

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

1. ADDRESS INFORMATION (Name, Address, City/State/Zip & Phone No.)

APPLICANT:	Urban-County Planning Commission 200 E. Main Street, Lexington, KY 40507 Phone: (859) 258-3160
OWNER:	See attachment "List of Property Owners within the Area Requested for Zone Change"
ATTORNEY:	LFUCG Department of Law 200 E. Main, 11 th Floor, Lexington KY 40507 Phone: (859) 258-3500

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

See attachment "List of Property Owners within the Area Requested for Zone Change"
See (2) attachments "Legal Description."

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

Zoning	Existing Use	Requested		Acreage	
		Zoning	Use	Net	Gross
R-3	Vacant - formerly Residential & Commercial	R-1T	Townhouse - 2 attached units only.	0.31	0.42
I-1	Contains a Noise Wall - formerly RxR right of way	R-3	Single Family Residential	1.57	1.64

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Single Family & Multi-Family Residential and Commercial	R-1D, R-1T, R-3 and I-1
East	Single Family & Multi-Family Residential and Commercial	R-3, B-3, I-1, R-1T, R-4
South	Single Family Residential and Commercial	I-1 and R-3
West	Railroad Right of Way, Industrial and High Density Apartments	I-1, I-2, R-4 and R-5

5. EXISTING CONDITIONS

a. Are there any existing dwellings 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 last 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. See RECORD OF DECISION - NEWTOWN PIKE EXTENSION (KYTC Item No. 7-593.00) Pages 21-42 for a description of our relocation plans concerning the residents, Appendix D.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO 22 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 type="checkbox"/> Developer	<input checked="" type="checkbox"/> Other- By Newtown Pike Project
Storm Sewers	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input checked="" type="checkbox"/> Other- By Newtown Pike Project
Sanitary Sewers	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input checked="" type="checkbox"/> Other- By Newtown Pike Project
Curb/Gutter/Sidewalks	<input type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input type="checkbox"/> Developer	<input checked="" type="checkbox"/> Other- By Newtown Pike Project
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.) See 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.

APPLICANT Urban County Planning Commission DATE _____

OWNER N/A DATE _____

LFUCG EMPLOYEE/OFFICER, if applicable Chris W. King, Secretary DATE 4/1/2013

Newtown Pike Extension – Southend Park – Section 1

Description for Section 7 of the “General Information: Map Amendment Request (MAR) Application”

DESCRIBE YOUR JUSTIFICATION FOR REQUESTED CHANGE:

1. In accordance with the Environmental Impact Statement (FHWA-KY-EIS-03-01-F) for the Newtown Pike Extension Project, the Lexington Fayette Urban County Government (LFUCG) in association with the Kentucky Transportation Cabinet (KYTC) and the Federal Highway Administration (FHWA) are implementing the Southend Park Redevelopment Plan, approved by the LFUCG Planning Commission in November 2003. This rezoning is in agreement with that plan and the 2007 Comprehensive Plan.
2. In the original design of Section 1, the Noise Barrier Wall was located well to the east of the railroad property. As the wall's final design advanced, the railroad required that the wall be moved out to a minimum of 55 feet from the nearest track. Additionally, the railroad required that the land between the Noise Barrier Wall and the project be purchased as part of the project. Since this recently purchased land is currently zoned I-1, the requested zone is R-3, which matches the proposed land use for residential development.
3. The R-3 to R-1T portion of the request is necessary to avoid eliminating more residential lots. When the Noise Barrier Wall shifted closer to the project, several lots were eliminated during the redesign of the subdivision. The two redesigned duplex lots did not meet the minimum lot size requirements for their use in the existing R-3 zone. The proposed structure on each lot will consist of two attached townhouse units, basically a duplex, and will meet the lot size requirement of the R-1T zone. By not increasing the lot size of these two lots, the possibility of eliminating other lots will be avoided. Another factor that supported this new layout was that the Community Land Trust (CLT) will own and manage six of the dwelling structures, including the attached townhouses. Originally, these six were spread out among the privately owned single-family houses. After more consideration, the CLT thought it would be better to have all six of their dwelling structures grouped together, prompting this change.

