

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

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

APPLICANT <b>Boston Road, LLC, 321 Henry Street, Lexington, Kentucky 40508</b>
OWNER: <b>Boston Road, LLC, 321 Henry Street, Lexington, Kentucky 40508</b>
ATTORNEY: <b>T. Bruce Simpson, Jr., Stoll Keenon Ogden PLLC, 300 W. Vine St, Ste. 2100, Lexington, KY 40507, (859) 231-3000</b>

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

3900 Boston Road
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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
P-1	Vacant	R-3	Residential	1.3385	1.3829

**4. SURROUNDING PROPERTY, ZONING & USE**

Property	Use	Zoning
North	Vacant (Pond)	B-6P
East	Residential	R-3
South	Residential	R-3
West	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 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 checked="" type="checkbox"/> in agreement with the Comp. Plan <input type="checkbox"/> more appropriate than the existing zoning <input 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 checked="" type="checkbox"/> OWNER or <input checked="" type="checkbox"/> HOLDER of an agreement to purchase this property since 2007.	
APPLICANT <u><i>[Signature]</i></u> OWNER <u><i>[Signature]</i></u> LFUCG EMPLOYEE/OFFICER, if applicable _____	DATE <u>3/9/15</u> DATE <u>3/9/15</u> DATE _____



**STOLL  
KEENON  
OGDEN**

PLLC

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

**T. BRUCE SIMPSON, JR.**  
DIRECT DIAL: (859) 231-3621  
DIRECT FAX: (859) 259-3521  
bruce.simpson@skofirm.com

March 2, 2015

**VIA HAND DELIVERY**

Mr. Mike Owens  
Chairperson, LFUCG Planning Commission  
101 E. Vine St., Suite 700  
Lexington, KY 40507

Re: Zone Map  
Request for Property Located at 3900 Boston Road

Dear Chairperson Owens,

I am pleased to represent Boston Road LLC with this application for a zone map amendment request for property located at 3900 Boston Road. The subject property consists of 1.3829 gross acres and 1.3385 net acres. The subject property is currently zoned professional office (P-1). The proposed zoning is for residential (R-3).

The subject property is contiguous to a 1.5 acre parcel which is zoned R-3 and is owned by Boston Road, LLC. The existing R-3 parcel and the existing P-1 parcel will be combined into a townhome development if zoning is approved. This P-1 parcel has been vacant for more than twenty years and is a remnant lot left after the nearby Mill Pond Shopping Center was rezoned. The Willow Oak Subdivision is also zoned R-3. It is comprised of single-family homes.

The preliminary development plan which is filed with this application reflects that the applicant will construct a new access to the subject property from Boston Road. This new road will provide for the exclusive ingress and egress to the proposed townhome development. The existing access to Mill Ridge Road from the existing R-3 lot will be closed. This is being done so as to eliminate potential cut-through traffic between Boston Road and the homes in the Willow Oak Subdivision via Mill Ridge Road.

The applicant will also provide screening and buffering between the proposed townhome development and the existing homes in the Willow Oak subdivision. This screening and buffering will be in excess of that which is required by the Lexington-Fayette County zoning ordinances.

This application is in perfect harmony with the 2013 comprehensive plan. Specifically this application is in conformity with the following goals and objectives:

I. THEME A. GROWING SUCCESSFUL NEIGHBORHOODS

Goal 1: Expand Housing Choices

(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's residents including, but not limited to mixed-use and housing near employment and commercial areas.

Goal 2: Support infill redevelopment throughout the Urban Services Area as a strategic component of all growth.

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

Goal 3: Provide well-designed neighborhoods and communities.

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

The 2013 goals and objectives of the Comprehensive Plan place an added emphasis on infill development and increasing residential density where appropriate. By changing the existing zoning of the subject property from professional office to residential and consolidating it with the existing 1.5 acre R-3 parcel, the new townhome development will also be more compatible with adjacent residential uses.

I look forward to making a complete presentation to the Planning Commission during the April hearing for this zone map amendment request.

