

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

1. ADDRESS INFORMATION (Name, Address, City/State/Zip & PHONE NO.)

APPLICANT:	Urban County Planning Commission, 200 E. Main Street, Lexington, KY 40507 859-258-3160
OWNER:	See Attached
ATTORNEY:	LFUCG Department of Law, 200 E. Main Street, Lexington, KY 40507 859-258-3500

2. ADDRESS OF APPLICANT'S PROPERTY (Please attach Legal Description)

149 and 151 Jefferson Street; 611, 638-640 and 644 Ballard Street; and 609 West Short Street (rear portion)

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY (Use attachment, if needed--same format.)

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
R-4 & B-1	Residential	H-1 Overlay	Same	0.40 ±	0.532 ±

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Residential	R-4 & R-5
East	Residential, restaurant	R-5 & B-1
South	Residential, Neighborhood Business	R-4 & B-1
West	Residential, Neighborhood Business	R-4 & B-1

5. EXISTING CONDITIONS

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

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

Roads	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Storm Sewers	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Sanitary Sewers	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Curb/Gutter/Sidewalks	<input checked="" type="checkbox"/> Existing	<input type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input type="checkbox"/> Other
Refuse Collection	<input checked="" type="checkbox"/> LFUCG	<input type="checkbox"/> Other		
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

7. DESCRIBE YOUR JUSTIFICATION FOR REQUESTED CHANGE (Please provide attachment.)

This is in... in agreement with the Comp. Plan more appropriate than the existing zoning due to unanticipated changes.

8. APPLICANT/OWNER SIGNS THIS CERTIFICATION

I do hereby certify that to the best of my knowledge and belief, all application materials are herewith submitted, and the information they contain is true and accurate.

APPLICANT Christy D. Bing, Sec. U.C. PLANNING COMMISSION DATE 1/8/2014

OWNER _____ DATE _____

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

- A. **REQUEST FOR INITIATION OF AN EXPANSION TO AN EXISTING H-1 OVERLAY ZONE** – The staff will request Planning Commission initiation of an expansion to the existing Western Suburb Historic District (H-1) Overlay zone for 611, 638 – 640 and 644 Ballard Street; 149 and 151 – 153 Jefferson Street; and the rear portion of 609 West Short Street.

Staff Comments: Ms. Wade stated that Bill Johnston, president of the Historic Western Suburb Neighborhood Association, had filed a request to add six parcels to the neighborhood's existing H-1 overlay area. Displaying a map of the area on the overhead projector, she said that the existing boundaries are somewhat irregular; the district extends from Newtown Pike, across Main Street, to West Short Street and Ballard Street. The properties proposed for addition to the H-1 overlay zone include three parcels with Ballard Street addresses; two parcels on Jefferson Street; and the rear portion of 609 West Short Street. Ms. Wade displayed photographs of each of the properties, noting that the front portion of 609 West Short Street is already included in the historic district.

Ms. Wade stated that Mr. Johnston was proposing to add the subject properties to the historic district in order to protect them. Mr. Johnston either owns several of the properties, or they are in a trust of which he is a member. He has invested heavily in preserving the properties, and would like to see them protected into the future.

Ms. Wade said that, per the Planning Commission's By-laws, survey postcards were mailed out to the four owners of the subject properties. All of the property owners responded, with 100% in support of the expansion of the H-1 boundary.

Ms. Wade stated that, at the Zoning Committee meeting, this request did not include the property at 609 West Short Street. Following that meeting, Mr. Johnston approached the property owners to determine if they would be agreeable to including that portion of the property in this request. The property owners were agreeable; in fact, they believed that that portion of their property was already part of the H-1 district.

Ms. Wade said that, if the Commission chooses to initiate this request, the Historic Preservation staff would begin their study and designation report to determine if these properties should be included in the historic district. That report would then be presented to the Board of Architectural Review, who would make a recommendation to the Planning Commission; the Commission would then make a recommendation to the Council.

Ms. Wade noted that the staff had received a letter of support from the Blue Grass Trust for Historic Preservation.

Commission Questions: Mr. Drake asked if 159 Jefferson Street was the location of Nick Ryan's Steakhouse. Ms. Wade answered affirmatively. She added that the owners of the Stella's Deli property were approached about being added to this request as well; but they declined to do so at this time, as they hoped to complete some changes to their property that might not be approved by the BOAR.

Petitioner Presentation: Bill Johnston, 645 West Short Street, stated that, when he moved to the area approximately 25 years ago, Ballard Street was in need of repair. He said that the two houses on the corner were in terrible condition, and one had not been occupied for five years. He purchased those homes, restored them, and has maintained them over the years. Mr. Johnston added that, within the past few years, he purchased the house next door to Nick Ryan's and the property next door to it, where a house was so dilapidated that it had to be removed. Those lots were consolidated and sold to the owner of Nick Ryan's. Mr. Johnston stated that he had a great deal of energy and money invested in those houses, and he wanted to ensure that they were protected after he was no longer able to care for them.