List of Requested Zoning Ordinance Variances and Waivers for the Amended Preliminary Development Plan of Southend Park Section 1 – Unit 1

Note:

In Accordance with the Environmental Impact Statement (FHWA-KY-EIS-03-01-F) for the Newtown Pike Extension Project, the Lexington Fayette Urban County Government (LFUCG) in association with the Kentucky Transportation Cabinet (KYTC) and the Federal Highway Administration (FHWA) are implementing the Southend Park Redevelopment Plan, approved by the LFUCG Planning Commission November 2003. Furthermore, this rezoning is in agreement with the 2007 Comprehensive Plan.

Requested Variances:

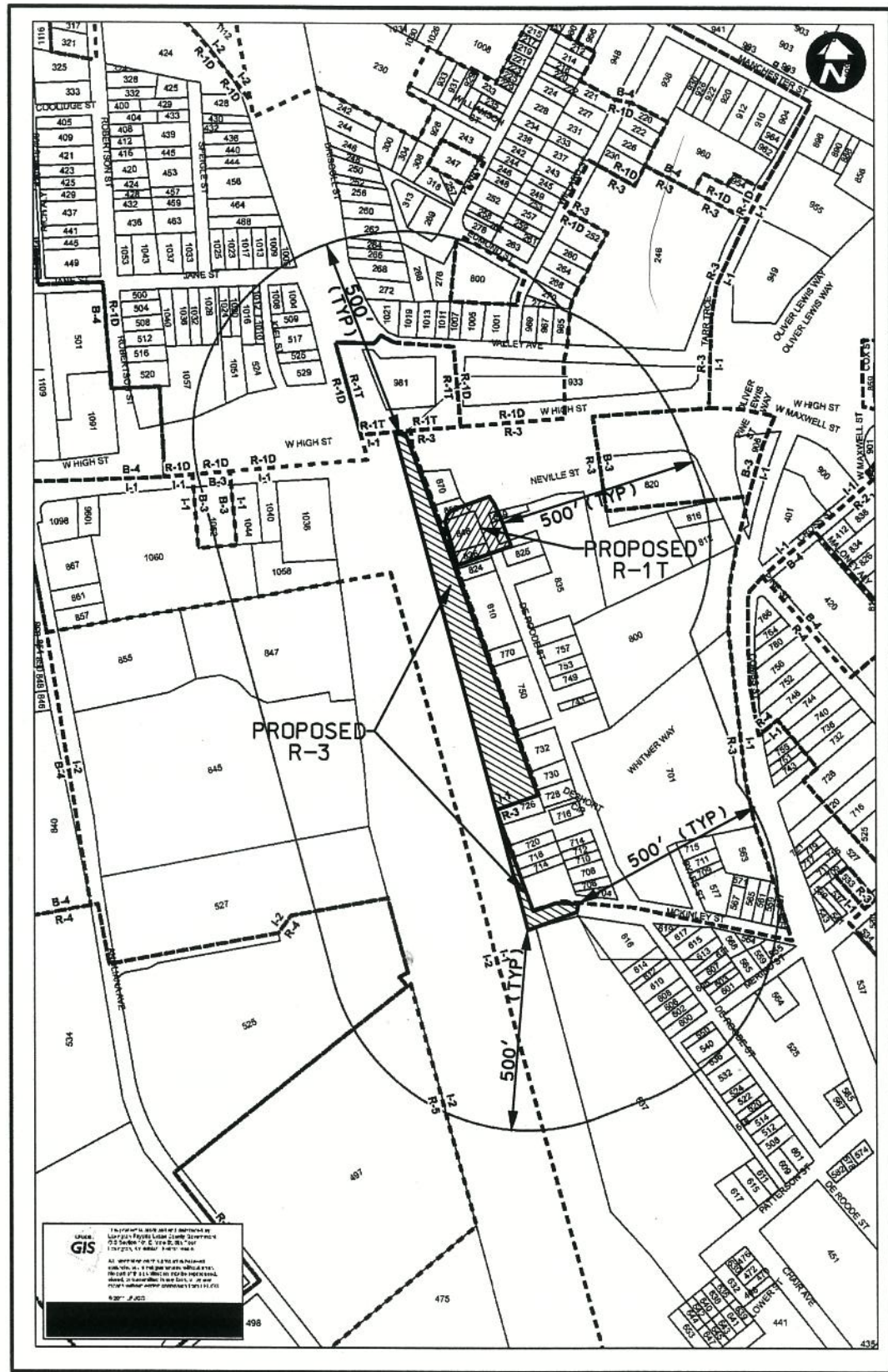
1. **SIDE STREET SIDE YARDS 15-2(b)(4)**
 - a. A variance is requested to reduce the **SIDE STREET SIDE YARDS** requirement from 20' to 6' for **lots 2, 6, 7 and 14**. This is requested because the "side street" of these lots is the alley and there should only be local traffic on the alley. Furthermore, the larger side yard requirement would greatly reduce the amount of developable space and produce more clear space that would normally be associated with an alley.
2. **MAXIMUM FRONT YARD 8-10(o)(4)(d)**
 - a. A variance is requested to increase the front yard requirement from 15' to 20' for **Lots 2 and 3** (based upon the requested zoning for lots 2 and 3 being R-1T). The project team intended to have all structures evenly set back from the road. Therefore set the building setback line on these two lots to 20' will make them match all other residential lots in the development.
3. **PARKING 16-4(a) and 16-4(c)(1)**
 - a. A variance is requested to allow parking in the side street side yard of **Lot 1**.
 1. The variance is requested because the lot only has access from the alley and is constrained by US 60 and a proposed steel cut slope on the rear of the lot.
 - b. A variance is requested to allow parking in the rear yards of **Lots 2 through 14**.
 1. Lots 2-17 are defined as "Through Lots" based on Zoning Ordinance 15-2(a)(4). Therefore their yard along the alley (a.k.a. "rear yard") is considered a front yard. The projects intent is no not allow direct vehicular access from the lots to the collector street; therefore limiting access to the alley only. The variance is requested for **Lots 2 through 14** because the parking will "practically" be in the "rear yard."
 - c. A variance is requested to allow use of joint-driveways for **Lots 15 through 22**.
 1. The variance is requested because of the use of a "joint driveways" will exceed the 10' maximum width required in the defined "Infill & Redevelopment Area."

