

MAR 2012-6 Date Received 1/30/12 Pre-Application Date 12/21/2011 Filing Fee \$ 670

## GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

### 1. ADDRESS INFORMATION (Name, Address, City/State/Zip, & PHONE NUMBER)

APPLICANT: Angliana P2 Development, LLC, 545 Delaney Avenue, Building 9, Orlando, Florida 32801
OWNER: Central District, Inc., a Kentucky Corporation, 640 S. Broadway, Lexington, KY 40508
ATTORNEY: Rena G. Wiseman, Stoll Keenon Ogden PLLC, 300 W. Vine St, Ste. 2100, Lexington, KY 40508, (859)231-3000

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

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
I-2	Vacant	R-4	Multi-Family	0.23	0.23

### 4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Industrial - Warehouse	I-2
East	Industrial - Railroad	I-1
South	Residential - Vacant	R-4
West	Industrial - Warehouse	I-2

### 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

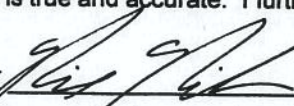
### 6. URBAN SERVICES STATUS (Indicate whether existing or how to be provided.)

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 <input type="checkbox"/> in agreement with the Comp. Plan <input checked="" type="checkbox"/> more appropriate than the existing zoning <input checked="" type="checkbox"/> due to unanticipated changes.
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### 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. I further certify that I am <input type="checkbox"/> OWNER or <input checked="" type="checkbox"/> HOLDER of an agreement to purchase this property since 2012.	
APPLICANT OWNER LFUCG EMPLOYEE/OFFICER, if applicable	 Attorney for Angliana P2 Development LLC _____ _____ _____
	DATE <u>1/30/12</u> DATE _____ DATE _____

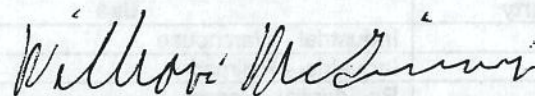
William M. Sallee, Jr.  
Division of Planning  
101 East Vine Street, Suite 700  
Lexington, Kentucky 40507

January 30, 2012

Dear Mr. Sallee:

Please be advised that the undersigned owner of the property located at 527 Angliana Avenue authorize Angliana P2 Development, LLC, to file a zone change from the existing Heavy Industrial (I-2) zone to High Density Apartment (R-4) zone for a portion of the above-referenced property with the Lexington-Fayette Urban County Planning Commission.

DATE: Feb 1, 2012



William McGinnis  
Central District, Inc.



**STOLL  
KEENON  
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January 25, 2012

Lexington-Fayette Urban County Planning Commission  
101 E. Vine Street  
Lexington, KY 40507

**RE: Zone Change Application of Angliana P2 Development, LLC**

Dear Members of the Planning Commission:

On behalf of Angliana P2 Development, LLC (Angliana P2), we have filed a zone change application to High Density Apartment (R-4) zone for a small parcel, containing approximately 0.23 acres, located at the rear of 527 Angliana Avenue

527 Angliana Avenue is owned by Central District, Inc. (Central District), and is occupied by a tobacco warehouse. The property adjoins 525 Angliana Avenue which is being developed as a student housing complex by the same entity that developed the 5 Twenty-Four Angliana complex located across Angliana. Hamm Alley runs between the two parcels and is proposed to be closed by the Lexington-Fayette Urban County Government ("Government"). The owners of the two properties have entered into an agreement whereby portions of the former right of way and the properties will be exchanged upon closure of Hamm Alley leaving a part of the former right of way as a driveway access to 527 Angliana Avenue. As part of the property exchange, the 0.23-acre parcel (the "Parcel") will be conveyed to 525 Angliana Avenue and incorporated into the development. Therefore, we are requesting that the Parcel be rezoned from Heavy Industrial (I-2) to R-4.

We submit that the zone change is justified based on three reasons. First, there have been major physical and economic changes in the area since the adoption of the 2007 Comprehensive Plan. Second, the existing zoning is inappropriate and the proposed R-4 zoning is appropriate. Third, the request is consistent with Goal 8 of the Comprehensive Plan which encourages appropriate infill and redevelopment.

The unanticipated changes in the area are the rezoning and redevelopment of the apartment complex located at 520-534 Angliana Avenue (known as "5 Twenty-Four Angliana"), and the rezoning of 525 Angliana Avenue. In addition, the Planning Commission recently recommended that the properties at 474, 497 and 498 Angliana Avenue be rezoned to the High Rise Apartment (R-5) zone. These properties were all rezoned in disagreement with the recommendations of the Comprehensive Plan. The 5 Twenty-Four Angliana complex is

completed and has 228 units and 740 beds, primarily geared toward UK students, and site preparation is underway at the project at 525 Angliana. Accordingly, the rezoning and redevelopment of the adjacent properties are major economic and physical changes which have altered the character of the immediate area.

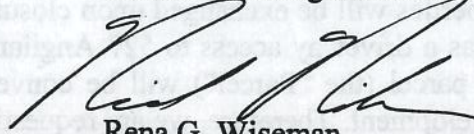
Second, the proposed R-4 zoning is appropriate and will be consistent with existing and new residential development in the immediate area. Likewise, the existing I-2 zoning is no longer appropriate for the Parcel. It is not used as part of the warehouse use at 527 Angliana Avenue and the rezoning will not impact the ongoing use of that property. In fact, the approved final development plan for 525 Angliana Avenue, DP 2009-23, included the Parcel as the location of a maintenance building. Lastly, residential zoning already exists to the south and east of the subject property.

