



NICK NICHOLSON
DIRECT DIAL: (859) 231-3950
DIRECT FAX: (859) 246-3649
Nick.Nicholson@skofirm.com

300 WEST VINE STREET
SUITE 2100
LEXINGTON, KY 40507-1801
MAIN: (859) 231-3000
FAX: (859) 253-1093

May 1, 2018

Lexington-Fayette Urban County Planning Commission
Lexington-Fayette Urban County Government
101 East Vine Street
Lexington, KY 40507

Zone Change Request for 2451 & 2525 Armstrong Mill

Dear Members of the Planning Commission:

We represent Overbrook Farm, LLC (“Overbrook” or “Applicant”) and on its behalf have filed a zone change request for the properties located at 2451 and 2525 Armstrong Mill Road (the “Property”). The Property consists of 51.53 net (54.55 gross) acres. The Applicant’s request is to rezone the Property from Agricultural Rural (A-R) zone to Planned Neighborhood Residential (R-3) zone. The Property is currently vacant. This zone change request is to allow the development of a neighborhood as detailed on the submitted development plan for a single family, townhouse, and multi-family residential development with accessory social and recreational facilities, pedestrian access ways, a substantial greenspace lot at the heart of the development, a shared use trail along Armstrong Mill, and 5.25 acres of community open space for the use of the surrounding residents.

The Property is one of the few remaining large undeveloped parcels within the urban service boundary and outside of the expansion areas. It is adjoined by complementary uses as residential and church properties are to the north, east, and west with Overbrook retaining the agricultural use of the remaining Overbrook Farm parcel to the south. The Applicant is proposing to develop approximately 81 parcels of single family lots, 22 townhouses, 9 3-story apartment buildings with 216 units and 384 bedrooms, and accessory social and recreational facilities, and other community amenities.

This request is in complete agreement with the Comprehensive Plan. Primarily, this project epitomizes Lexington’s guiding principle for infill development on vacant land inside the Urban Service Area. With infill development, comes a need to aid in the larger community’s need for density, while respecting the presence of the existing local community. As such, we agreed to reduce the requested density by 2 apartment buildings, totaling 48 apartment units, and convert the entire site to R-3 zoning, as opposed to a mix of R-3 and R-4 zones. This was done in response to meeting with the Squires Oak and Hartland neighborhoods to help give them comfort that there is no intention to fundamentally change the project and increase density at the time of the final development plan for the former R-4 portion of the site. Further, all of the existing single-family is adjacent to proposed single-family residences with roadways and substantial existing buffering that separates the multi-family area from any existing single-

family residence. The project proposes to locate the lowest density use next to the USA Boundary and place the highest density use the farthest from the Boundary and adjacent to a non-residential use (church/school). The location of the types of uses was also selected out of respect for the geographic context of the site by placing the multi-family structures in an area that reduces the unnecessary earth disruption and protects the steep slopes around the greenway. This proposed zoning scheme creates an effective buffer and transition between different intensities of adjacent land uses while respecting the environment as called for by the 2013 Comprehensive Plan.

This project aligns with the aspects of a desirable community and the place making concepts the Comprehensive Plan stresses such as openness, social offerings, and aesthetics with its placement of the open space, shared use trail, greenspace lot, and the multi-family amenities area. The proposed development plan follows many of the specific recommendations of the Comprehensive Plan in its discussion on how to grow successful neighborhoods. We provide a variety of housing types with the apartments, townhouses, and single-family residences. We have an abundance of useable open space as we are proposing: over 5 acres of community open space at the premier corner of the Property with access from surrounding streets and the multi-family area; a visual greenway corridor throughout the multi-family site; a separate greenspace lot that runs throughout the single family lots with access points in several locations, including the corner lot when first entering the development. These features will ensure that the development has an inviting streetscape, especially when first entering the site, and several neighborhood focal points as the greenway lot meanders throughout the Property, a substantial amenity area for the multifamily, and of course the community open space itself. Further, the location of the shared use trail along Armstrong Mill and future pedestrian connections to the potential extension of the Squires Road Trail along Squires Hill Lane will allow for residents of the area to use multiple forms of transportation to access the regional trail system, the community open space, and enjoy the ample open greenspace of the development. Finally, the development plan reflects a continuation of Squire Oak Drive to allow for the existing neighborhoods, Squires Elementary School, and St Elizabeth Ann Seton Church to have an addition connection to the nearest minor arterial road Armstrong Mill. These pedestrian and vehicular improvements also promote quality connections for area residents to connect with the community open space and the area's schools.

This well-designed project upholds the Urban Service Area preservation strategy, is appropriate infill in a residential corridor, provides varied housing choices which meet several community needs, encourages community interaction through pedestrian connectivity, all while respecting its neighbors with landscaping buffers, greenspace, and stepdown in intensity. Further, the proposed project meets several of the Goals and Objectives of the Comprehensive Plan as outlined below:

THEME A: GROWING SUCCESSFUL NEIGHBORHOODS

Goal 1: Expand Housing Choices.

