

August 5, 2024

VIA HAND DELIVERY

Lexington-Fayette Urban County Planning Commission
101 East Vine Street, #700
Lexington, Kentucky 40507

**RE: Justification Letter in Support of Zone Change and Development Plan
for 185 Eastern Avenue**

Dear Commissioners:

Please accept this justification letter on behalf of my client, Shadeland Investments, LLC (hereinafter the “Applicant”), in regard to their Zone Change Application and Final Development Plan (the “Development Plan”). The Applicant is seeking to rezone property located at 185 and 191 Eastern Avenue, Lexington, Kentucky (the “Property”), from Planned Neighborhood Residential (R-3) to Neighborhood Business (B-1). We submit that this proposal is in accord with Imagine Lexington 2045 Comprehensive Plan (the “Comprehensive Plan”) and request your approval of this request.

The Property has traditionally been commercial in nature ranging from a pharmacy, restaurants, bars, a dance hall and a flower shop to the now existing use of office space on the second floor. As far the Applicant is aware, the Property has never been traditionally utilized for a residential use and has primarily been commercial. The first floor is currently used as a co-work office space and there are no tenants utilizing the Property as a residential unit. As such, we believe this zone change will more appropriately fit the current and historic uses for the Property while maintaining its neighborhood character.

As can be seen from the Development Plan, the Applicant, in conjunction with the zone change, is seeking to add to the current structure while maintaining the remaining building as is. Specifically, the Applicant is seeking to add a two-story building to match the existing structure. This will allow for a more mixed-use development with the additional commercial space to be utilized.

While the Applicant has not decided on a specific use for the Property, the Applicant does envision a mixed-use development. Ideally, the Applicant will be able to attract commercial uses for the first floor while maintaining office spaces on the second floor, much like the Property has been utilized since the 1890s.

In sum, we are anxious to present this proposal to the Planning Commission and are even more excited for the opportunity to see this long-standing building revitalized into a neighborhood business and businesses that will benefit the community at large. As will be discussed more in depth below, we believe this Application meets numerous goals and objectives of the Comprehensive Plan and further complies with the relevant standards articulated in Placebuilder.

We submit that this proposal comports with the Comprehensive Plan in the following ways:

Theme A: Building and Sustaining Successful Neighborhoods

We submit that this proposal comports with Theme A of the Comprehensive Plan. In reviewing Theme A, it is clear that the Comprehensive Plan seeks to create a sense of place and community through neighborhoods. We believe allowing this Property to flourish as a mixed use development will act as a center piece for this area of Lexington. We further submit that it meets the following policies of Theme A;

Design Policy #4: Provide Development that is Sensitive to the Surrounding Context.

Design Policy #4 seeks to encourage “aligning new developments with the existing fabric of neighboring communities and environmental compatibility.” Comprehensive Plan at Pg. 61. By seeking to repurpose this existing structure, the Applicant will be promoting a sense of community while minimizing negative impacts on surrounding properties. If this building were to be demolished or destroyed, it would be replaced with a much larger development which would not fit the context and nature of the neighborhood. As such, this repurposing of the Property will prevent disruption to the neighborhood.

Design Policy #10: Reinvest in Neighborhoods to Positively Impact Lexingtonians Through the Establishment of Community Anchors.

This Property could ideally act as a neighborhood anchor. In the past, this Property was utilized as a dance hall when the lyric theatre was the staple of the neighborhood. While a dance hall might be impracticable in today’s age, a community gathering point at a local mixed-use development is the type of reinvestment in Lexington that Design Policy 10 seeks to advance and exactly what the Applicant is seeking to do.

Density Policy #3: Provide Opportunities to Retrofit Incomplete Suburban Developments with Services and Amenities to Improve Quality of Life and Meet Climate Goals.

Density Policy #3 seeks to incorporate commercial type uses into neighborhood areas to provide more amenities and resources to the neighborhood while preventing

unnecessary vehicular trips. This development will seek to advance this policy by providing additional commercial resources to a walkable neighborhood.

