

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

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

APPLICANT:	Collins-Wathen Properties, LLC 606 Euclid Avenue #2, Lexington, KY 40502 (859) 621-3313
OWNER:	Applicant
ATTORNEY:	Richard Murphy, 250 W Main Street, Suite 2510, Lexington, KY 40507 859-233-9811

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

508 W Second Street

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
R-4	Office/Neighborhood Center	B-1	Restaurant/Retail/Office/Residential	0.441	0.515

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

Property	Use	Zoning
North	Office	B-1
East	Restaurant	B-1
South	Multi-family residential	R-5
West	Multi-family residential	R-5

**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 type="checkbox"/> NO
c. Are these units currently occupied by households earning under <u>40</u> % 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 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 in...  in agreement with the Comp. Plan  more appropriate than the existing zoning  due to unanticipated changes.

**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  OWNER or  HOLDER of an agreement to purchase this property since \_\_\_\_\_.

APPLICANT \_\_\_\_\_ DATE \_\_\_\_\_

OWNER Steven Walker DATE 3-5-14

LFUCG EMPLOYEE/OFFICER, if applicable \_\_\_\_\_ DATE \_\_\_\_\_

## Justification for Zone Change and Variances

The Applicant, Collins-Wathen Properties, LLC, is requesting your approval of a zone change from the high density apartment (R-4) zone to the neighborhood business (B-1) zone for about one-half acre located at 508 West Second Street.

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This property is the site of an existing building which formerly housed the offices of Planned Parenthood. The property is only sixty feet from the intersection of West Second Street and Jefferson Street.

We are pleased to present an application which will result in an adaptive reuse of the property, in keeping with the revitalization of Jefferson Street. The B-1 zone will allow a mixed use consisting of restaurant and/or retail in the first floor, residential apartments in the second floor and office use in the third floor. Current plans are that the restaurant will be run by Don Wathen, the proprietor of Nick Ryan's Saloon, which is located nearby at 157 Jefferson Street. As you know, Nick Ryan's was one of the original establishments which help propel the re-birth of Jefferson Street as a dining destination.

This zone change is in agreement with the 2013 Comprehensive Plan. It is in accord with many of the goals and objectives which emphasize revitalization of downtown, supporting local business, establishing entertainment options which appeal to young professionals, and maintaining the integrity of existing neighborhoods:

- Identify areas of opportunity for infill, redevelopment and **adaptive reuse** that respect the area's context and design features whenever possible (Theme A, Goal 2a). (Emphasis added).
- Provide well-designed neighborhoods and communities (Theme A, Goal 3).
- Support and showcase local assets to further the creation of a variety of jobs (Theme C, Goal 1).
- Provide entertainment and other quality of life opportunities that attract young professionals and a workforce of all ages and talents to Lexington (Theme C, Goal 2d).
- Incentivize the renovation, restoration, development and maintenance of historic residential and commercial structures (Theme D, Goal 2b).
- Encourage compact, contiguous and/or mixed-use sustainable development within the Urban Service Area, as guided by market demand, to accommodate future growth needs (Theme E, Goal 1b).

In addition, mixed-use of the existing building will be a good transitional use from the businesses along Jefferson Street, to the high rises behind (Ballard Place and Connie Griffith Manor) and to the West Jefferson Place to the north. The zone change will make this property

more economically viable to help assure the continued property maintenance and preservation of the property in the future.

We are also requesting your approval of a dimensional variance to reduce the property perimeter landscape and screening buffer along the northwestern and southwestern property lines (adjacent to Connie Griffith Manor and Ballard Place) from 15 feet to 5 feet in width, and to reduce the hedge requirement from a double row 6 foot tall hedge to a single row 3 foot tall hedge.

We would like to retain the existing vegetative screening, including deciduous trees and shrubs. We also plan to retain the existing parking layout. The current landscape area varies from 5 feet to 8 feet wide. To require a wider landscape area would require the removal of 7-10 feet along the length of the parking lot, resulting in the loss of a large number of parking spaces. Parking spaces are already in short supply in the Jefferson Street corridor. In addition, the existing screening meets the purpose of supplying the buffer. The existing landscape area serves as a buffer between the parking lot for the subject property and the parking lot for Connie Griffith Manor. The prior use of the subject property was for a non-residential purpose, and the screening functioned well.

Therefore, we are requesting your approval of the dimensional variance for the following reasons:

1. Granting these variances will not adversely affect the public health, safety or welfare, and will not alter the character of the general vicinity, and will not cause a hazard or nuisance to the public because the Applicant will retain the existing landscape buffer which has adequately served to screen a non-residential use on the subject property (community center) from the parking lot of Connie Griffith Manor which is adjacent. No substantial change is planned for the existing parking area.

