

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

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

APPLICANT:	Ball Homes, LLC 3609 Walden Drive, Lexington, KY 40517 (859) 268-1191	
OWNER:	Ann Harvey 307 Ridgeway Road, Lexington, Kentucky 40502	Carl & Janet Eubank 3148 Chatham Drive Lexington, Kentucky 40503
ATTORNEY:	Mr. William M. Lear (859) 231-3000 Stoll, Keenon Ogden, LLP 300 West Vine Street, Suite 2100, Lexington, Kentucky 40507	

2. ADDRESS OF APPLICANT'S PROPERTY (ATTACH LEGAL DESCRIPTION-SEE ATTACHED SAMPLE.)

4500 and 4524 Old School House Lane

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

Existing Use		Requested Use		Acreage	
Zoning		Zoning		Net	Gross
A-U	Vacant	R-3	Residential	24.88	27.71

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Residential	A-U
East	Residential	A-U & R-1D
South	Church	R-3
West	US 68 & Residential	R-3

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Are these units currently occupied by households earning under ____% 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 type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" type="checkbox"/> Developer	<input type="checkbox"/> Other
Storm Sewers	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" type="checkbox"/> Developer	<input type="checkbox"/> Other
Sanitary Sewers	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" type="checkbox"/> Developer	<input type="checkbox"/> Other
Curb/Gutter/Sidewalks	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" type="checkbox"/> Developer	<input type="checkbox"/> Other
Refuse Collection	<input checked="" type="checkbox"/> LFUCG	<input checked="" 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

6. 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

7. 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. I further certify that I am OWNER or HOLDER of an agreement to purchase this property since January & April, 2013.

APPLICANT RAY BALL DATE 6/3/13

OWNER _____ DATE _____

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____



STOLL
KEENON
OGDEN

300 WEST VINE STREET
SUITE 2100
LEXINGTON, KY 40507-1801
MAIN: (859) 231-3000
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WILLIAM M. LEAR, JR
DIRECT DIAL: (859) 231-3011
DIRECT FAX: (859) 246-3611
william.lear@skofirm.com

May 30, 2013

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

Re: Application for R-3 Zoning for Residential Development – 4500 and 4524 Old Schoolhouse Lane

Dear Members of the Planning Commission:

We represent Ball Homes, LLC and on its behalf have filed a zone change request for the properties located at 4500 and 4524 Old Schoolhouse Lane (the “Zone Change Property”) across from the intersection of Harrodsburg Road and Military Pike. The Zone Change Property contains 24.88 net (27.71 gross) acres. This zone change is part of a larger project detailed on the submitted development plan with the back portion of the neighboring parcel, 4574 Old Schoolhouse Lane owned by Lexington Primitive Baptist Church (combined, the “Development Property”). The Development Property consists of 31.14 net (33.97 gross) acres. It is one of the few remaining large undeveloped parcels within the urban service boundary in this area of the county. The Development Property is adjoined by residential subdivisions including Dogwood Trace, Clemens Heights, English Station, and Firebrook.

This request is in complete agreement with the Comprehensive Plan. The Future Land Use Map recommends the Zone Change Property to be medium density residential. It has been recommended for residential use since at least the 1967 Comprehensive Plan. The proposal is to develop the Development Property for a mix of single family homes and multi-family dwellings. A total of 241 units, including 45 single-family detached homes and 196 apartments, are proposed; which amounts to a density of 7.75 dwelling units per acre. As the Comprehensive Plan recommends medium density (5-10 units per net acres), it would allow for up to a maximum of 311 dwelling units. Thus, the proposal is well within the density range recommended by the Comprehensive Plan.

