

November 9, 2022

Mr. Larry Forester, Chairman
Lexington-Fayette Urban County Planning Commission
200 East Main Street
Lexington, KY 40507

RE: 5354 and 5380 Athens-Boonesboro Road
PLN-MAR-22-00023: Application for Zone Change and Conditional Use Permit
PLN-MJDP-22-00073: Preliminary Development Plan

Dear Chairman Forester,

iVCP Athens South LLC, the owner of 5354 and 5380 Athens-Boonesboro Road, Lexington, Kentucky, is modifying its application for a zone change and preliminary development plan approval on a portion of said property, to include an additional adjacent 2.66 acre parcel as part of the property it requests to include in the zone change from B-5P to B-3. We send this letter to supplement our justification letter submitted on October 31, 2022.

The additional 2.66 acres parcel is shown on the preliminary development plan as Tract 1C, and its addition brings the total acreage for which the zone change is being requested to 37.36 gross acres (30.24 net acres). Applicant is not requesting that Tract 1C be included within the property on which it seeks a conditional use permit for a stadium.

Applicant seeks to include Tract 1C in the application for zone change to permit the location of a medical office building on the site. Applicant has been in discussions with a regional healthcare provider to occupy the building. The end user of the site anticipates the building to be used for medical clinics and offices, with approximately 20 permanent employees expected at the location.

The change in zone from B-5P to B-3 for Tract 1C is justified and appropriate for all of the reasons set forth in our letter dated October 31, 2022. It is in alignment with the Rural Land Management Plan, which states that "The Policy emphasis for Rural Activity Centers is to maximize their potential for jobs while maintaining their boundaries and minimizing impacts to the rural area." Tract 1C is underutilized vacant property which is already zoned for commercial use and lies firmly within the boundaries of the Blue Sky Rural Activity Center. The existing zone, B-5P, provides for a set of very limited uses, which restrict the amount and type of jobs

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that may be located within the zone to mostly low wage service jobs in fast food, restaurant, hotel and gas station type businesses. The change to a B-3 zone greatly expands the potential business and commercial ventures that may be located on the site, and the types and variety of jobs that may be generated to include, not only most of those already included in the B-5P zone which service interstate travelers, but also retail, office, medical clinics, banks and other uses that can provide a wide variety of good paying jobs.

Further the proposed zone change is in agreement with the 2018 Comprehensive Plan and furthers the Goals and Objectives of (i) supporting infill opportunities (Theme A, Goal #2), (ii) of creating jobs & prosperity through strengthening efforts to develop a variety of job opportunities and prioritizing the success and growth of strategically targeted employment sectors, like healthcare (Theme C, Goals #1 and #2), and (iii) of seeking an urban rural balance (Theme E).

The zone change will allow underutilized existing commercial property within the Rural Activity Center to be re-purposed and used in a productive and job creating manner.

The Applicant thanks you for your consideration of this zone change request.

Very truly yours,

STITES AND HARBISON, PLLC



Charlotte Turner McCoy
Stephen M. Ruschell
Attorneys for iVCP Athens South LLC