Very truly yours,



T. Bruce Simpson, Jr.

TBS/cp

**LEGAL DESCRIPTION**

Portion of  
Ted R. Osborn Property and Thomas Wood Property  
(Plat Cabinet H, Slide 434)  
**Zone Change from P-1 to R-3**  
3900 Boston Road,  
Lexington, Fayette County, Kentucky

Being a parcel of land in the city of Lexington, Fayette County, Kentucky lying on the southeast side of Boston Road approximately 400 feet south of Millpond Road and more particularly described as:

BEGINNING at a point in the southeast right-of-way of Boston Road, said point being approximately 320' south of the south right-of-way of Millpond Road, and said point having Kentucky State Plane Coordinates of E(X)=1,553,237.45', N(Y)=174,402.97' (NAD 83, KY North Zone, US Survey Feet); thence leaving the right-of-way North 45°48'58" West a distance of 30.00' to the centerline of Boston Road; thence with the centerline of Boston Road for two calls:

thence North 44°11'02" East a distance of 44.64' to a point;  
thence with a curve turning to the left with an arc length of 12.98', with a radius of 500.00', with a chord bearing of North 43°26'25" East, with a chord length of 12.98', to a point; thence leaving the centerline of Boston Road, South 47°18'12" East a distance of 31.60' to a point in the historical centerline of Old Higbee Mill Road; thence with the centerline of Old Higbee Mill Road for four calls:

South 23°21'08" West a distance of 74.31' to a point; thence  
South 01°46'18" East a distance of 66.91' to a point; thence  
South 17°29'43" East a distance of 47.01' to a point; thence  
South 25°51'48" East a distance of 14.74' to a point in the westerly line of Ball Aquatics, LLC (Deed Book 3161, Page 392 -Lot 12 of Plat Cabinet I, Slide 702); thence with the line of the

aforementioned Ball Aquatics for five calls;

South 25°23'51" East a distance of 226.57' to a point; thence

South 27°25'47" East a distance of 47.34' to a point; thence

South 36°19'17" East a distance of 50.33' to a point; thence

South 52°38'46" East a distance of 36.11' to a point; thence

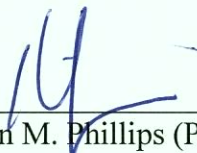
South 46°28'17" West a distance of 20.86' to a point; thence with the line of the

aforementioned Ball Aquatics and continuing with Boston Road, LLC (Deed Book 2412, Page 122 & Deed Book 2837, Page 110), North 66°31'13" West a distance of 362.29' to a point in the line of the current R-3 Zone; thence with the existing R-3 Zone line, North 22°09'31" East a distance of 357.89' to a point; which is the Point of Beginning, having a Gross area of 1.3809 acres, and a Net area of 1.3385 acres