Commission Questions: Ms. Blanton asked if the green house on Jefferson Street had been sold. Mr. Johnston replied that it was up for sale, and that he disclosed in the listing that the house was being added to the H-1 district.

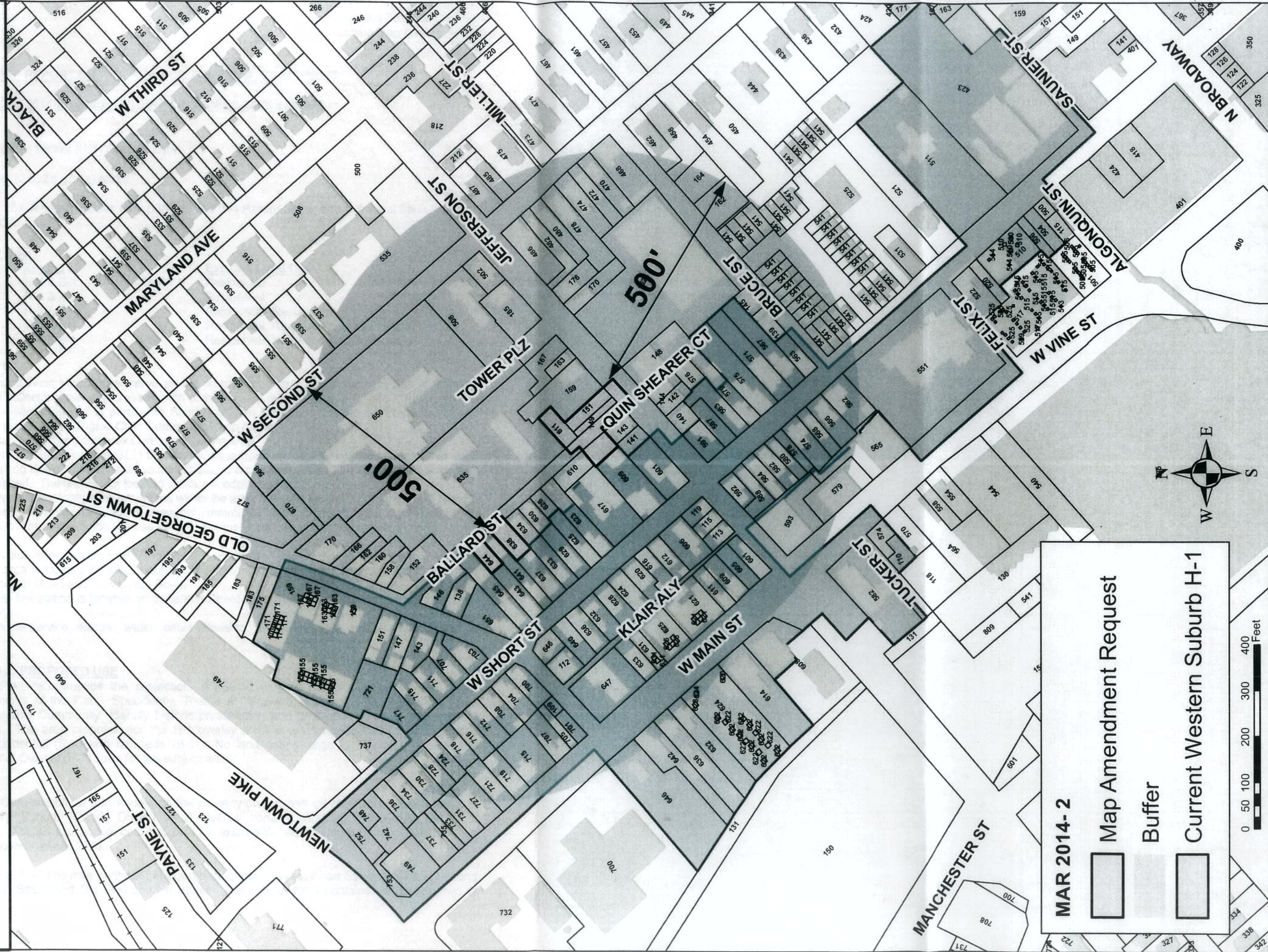
Bettie Kerr, Director of Historic Preservation, stated that her Division was prepared to begin the designation study for the subject properties, should the Commission initiate this request.

Mr. Penn asked if a structure could be used as a restaurant or bar if it was included in a historic district. Ms. Kerr responded that land use is not affected by a historic overlay; it applies to design protection for exterior changes and site improvements only.

Action: A motion was made by Mr. Penn, seconded by Ms. Plumlee, and carried 10-0 (Brewer absent) to initiate the requested H-1 overlay expansion.

Applicant: LEXINGTON FAYETTE URBAN COUNTY PLANNING COMMISSION
Proposed Zone: Amendment to the Western Suburb Historic District (H-1) Overlay Zone
Acres: 0.40 ± Net (0.532 ± Gross) Acres

Addresses of Property:
149 and 151 Jefferson Street, 611, 638-640 and 644 Ballard Street And 609 West Short Street (rear portion)



MAR 2014-2

- Map Amendment Request
- Buffer
- Current Western Suburb H-1