The Development Property also follows the Comprehensive Plan’s recommendations for the extension of the collector street system on the Development Property. First, Agape Drive is shown to extend from its existing location to an intersection with the Twain Ridge Drive extension. Second, this extension is shown as a local road in proper alignment and with right-of-way to allow for Twain Ridge Drive to connect upon the construction of a bridge over the S. Elkhorn Creek watershed. The developer is not proposing to construct the bridge (at a cost of

upwards of \$3 million) at this time as Kentucky state law provides that a single developer is not required to bear the sole responsibility and cost associated with infrastructure improvements intended to benefit several thousand residents in a large area. The proposed street system will facilitate movement between established neighborhoods without necessitating the current use of arterial roadways. Additionally, the proposed local road has been designed to not only align with Twain Ridge, but also to curve around the western property line in such a manner to preserve the Bur Oak Tree that was at the heart of the neighbor's preservation efforts at the 2008 rezoning hearing for the Zone Change Property.

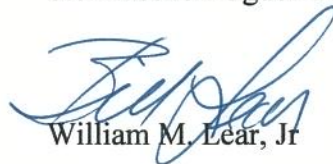
The proposed project meets several of the Goals and Objectives of the Comprehensive Plan. Primarily, this project is an ideal iteration of Lexington's guiding principle for infill development on vacant land inside the urban service boundary. There are very few properties that will allow for a multi-family development to front on a major arterial, while allowing for single-family houses to transition into surrounding neighborhoods. This well-designed project upholds the Urban Service Area preservation strategy, is appropriate infill in a residential corridor, provides housing opportunities which meet several needs, encourages community interaction through pedestrian connectivity, all while respecting its historic neighbors with significant landscaping buffers and the S. Elkhorn watershed with dedicated greenspace.

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-U and while 4500 Old Schoolhouse is currently used for residential purposes, the rest of the property has remained vacant for quite some time. Any type of agricultural use would be increasingly difficult as most of the surrounding area have developed as residential subdivisions and commercial businesses. On the other hand, the proposed R-3 zoning is appropriate in that it will allow the property to be developed as residential consistent with the types and densities of residential uses in the area.

