disrepair. The current owners have stated that it is cost prohibitive to remodel the residences and bring them up to code so they can be sold or rented . Also they stated that it is more difficult to rent property that backs up to commercial properties that are not compatible with residential living. With the current Wholesale and Warehouse Zone (B-4) adjoining the residential properties, noisy and dirty uses such as a tire retreading and recapping, Truck Terminals and freight yards would be permitted.
4. The applicants properties located along Dayton Avenue are deep enough to permit the rear 18 feet of the properties to be rezoned B-3 as shown on our development plan. The zoning ordinance for R-2 Zone requires the minimum rear yard depth be equal to or greater than 20% of the entire yard depth. The existing lots are 130 feet deep therefore the minimum rear yard depth shall be 26 feet or greater. With the location of the current residences on these lots, the rear yards we propose will exceed the minimum requirement of 26 feet.
5. There is a lot of support along the Winchester Road Corridor to bring in businesses that support the surrounding neighborhood. Type of businesses needed are Restaurants, Retail and Professional Offices. The proposal presented by the applicant will be compatible with the neighbors wishes. This also meets the Goals and Objectives of the Comprehensive Plan Theme C, Goal 1, Objective A).
6. The current B-1 Zoning regulations call for building setbacks to fall between 10 and 20 feet of the right of way. Since this property is located with frontage along two streets, the set back requirements under the B-1 Zoning regulations would be prohibitive for Fast Food Restaurants with drive through windows. However, the B-3 Zone would permit setbacks that would easily work with the proposed uses.
7. The Winchester Road Corridor is a five lane section with 2 east bound lanes, 2 west bound lanes, and a center turning lane for handling either direction. Kentucky Transportation Cabinet considers Winchester Road an Urban Principal Arterial. The

Average Daily Traffic (ADT) is in excess of 31,000 cars per day. This is not a neighborhood road. Highway Service Business Zone (B-3) is better suited for roads like Winchester Rd.

8. Directly across Winchester Road from this proposed development, the property is zoned Highway Service Business (B-3). The B-3 Zone runs along both sides of Winchester Road up to New Circle Road. There are a two areas interspersed along this route that are zoned B-1, but the vast majority of this corridor is zoned B-3. The Corridor containing B-3 zone is approximately 1 mile long and this proposed development would complete the western end of it. To the West, the zoning along Winchester Road switches to Wholesale and Warehouse Business (B-4) Zone and Light Industrial (I-1) Zone, neither of which are compatible with residential. With the intensity of the businesses increasing as you go west towards downtown, the residential neighborhoods are located further away from Winchester Road.

9. In many regards, Winchester Road is considered a Gateway Road into Lexington. With the volume of traffic coming into Lexington, it is important that the zoning be compatible with these motorist. They are going to need Food, Gas, Medicine, places to shop, etc., and B-3 Zone can best provide these uses.

10. The proposed development falls within the defined limits of Lexington Infill Area. The development will take a blighted property and revitalize it and make it useful to the surrounding neighbors (Comp. Plan Theme A Goal 2, Objective A). The development will promote walking and bike riding for the neighbors thus reducing the areas carbon footprint (Comp. Plan Theme B Goal 2, Objective C). It will create a community gathering and meeting location. The development is located along the Local Bus Route which will promote use of public transportation.

In conclusion, for the reasons stated above, the proposed zone change request to B-3 Zone for properties located at 836 and 840 Winchester Road; 912, 916, 920, and 922 Detroit Avenue; and 915, 917, 919 and 921 Dayton Avenue is more appropriate than their current zone of R-2 and B-4.