The request is also consistent with Goal 8 of the Comprehensive Plan which identifies infill and redevelopment as a major strategy to revitalize established areas and neighborhoods and relieving the need to expand the Urban Service Boundary. The approved project on 525 Angliana Avenue meets this Goal by converting a vacant lot into residential housing and by redeveloping an underutilized area that is uniquely suited to student housing due to its proximity to UK.

Proposed findings of approval are attached. We will be present at the March public hearing to make a complete presentation of this application and request your favorable consideration.

Very truly yours,

Stoll Keenon Ogden PLLC



Rena G. Wiseman

Nick Nicholson

RGW:nn

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**PROPOSED FINDINGS OF APPROVAL FOR A  
ZONE CHANGE FROM HEAVY INDUSTRIAL (I-2)  
TO HIGH DENSITY APARTMENT (R-4)  
ANGLIANA P2 DEVELOPMENT, LLC**

Based on the evidence and testimony presented, the Planning Commission recommends that the application to rezone part of the property located at 527 Angliana Avenue from Heavy Industrial (I-2) to High Density Apartment (R-4) for 0.23 net (0.23 gross) acres be APPROVED because:

1. There has been a major physical and economic change in the surrounding area since the adoption of the 2007 Comprehensive Plan.
  - A. The rezoning and redevelopment of the apartment complex located at 520-534 Angliana Avenue, along with the rezoning of the adjacent property at 525 Angliana Avenue to High Density Residential (R-4) in 2007, and the Planning Commission's recommendation to rezone the properties 474, 497 and 498 Angliana Avenue to High-Rise Apartment (R-5) in 2011, all of which were in disagreement with the recommendations of the Comprehensive Plan are major physical and economic changes. These projects have dramatically altered the character of the immediate area.
2. The existing Industrial zoning is inappropriate and improper and the proposed High Density Apartment (R-4) is appropriate and proper based upon the following:
  - A. This small acreage at issue is part of a land swap agreement between the property owner of 527 Angliana Avenue, the property owner of 525 Angliana Avenue, and the Applicant, who is the developer for 525 Angliana Avenue. This parcel will be consolidated with 525 Angliana Avenue for purposes of a drive aisle, maintenance building and sidewalk supporting the proposed student housing complex shown on the approved DP 2009-23.
  - B. Residential zoning already exists to the south and east of this location.
  - C. The proposed use of the property is a part of an approved development plan for 525 Angliana Avenue. And, the rezone of the parcel will not impact the ongoing warehouse use of the property that will remain at 527 Angliana Avenue.
  - D. The proposed High Density Apartment (R-4) zone will allow for a less intensive land use than that recommended by the 2007 Comprehensive Plan's Land Use Element, but will still allow for a mixture of land uses in the Angliana Avenue corridor.
3. This request is the exact type of infill and redevelopment that is identified as a major strategy to revitalize established areas and neighborhoods and relieving the need to expand the Urban Service Boundary. This is consistent with certain Goal and Objectives of the Comprehensive Plan. Specifically, Goal 8, Objective H provides: "Ensure that

infill and redevelopment projects are compatible with and complementary to existing development.” Goal 8, Objective L provides: “Encourage infill and redevelopment in locations where adequate urban services and infrastructure are in place or planned.” Furthermore, Goal 8, Objective N provides: “Design and support programs aimed at converting vacant lots into residential housing.” The proposal will convert a vacant portion of a warehouse lot into support for the adjacent residential dwellings and, therefore, is consistent with these Goals and the Plan’s emphasis on infill and redevelopment.

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- I. There has been a major physical and economic change in the surrounding area since the adoption of the 2007 Comprehensive Plan.
- A. The existing and redevelopment of the apartment complex located at 327 Anglin Avenue, along with the rezoning of the adjacent property at 325 Anglin Avenue to High Density Residential (R-4) in 2007, and the rezoning of the property at 323 Anglin Avenue to High Density Residential (R-4) in 2011, all of which were in agreement with the recommendations of the Comprehensive Plan, are major physical and economic changes. These projects have dramatically altered the character of the immediate area.
- J. The existing industrial zoning is inappropriate and impedes the proposed High Density Residential (R-4) is appropriate and proper based upon the following:
  - A. The small acreage of the parcel is part of a land swap agreement between the property owner of 327 Anglin Avenue, the property owner of 325 Anglin Avenue, and the Applicant, who is the developer for 323 Anglin Avenue. This parcel will be connected with 325 Anglin Avenue for purposes of a drive aisle. The rezoning of the parcel is necessary to support the proposed apartment housing complex shown on the approved DP 2009-22.
  - B. Residential zoning already exists to the south and east of this location.
  - C. The proposed use of the property is a part of an approved development plan for 325 Anglin Avenue. And, the rezoning of the parcel will not impact the ongoing warehouse use of the property that will remain at 323 Anglin Avenue.
  - D. The proposed High Density Residential (R-4) zone will allow for a less intensive land use than that recommended by the 2007 Comprehensive Plan. The use is allowed but will still allow for a variety of land uses in the Anglin Avenue corridor.
- K. This report is the exact type of infill and redevelopment that is identified as a major strategy to revitalize established areas and neighborhoods and reflecting the need to expand the Urban Service Boundary. This is consistent with certain Goal and Objectives of the Comprehensive Plan. Specifically, Goal 8, Objective H provides: “Encourage the