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

Sincerely,

Stoll Keenon Ogden PLLC



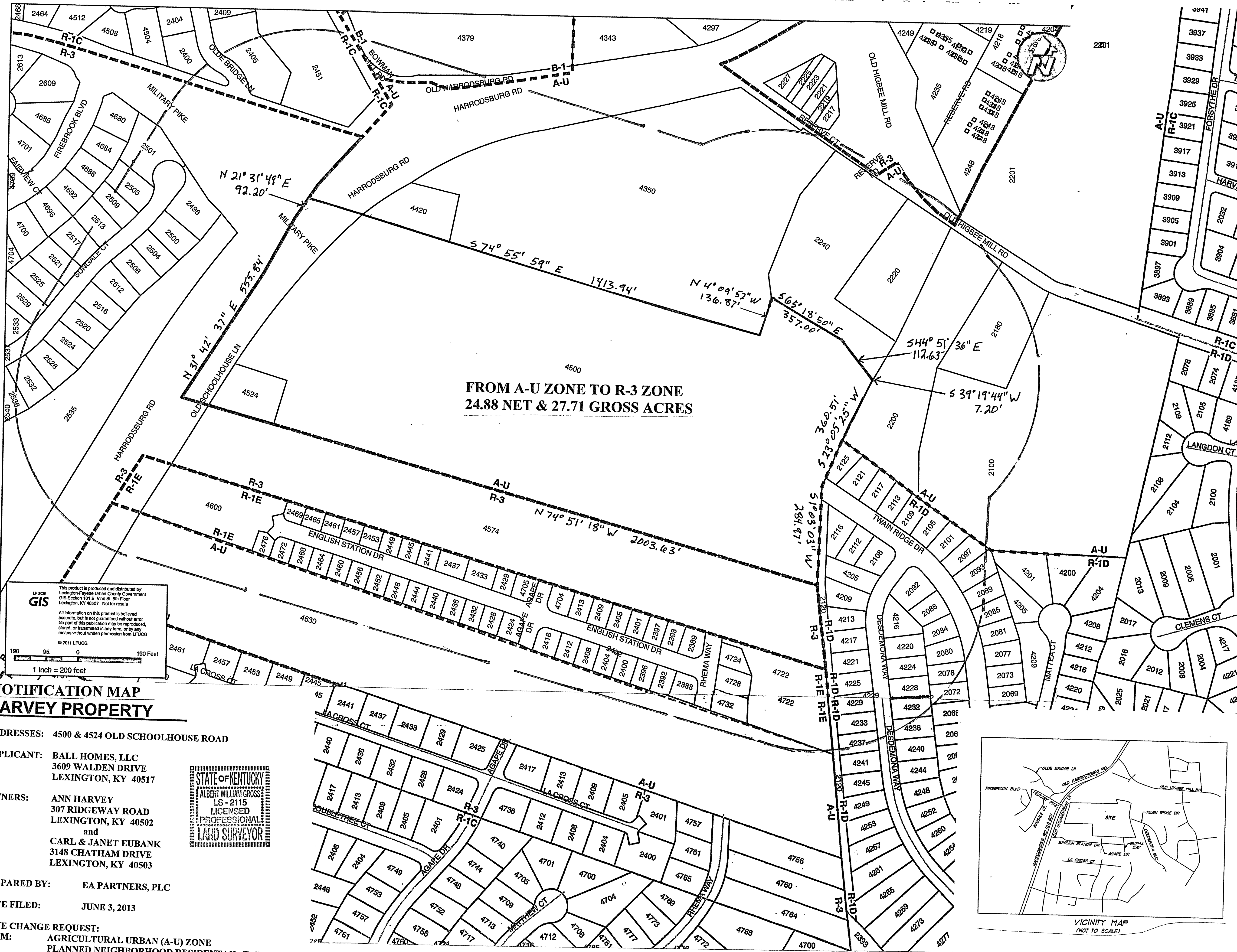
William M. Lear, Jr

WML:NN

ANNE HARVEY PROPERTY
And
CARL TRENT & JANET ELLEN EUBANK PROPERTY
4500 and 4524 Old School House Lane
Lexington, Fayette County, Kentucky
Zone Change from A-U to R-3

A TRACT OF LAND SITUATED EAST OF HARRODSBURG ROAD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

BEGINNING AT A POINT in the westerly terminus of the centerline of Twain Ridge Drive, said point being in the westerly line of Waits Property, Phase II, Unit 2B as recorded in Plat Cabinet "L", Slide 861 in the Fayette County Clerk's Office; thence South 01 degrees 03 minutes 03 seconds West, 284.97 feet to a point in the northern line of Lexington Primitive Baptist Church; thence with said northern line North 74 degrees 51 minutes 18 seconds West, 2003.63 feet to a point in the centerline of old Harrodsburg Road; thence with said centerline for the following two (2) calls: North 31 degrees 42 minutes 37 seconds East, 555.84 feet to a point; thence North 21 degrees 31 minutes 49 seconds East, 92.20 feet to a point; thence leaving said centerline South 74 degrees 55 minutes 59 seconds East, 1413.94 feet to a point in the eastern line of Marjorie Ann Porter; thence with said eastern line North 04 degrees 09 minutes 52 seconds West, 136.87 feet to a point in the southern line of Moore Waits LTD Partnership; thence with said southern line for the following two (2) calls: South 65 degrees 18 minutes 50 seconds East, 357.00 feet to a point; thence South 44 degrees 51 minutes 36 seconds East, 112.63 feet to a point in the western line of Pauline Moore and Dorothy F. Waits; thence with said western line for the following two (2) calls: South 39 degrees 19 minutes 44 seconds West, 7.20 feet to a point; thence South 23 degrees 05 minutes 25 seconds West, 360.51 feet to **THE POINT OF BEGINNING** and containing 27.71 acres (gross) and 24.88 acres (net).