2. Granting these variances will not allow an unreasonable circumvention of the requirements of the zoning ordinance because the Applicant wants to preserve the existing parking area and maintain the existing landscaping between this property and the adjacent property. The existing landscape area will remain.

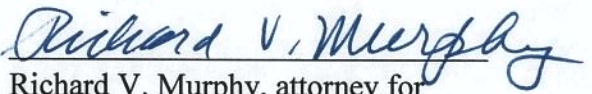
3. The special circumstances which apply to this property and which do not generally apply to land in the general vicinity or in the same zone are that this is an adaptive reuse of an existing building and parking area. There are already existing trees and shrubs which meet the intent of the landscape requirement. Requiring a 15 foot wide landscape area would eliminate many of the Applicant's parking spaces. Parking is in short supply in this area of Jefferson Street and Second Street.

4. Strict application of the regulations of the zoning ordinance would deprive the Applicant of a reasonable use of its land or create an unnecessary hardship because there are already exists adequate screening between the subject property and the adjacent property. Requiring additional landscape area would result in substantial loss of parking spaces. The Applicant is not planning any substantial change to the existing parking area.

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5. The circumstances surrounding the requested variance are not the result of actions of this Applicant taken subsequent to the regulation from which relief is sought. The Applicant purchased this property in 2013. The property was already occupied by a non-residential use, even though the property is zoned R-4. The Applicant is not proposing changes to the existing parking or buffer.

Thank you for your consideration of this zone change and variance request.