4. LANDSCAPE AND LAND USE BUFFERS Article 18
 - a. Landscape Buffer between Zone I and Zone R, 18-3 (a) (1) #3.
 1. A variance is requested because on the west boundary (with the RxR) there is an existing 24' +/- tall Noise Barrier Wall separating the zones.
 2. A variance is requested on the south boundary because the adjoining I-1 zone is currently part of a future phase of this project. The land is currently being acquired by KYTC, and will be zone changed to R-3 and developed in the next phase of the project.
 - b. Landscape Buffer between a double frontage lot and a State maintained freeway: 18-3 (a) (1) #4.
 1. A variance is requested because, even though **Lot 1** is define as having frontage on US 60; US 60 is actually about 30' above the lot via a bridge over the RxR. Landscaping would not produce any practical screening.
 - c. Landscape buffer between any zone and a Railroad 18-3 (a) (1) #5:
 1. A variance is requested because on the west boundary (with the RxR) there is an existing 24' +/- tall Noise Barrier Wall separating the zones.

Requested Wavier:

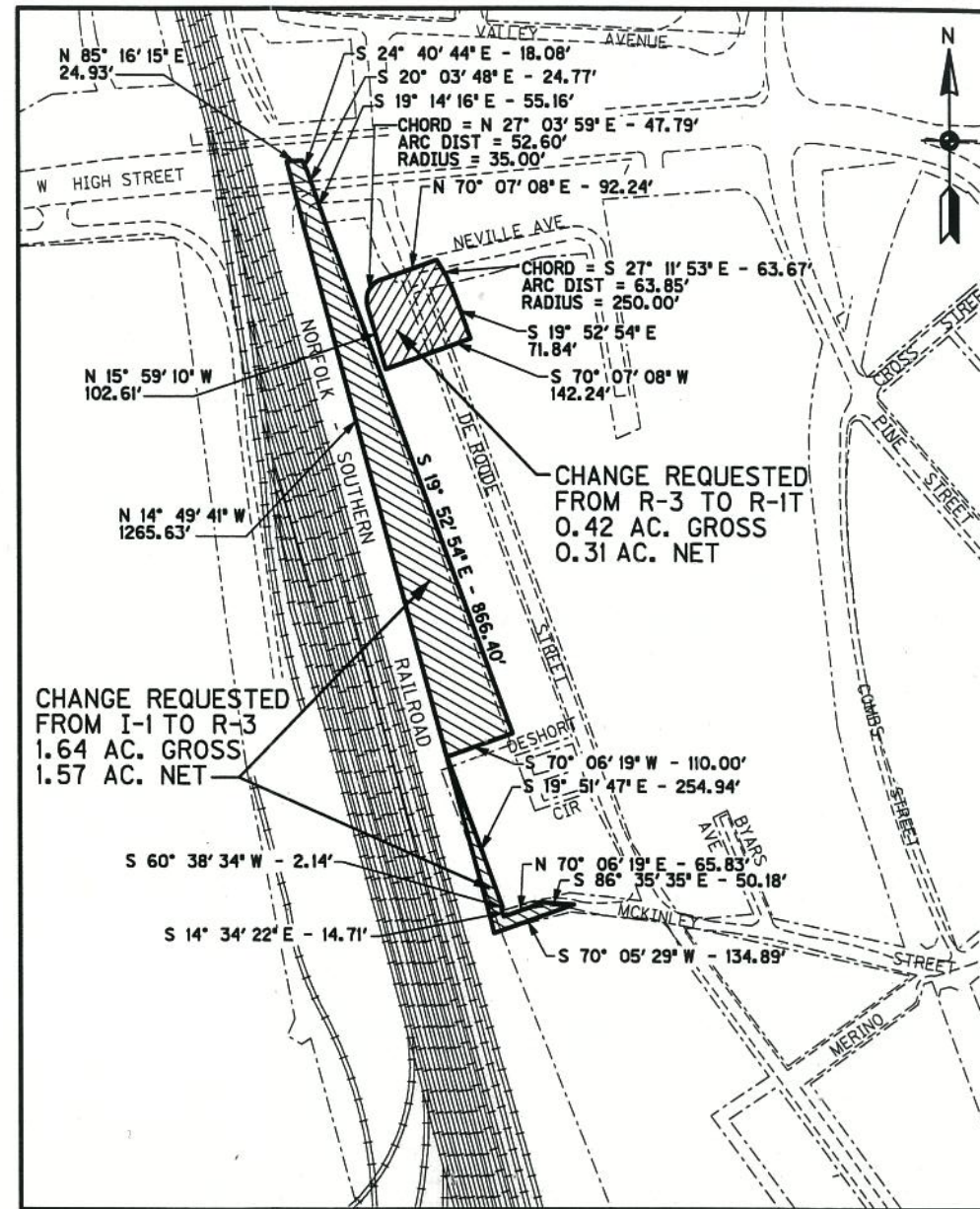
A waiver is requested for use of the Modified Hammerhead cul-de-sac.