**FROM A-U ZONE TO R-3 ZONE
24.88 NET & 27.71 GROSS ACRES**

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 Lexington-Fayette Urban County Government
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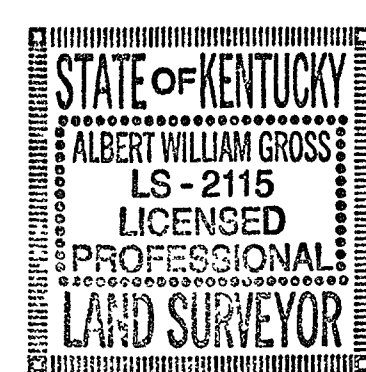
190 95 0 190 Feet
 1 inch = 200 feet

**NOTIFICATION MAP
HARVEY PROPERTY**

ADDRESSES: 4500 & 4524 OLD SCHOOLHOUSE ROAD

APPLICANT: BALL HOMES, LLC
 3609 WALDEN DRIVE
 LEXINGTON, KY 40517

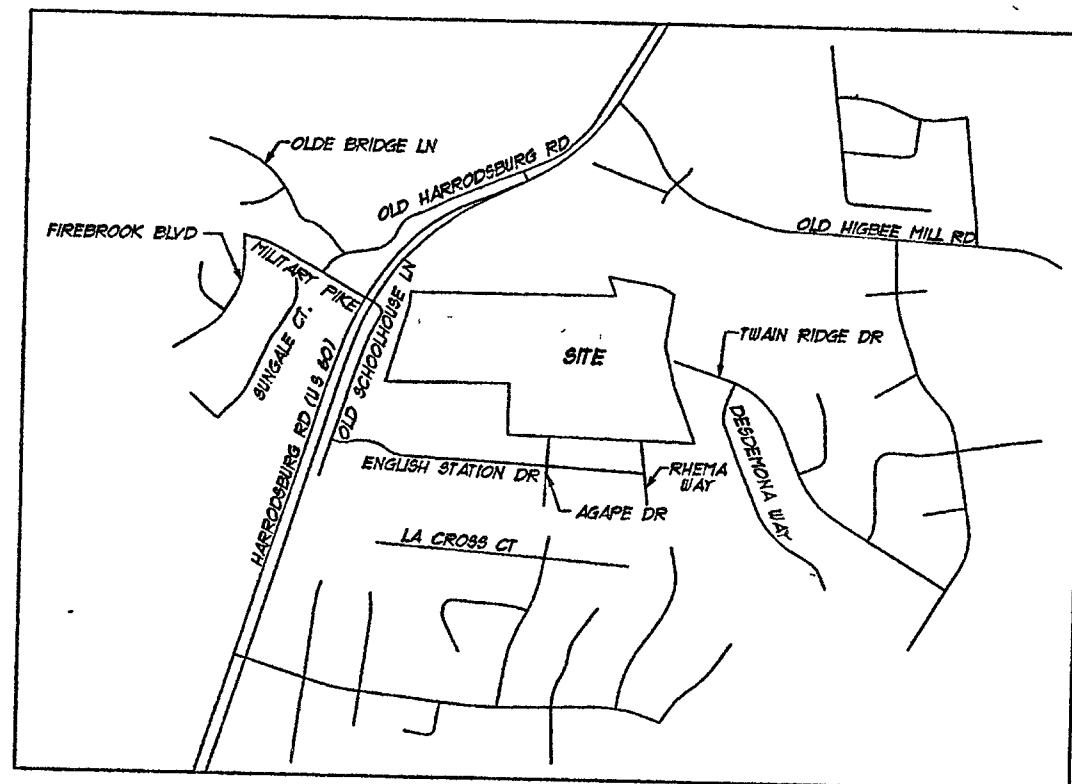
OWNERS: ANN HARVEY
 307 RIDGEWAY ROAD
 LEXINGTON, KY 40502
 and
 CARL & JANET EUBANK
 3148 CHATHAM DRIVE
 LEXINGTON, KY 40503



PREPARED BY: EA PARTNERS, PLC

DATE FILED: JUNE 3, 2013

ZONE CHANGE REQUEST:
FROM: AGRICULTURAL URBAN (A-U) ZONE
TO: PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE
 24.88 ACRES NET AND 27.71 GROSS



VICINITY MAP
(NOT TO SCALE)