  
Richard V. Murphy, attorney for  
Applicant

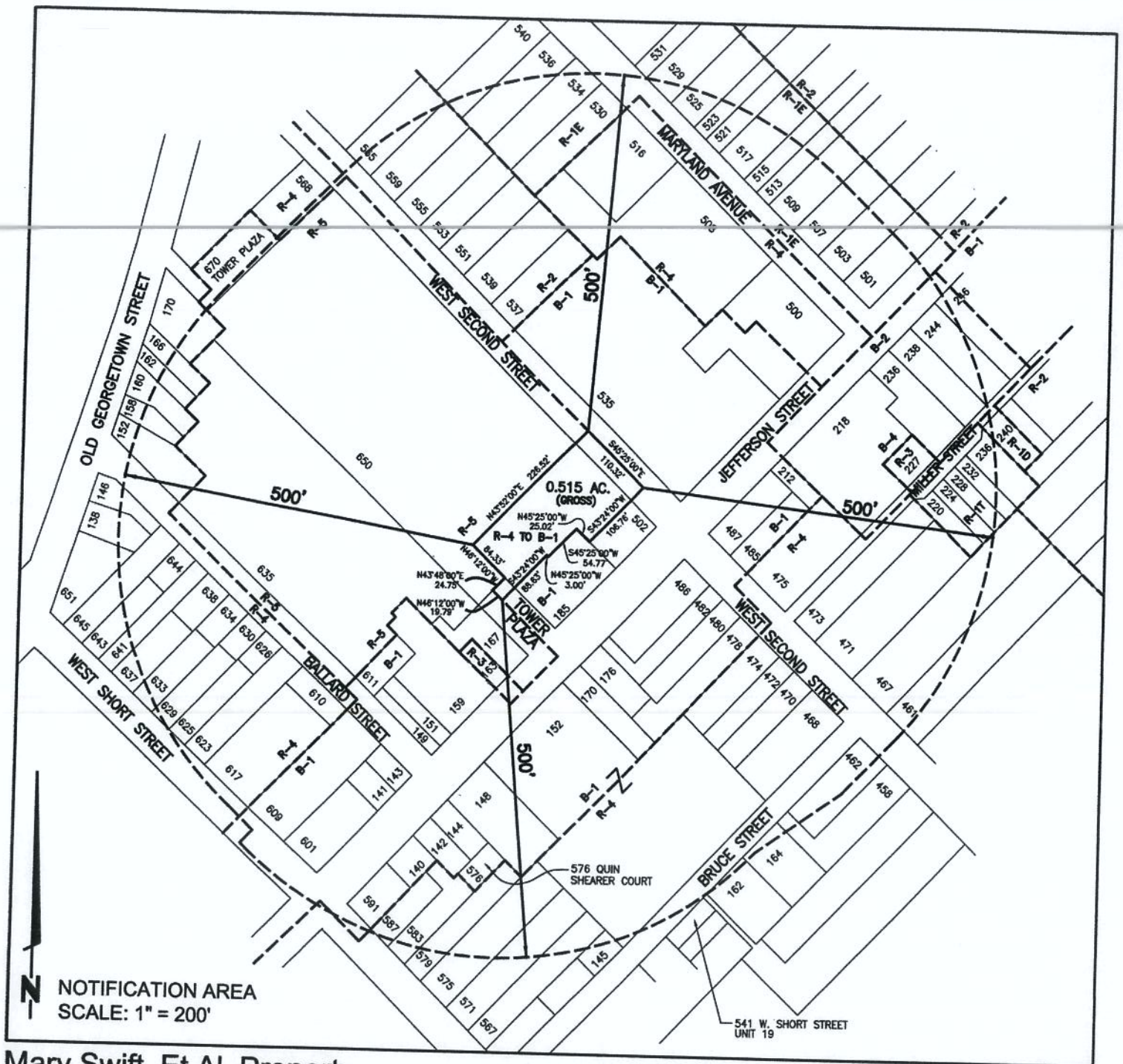
LEGAL DESCRIPTION

Lot 3, Mary Swift, ET AL Property  
Zone Change From R-4 to B-1  
508 West Second Street  
Lexington, Fayette County, Kentucky

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BEING A TRACT OF LAND SITUATED BETWEEN WEST SECOND STREET AND TOWER PLAZA AND APPROXIMATELY 81 FEET WEST OF JEFFERSON STREET IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point in the centerline of West Second Street 81.00 feet west of the intersection of the centerline of West Second Street with the centerline of Jefferson Street; thence leaving West Second Street south 43 degrees 24 minutes 00 seconds west a distance of 106.76 feet to a point; thence north 45 degrees 25 minutes 00 seconds west a distance of 25.02 feet to a point; thence south 43 degrees 24 minutes 00 seconds west a distance of 54.77 feet to a point; thence north 45 degrees 25 minutes 00 seconds west a distance of 3.00 feet to a point; thence south 43 degrees 24 minutes 00 seconds west a distance of 88.63 feet to a point in the centerline of Tower Plaza; thence with the centerline of Tower Plaza north 46 degrees 12 minutes 00 seconds west a distance of 19.79 feet to a point; thence leaving Tower Plaza; north 43 degrees 48 minutes 00 seconds east a distance of 24.75 to a point; thence north 46 degrees 12 minutes 00 seconds west a distance of 84.33 feet to a point; thence north 43 degrees 52 minutes 00 seconds east 226.52 feet to a point in the centerline of West Second Street; thence with the centerline of West Second Street; south 45 degrees 25 minutes 00 seconds east a distance of 110.32 feet to the point of beginning and containing 0.515 gross acres and 0.441 net acres.



## Mary Swift, Et Al. Property

Property Address:  
508 West Second Street

Owners:  
Collins-Wathen Properties, LLC  
606 Euclid Avenue #2  
Lexington, Kentucky 40502

Applicant:  
Collins-Wathen Properties, LLC  
606 Euclid Avenue #2  
Lexington, Kentucky 40502



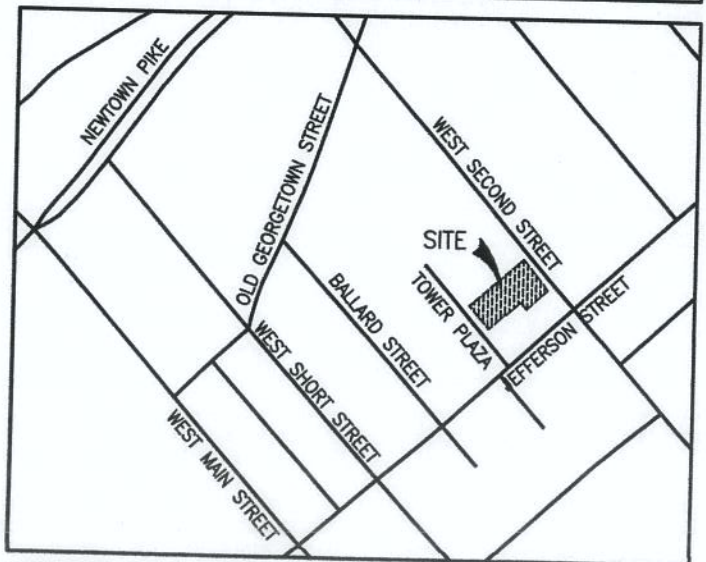
*Wesley B. Witt*

Prepared by  
Barrett Partners, Inc. and Wesley B Witt, Inc.

Date Files: March 3, 2014

Zone Change Request  
R-4 Zone to B-1 Zone

0.441 Acres Net & 0.515 Acres Gross



VICINITY MAP N.T.S