Theme B: Protecting the Environment

One of the premises behind Protecting the Environment is to seek to reduce vehicular use and create a more walkable friendly city. We submit this project promotes this theme by keeping parking on site to a minimum thereby encouraging bike transportation or walking to get to the site. As such, we believe this project promotes Theme B.

Theme C: Creating Jobs and Prosperity

Due to the commercial uses proposed on the first floor, this development will provide jobs and employment opportunities. This will benefit the community as the Property currently provides no employment opportunities with the vacancy on the first floor.

Pillar III Prosperity

As the Comprehensive Plan acknowledges, “Lexington continues to urbanize and develop, it is becoming more of an infill and redevelopment community.” Pg. 154. This project seeks to promote this aspect of the Comprehensive Plan by revitalizing and redeveloping this older building into a new anchor of the neighborhood.

Theme D: Improving a Desirable Community

We submit that this proposal comports with Theme D of the Comprehensive Plan. In reviewing Theme D, it is clear that the Comprehensive Plan seeks to create a sense of place and community through neighborhoods while simultaneously looking to improve these neighborhoods through thoughtful uses and zoning.

The Placebuilder.

We have further evaluated our proposal under the design criteria in the Placebuilder. In consultation with Planning Staff, we submit this proposal should be evaluated with reference to the 2nd Tier Urban Place Type, Medium Density Non-Residential/Mixed Use. We submit that this classification is appropriate because of the site’s proximity to the urban core while being sensitive of the location within a downtown neighborhood.

Attached hereto is a color-coded reflection of how we addressed the design criteria listed in that Placebuilder category. Items highlighted in green are represented graphically on the submitted development plan; items in yellow are addressed herein below; and items in orange are not applicable to this proposal.

Applicable Standards

A-DS12-1: Given the close proximity to the downtown core and closely located commercial uses, this project advances this standard.

D-PL7-1: The surrounding neighbors have been consulted and will continue to be consulted through this development process.

E-GR9-2: This project will provide for low intensity businesses on the first floor which will incorporate seamlessly into the neighborhood.

C-PS10-1: As can be seen on the development plan, the applicant will not be overparking this site and will encourage foot and bicycle traffic.

B-PR10-1: The Applicant will avoid using upward directed lighting and will not over light the area to remain sensitive to surrounding neighbors.

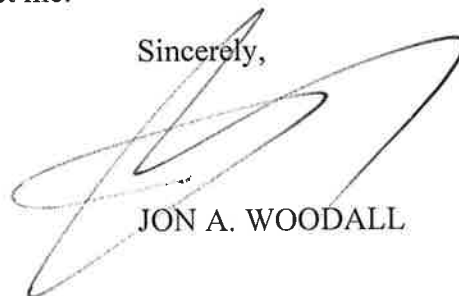
B-RE1-1: With the development, additional trees will be planted adding to the canopy.

E-GR5-1: As is discussed above, this building has been in existence for many years. As such, the Applicant is eager to adapt this building while preserving its historic nature.

Conclusion

In sum, we submit that our proposal is in accord with the 2045 Comprehensive Plan and Placebuilder. We look forward to our continued discussions with staff and the Commission and request your approval of our request. Of course, if I can be of further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jon A. Woodall', is written over the printed name. The signature is stylized with a large, sweeping loop.

JON A. WOODALL

JAW/ss

SHADELAND

2ND TIER URBAN

2ND TIER URBAN - MEDIUM DENSITY NON-RESIDENTIAL/MIXED USE

LAND USE

- A-DS12-1** Development should be located nearest to neighborhood serving commercial areas.
- A-DN2-1** Infill residential should aim to increase density.
- A-DN3-1** Pedestrian-oriented commercial opportunities and other services should be incorporated within residential neighborhoods.
- A-DN3-2** Development should incorporate residential units in commercial centers.
- C-LI7-1** Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS9-1** Where possible, developments should modify current office space to include complementary uses, with a specific focus on the inclusion of residential.
- C-PS15-2** Improve options for affordable and nutritious food where not currently available.
- D-C03-1** Development should increase density and intensity adjacent to transit.
- D-PL7-1** Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-PL15-1** Drive through facilities and gas stations should not be within neighborhoods or the urban core.
- E-ST8-2** Development should provide community oriented places and services.
- E-GR9-2** Low-intensity business uses that will provide neighborhood amenities should be incorporated into existing neighborhoods.

TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

- A-DS1-1** Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
- A-DS1-2** Accessible pedestrian linkages to transit should be provided.
- A-DS4-1** A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.
- A-DS5-1** Safe multi-modal facilities should be provided to ensure vehicular separation from bicycles, pedestrians and other modes of transport.

2ND TIER URBAN - MEDIUM DENSITY NON-RESIDENTIAL/MIXED USE

- A-DS5-2** Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape.
- A-DS10-1** New developments should incorporate clear and dedicated connections to nearby community anchors.
- A-DS11-1** Street layouts should provide clear, visible access to neighborhood-focused open space and greenspaces.
- C-PS10-1** Flexible parking and shared parking arrangements should be utilized.
- D-C01-1** Rights-of-way and multimodal facilities should be designed to reflect and promote the desired place-type.
- D-C02-1** Development should create and/or expand a connected multimodal transportation network that satisfies all users' needs.
- D-C02-2** Development should comply with Lexington's Complete Streets Policy.
- D-C05-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
- D-SP6-1** Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes.

ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

- B-PR2-1** Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
- B-PR7-1** Developments should be designed to minimize tree removal and to protect and preserve existing significant trees.
- B-PR9-1** Minimize grading and topsoil disturbance by utilizing the existing topography to the greatest extent possible and preserving key natural features.
- B-PR10-1** Development should avoid overlighting and upward directed lighting.
- B-SU4-1** Development should minimize and/or mitigate impervious surfaces.
- B-SU5-1** Developments should incorporate energy efficient systems and renewable energy resources (i.e. wind, solar, etc.).
- B-SU9-1** Green Stormwater Infrastructure (GSI) should be implemented in new development.
- B-SU11-1** Development should incorporate low impact landscaping and native plant species.
- B-RE1-1** Developments should improve the tree canopy.

SHADELAND

2ND TIER URBAN - MEDIUM DENSITY NON-RESIDENTIAL/MIXED USE

- B-RE2-1** Lexington's green infrastructure network, including parks, trails, greenways, or natural areas should be highly visible and accessible.
- B-RE5-1** Dividing floodplains into privately owned parcels with flood insurance should be avoided.
- B-RE5-2** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- D-SP10-1** Prioritize street trees in the planting strip

SITE DESIGN

- A-DS5-4** Development should provide a pedestrian-oriented and activated streetscapes.
- A-DS7-1** Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
- A-DS9-1** Development should provide active and engaging amenities within neighborhood focused open spaces.
- A-DS9-2** Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities.
- A-EQ9-1** School sites should be appropriately sized.
- A-EQ9-2** Shared open spaces should be easily accessible and clearly delineated from private open spaces.
- C-LI8-1** Development should enhance a well-connected and activated public realm.
- C-PS10-2** Over-parking of new developments should be avoided.
- D-PL4-1** Enhance open space through the provision of programmatic elements and amenities.
- D-PL10-1** Activate the streetscape or publicly visible areas by designating public art easements in prominent locations.
- D-SP3-1** Adequate right-of-way, lease areas and easements for infrastructure, with emphasis on wireless communication networks should be provided to create reliable service throughout Lexington.
- D-SP3-2** Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping used to improve the visual impact from the roadway and residential areas.

2ND TIER URBAN - MEDIUM DENSITY NON-RESIDENTIAL/MIXED USE

BUILDING FORM

- A-DS3-1** Multi-family residential developments should comply with the Multi-family Design Standards in Appendix A.
- A-DS4-2** New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context.
- A-DS5-3** Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.
- A-DN2-2** Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods.
- A-EQ5-1** Development should create context sensitive transitions between intense corridor development and existing neighborhoods.
- D-PL2-1** Development should provide active first floor uses whenever adjacent to a street, pedestrian facility, or community focused open space.
- E-GR4-1** Developments should incorporate reuse of viable existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.