1. Southend Park Redevelopment is in the "defined Infill & Redevelopment area" and has been designed to include "neo-traditional " design features. Much consideration was given to the layout of the cul-de-sac area. Originally a standard circular cul-de-sac was studied, but did not make good use of the available land. A standard Hammerhead cul-de-sac was considered, but it too did not make good use of the land. Finally after many alterations, the design team decided to propose the "Modified Hammerhead cul-de-sac" as detailed on the *Amended Preliminary Development Plan of Southend Park Section 1*. Additionally, after the proposed (now existing) Noise Barrier Wall shifted closer to the project, the area intended for use by a cul-de-sac was greatly reduced. Because the Modified Hammerhead cul-de-sac has a different and smaller footprint than a circular cul-de-sac, this area was still able to include a proposed cul-de-sac. The design team felt that Modified Hammerhead cul-de-sac satisfied the project goals of: neo-traditional design, a unique design feature to the Redevelopment, and made good use of the land available.



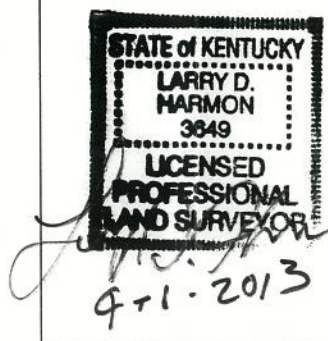
NOTIFICATION AREA MAP

SCALE: 1" = 400'

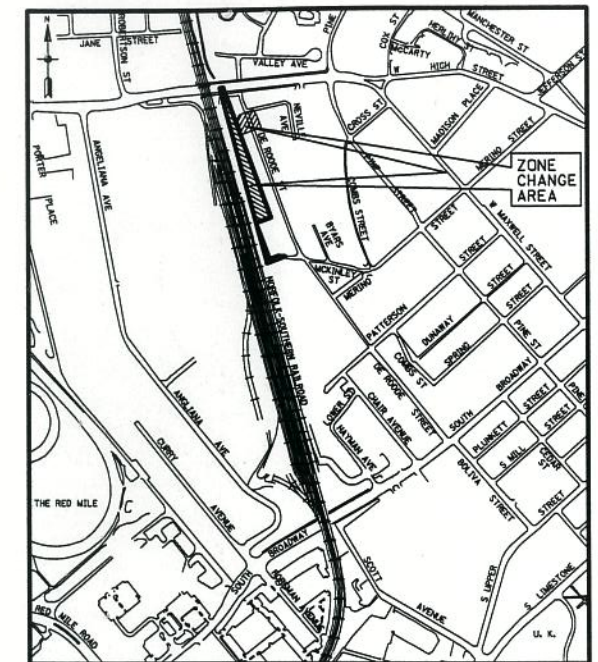


PROPERTY MAP

SCALE: 1" = 300'



TITLE:	SOUTHEND PARK REZONING	FROM	TO	NET ACRES	GROSS ACRES
PROPERTY ADDRESSES:	856, 849, 848, 836, 835, DE ROOPE STREET AND A PARCEL WITH NO ADDRESS - FORMERLY R&R PROPERTY (NOW CONTAINING A PORTION OF THE NOISE BARRIER WALL)	R-3	R-1T	0.31	0.42
APPLICANT NAME / ADDRESS:	URBAN-COUNTY PLANNING COMMISSION 101 E. VINE STREET, 7TH FLOOR LEXINGTON, KY 40507	I-1	R-3	1.57	1.64
OWNERS:	COMMONWEALTH OF KENTUCKY - TRANSPORTATION CABINET (ALL PARCELS EXCEPT 836 DE ROOPE ST.) WILLIAM K DUNN (836 DE ROOPE ST.)	TOTAL		1.88	2.06
PREPARED BY:	HALL-HARMON ENGINEERS, INC. 1081 DOVE RUN RD, SUITE 203 LEXINGTON, KY 40502				
DATE FILED:	APRIL 1, 2013				



VICINITY MAP

N.T.S.