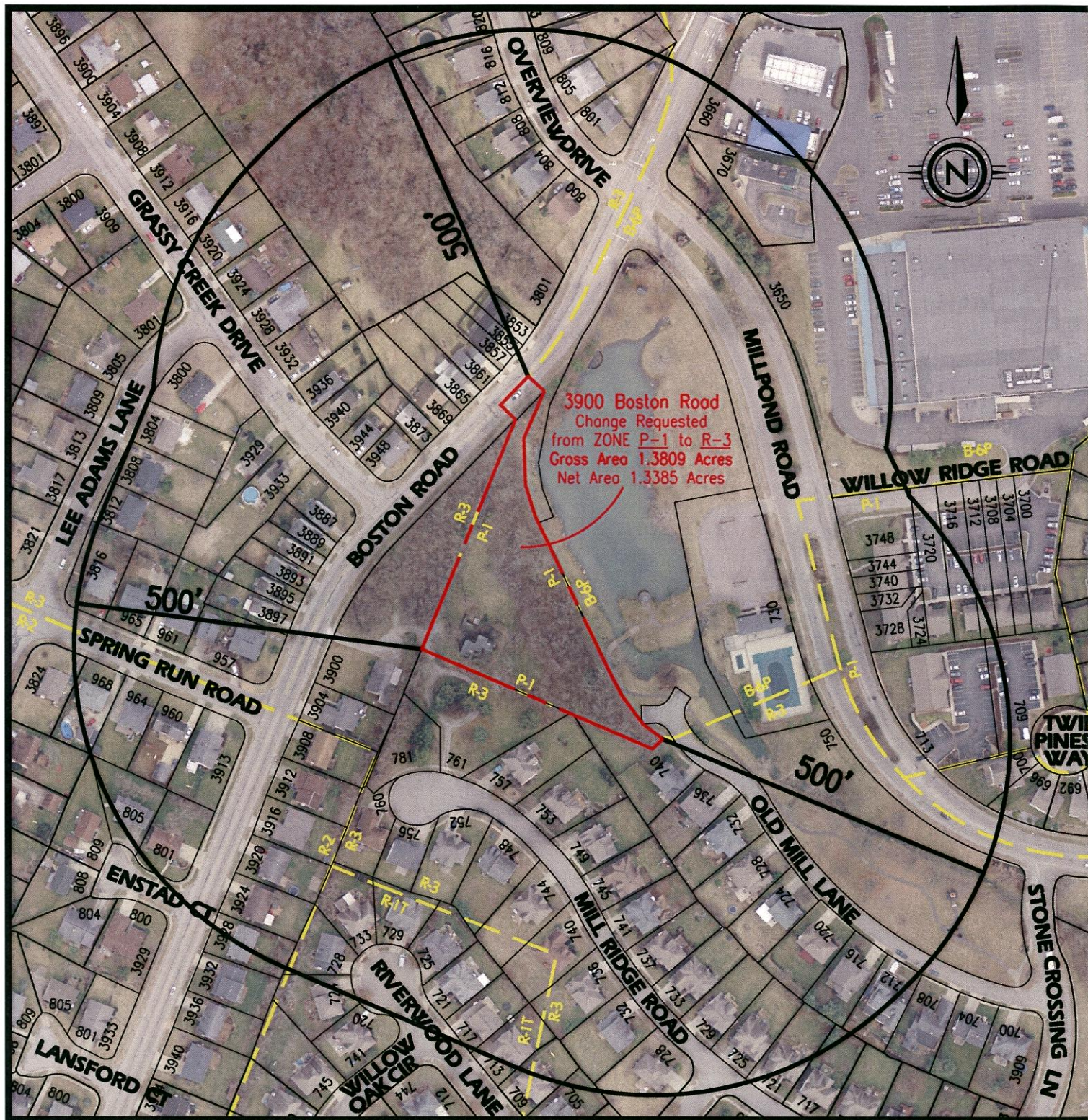
The Bearings and coordinates shown hereon are based on Kentucky State Plane Grid North, Kentucky State Plane North Zone, North American Datum of 1983 (NAD 83). Particularly, the bearings and coordinates are based on a GNSS Survey Utilizing a Trimble R6 GNSS Receiver and the KYTC VRS System.

The description above being based on an actual ground survey of the property conducted under the direct supervision of Kevin Phillips (PLS 3350), of Endris Engineering, 771 Enterprise Drive, Lexington, Kentucky concluding on February 20, 2015.



  
Kevin M. Phillips (PLS 3350)  
Endris Engineering, PSC  
771 Enterprise Drive  
Lexington, KY 40510