Objectives:

a. Pursue incentives and regulatory approaches that encourage creativity and sustainability in housing development.

b. Plan for housing that addresses the market needs for all of Lexington-Fayette County residents, including, but not limited to, mixed-use and housing near employment and commercial areas.

c. Plan for safe, affordable and accessible housing to meet the needs of older and/or disadvantaged residents.

d. Create and implement housing incentives that strengthen the opportunity for economic development, new business and jobs, including, but not limited to, higher density and housing affordability.

Goal 2: Support Infill and Redevelopment Throughout the Urban Services Area as a Strategic Component Of Growth.

Objectives:

a. Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features whenever possible.

b. Implement innovative programs, such as the land bank, to facilitate sustainable development, including but not limited to, affordable housing and commercial and economic activity.

Goal 3: Provide Well Designed Neighborhoods and Communities.

Objectives:

a. Enable existing and new neighborhoods to flourish through improved regulation and expanded opportunities for neighborhood character preservation and public commitment of expanded options for mixed-use and mixed-type housing throughout Lexington-Fayette County.

b. Strive for positive and safe interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation.

THEME D: IMPROVING A DESIRABLE COMMUNITY

Goal 1: Work to achieve an effective and comprehensive transportation system.

Objectives:

b. Develop a viable network of accessible transportation alternatives for residents and commuters...

THEME E: MAINTAINING A BALANCE BETWEEN PLANNING FOR URBAN USES AND SAFEGUARDING RURAL LAND

Goal 1: Uphold the Urban Services Area Concept.

Objectives:

- a. Continue to monitor the absorption of vacant and underutilized land within the Urban Services Area.
- b. Encourage compact, contiguous, and/or mixed-use sustainable development within the Urban Services Area, as guided by market demand, to accommodate future growth needs.

Goal 3: Maintain the Current Boundaries of the Boundaries of the Urban Services Area and Rural Activity Centers; and Create No New Rural Activity Centers.

The proposal is also consistent with the Comprehensive Plan's Land Use Change Consideration:

1. The Change will address a community need, such as providing a park, a neighborhood focal point, significant employment opportunities or housing needs.
2. The proposed land use enhances, and is compatible with, adjacent land uses.
4. The land use will enable the development of critical vehicular, pedestrian, bike, and/or transit connections.
5. The land use will create opportunities for needed recreation, additional greenspace and/or greenway connections.
8. The existing utility and transportation networks will accommodate the new land use.
9. Underutilized land should be promoted for greater utility, function and/or residential density.
11. The proposed use or development will provide a mix of housing types, residential densities and/or land uses.
13. The land use should maximize opportunities to accommodate future growth within the Urban Services Area, include land that is underutilized, vacant or planned for a reuse.

Further, the proposal meets several of the key additional considerations for land located outside of the downtown area in the Urban Service Area:

1. A greater intensity of land use should be concentrated along minor and major arterial roadways, and to appropriate quadrants of collector street intersections.

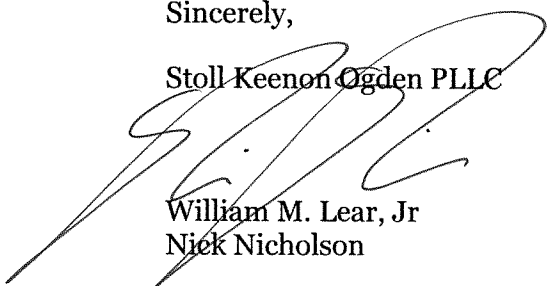
2. Where residential density, and existing infrastructure are adequate to support the use, and the adjacent uses are compatible, the development should create more walkable neighborhoods, neighborhood-oriented businesses and neighborhood amenities.
4. An effective buffer or transition between different intensities of adjacent land uses should be provided.
5. The use shall provide a service deemed beneficial for the immediate area.
6. Developments that improve the livability of existing neighborhoods by adding compatible uses and compatible urban design should be encouraged.
8. Demonstrate "place-making" in new developments, as outlined previously in the text of the Plan.

In addition to compliance with the Comprehensive Plan, the request is justified because the existing zoning is inappropriate and improper and the proposed zoning is appropriate. The current zoning is A-R and any type of agricultural use has become increasingly difficult as most of the surrounding area has developed as residential subdivisions and a church and the balance of the Overbrook Farm is cut off from these parcels by Armstrong Mill. In fact, in recent years the Applicant removed the cattle grazing on the Property due to the complaints of the Squires Oak neighborhood. The Property already has sewer available and is able to be seamlessly tied into the surrounding transportation system. Simply put, it is prime land to be developed; as such the agricultural-rural zoning is clearly inappropriate. On the other hand, the proposed R-3 zoning is appropriate as the Property has been inside the Urban Service Area and slated for residential development since at least 1980. The R-3 zoning will allow the Property to be developed as a residential neighborhood as urged by LFUCG's Comprehensive Plan and consistent with the types and densities of residential uses in the area.

We will be at the May public hearing in order to make a complete presentation of this application and request your favorable consideration.

Sincerely,

Stoll Keenon Ogden PLLC



William M. Lear, Jr
Nick Nicholson

WML:NN