03-02-2015  
Date



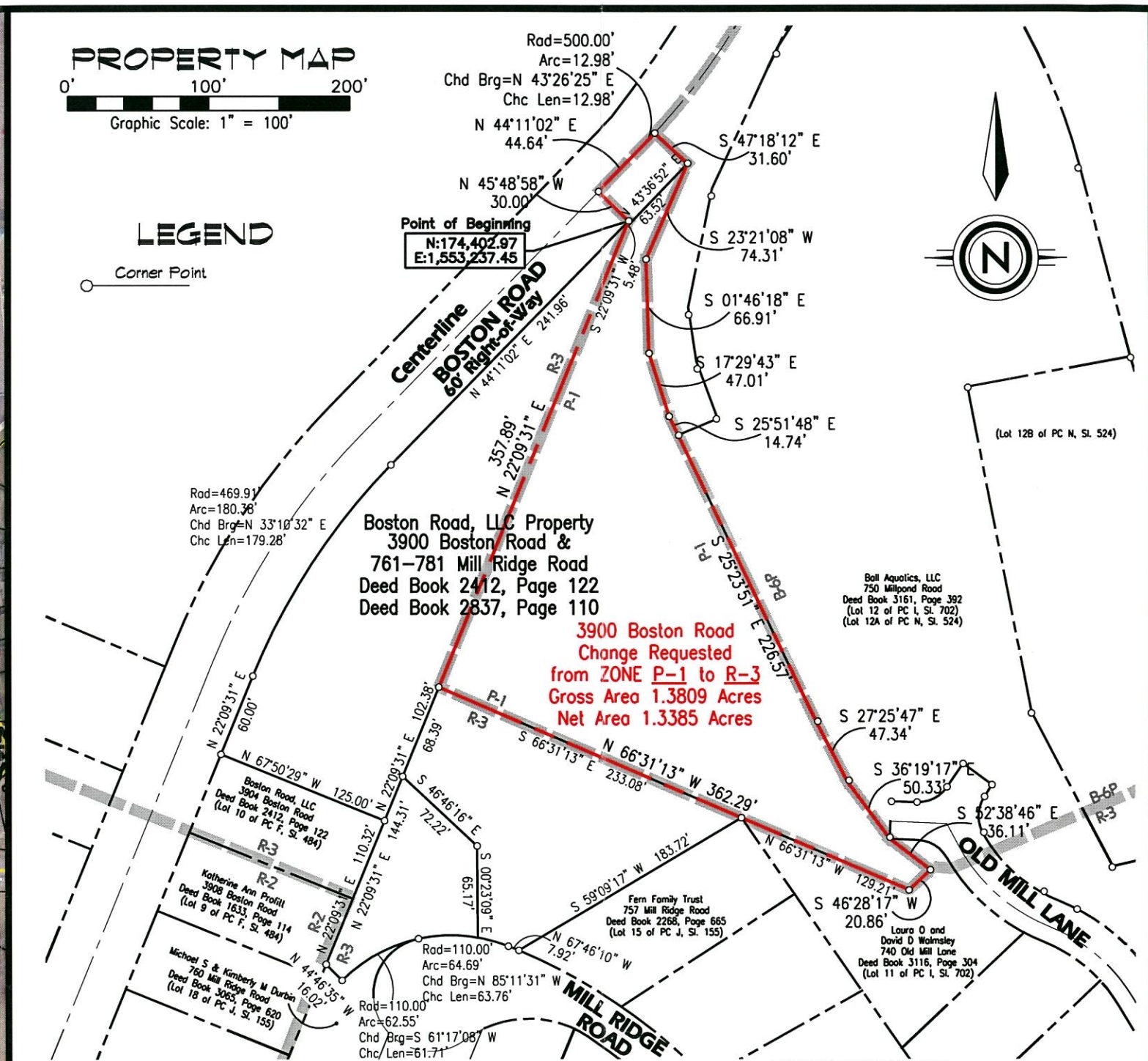
NOTIFICATION AREA MAP  
 0' 200' 400'  
 Graphic Scale: 1" = 200'

PREPARED BY:

**EE ENDRIS**  
**engineering**

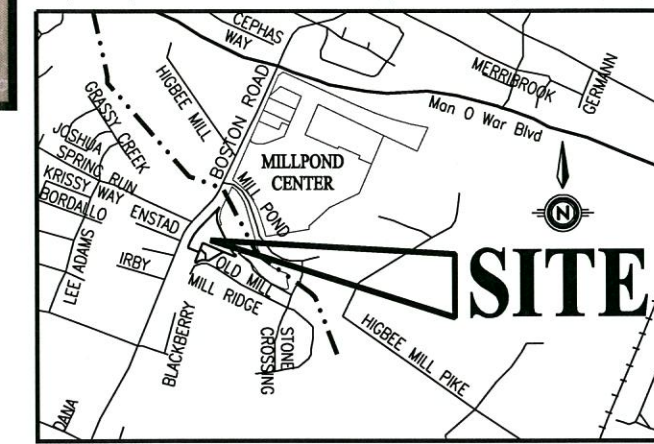
Land Surveyors Construction Layout GPS

111 ENTERPRISE DRIVE  
 LEXINGTON, KY 40510  
 PH: 859 253-1425  
 FAX: 859 233-1436



PROPERTY MAP  
 0' 100' 200'  
 Graphic Scale: 1" = 100'

LEGEND  
 Corner Point



VICINITY MAP  
 0' 4000' 8000'  
 Graphic Scale: 1" = 4,000'

STATE OF KENTUCKY  
**KEVIN M. PHILLIPS**  
 3350  
 LICENSED PROFESSIONAL LAND SURVEYOR

*[Signature]*  
 03-02-2015

FROM	TO	NET	GROSS
P-1	R-3	1.3385 Acres	1.3809 Acres

TITLE: Portion of Parcel 2-Ted R Osborn and Thomas Wood Property (P.C. H. Sl. 434)  
 ADDRESS: 3900 Boston Road - Lexington - KY  
 APPLICANT: Boston Road, LLC  
 OWNER: Boston Road, LLC  
 DATE FILED OR AMENDED: March 02, 2015