

MAR 2014-19

Date Received 10/6/14

Pre-Application Date 9/15/14

Filing Fee \$ 370<sup>00</sup>

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

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

APPLICANT:	Nicol Development Co., LLC, 1604 Bon Air Drive, Lexington, KY 40502 Bruce R. Nicol, Jr., Owner, 1604 Bon Air Drive, Lexington, KY 40502
OWNER:	Applicant owns 1001 N. Limestone; the remainder of the property is owned by: The Trustees of Epworth Methodist Church, 1015 N. Limestone, Lexington, KY 40508
ATTORNEY:	Christine N. Westover, Esq., 201 E. Main Street, Suite 900, Lexington, KY 40507

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

1001, 1003, 1011, 1015 and 1021 N. Limestone, Lexington, KY 40508
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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
R-1C	church, parsonage, vacant	MU-2	mixed use/mixed income project	1.210	1.723
B-1	vacant	MU-2	mixed use/mixed income project	0.420	0.652
B-4	vacant/parking	MU-2	mixed use/mixed income project	0.880	0.880

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

Property	Use	Zoning
North	single family residential	R-1C
East	single family residential	R-1C
South	single family residential; school	R-1C
West	trailer park; single family residential	B-4; R-1C

#### 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 type="checkbox"/> Existing	<input checked="" 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 checked="" 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... <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  OWNER or  HOLDER of an agreement to purchase this property since Nov 11, 2013

APPLICANT B.R. Nicol, Jr. DATE Oct 6

OWNER \_\_\_\_\_ DATE \_\_\_\_\_

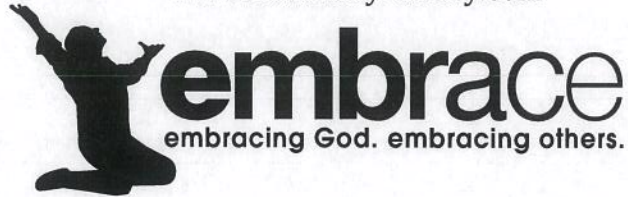
LFUCG EMPLOYEE/OFFICER, if applicable \_\_\_\_\_ DATE \_\_\_\_\_



1015 N Limestone, Lexington, KY 40505

Phone: (859) 309.3862

www.embraceyourcity.com



September 17, 2014

Division of Planning  
200 East Main Street  
Lexington KY 40507

Dear Sir/Madam:

As owners of 1003, 1011, 1015 and 1021 North Limestone, the Trustees of the Epworth United Methodist Church support the rezoning application being filed by Nicol Development LLC to rezone its property to the MU-2 zone, and hereby consent to the filing of the zone change request.

Sincerely,

*Arnold Singleton* Trustee 9.23.2014  
Arnold Singleton

# ( M C B R A Y E R )

McBrayer, McGinnis, Leslie & Kirkland, PLLC

ATTORNEYS AT LAW

CHRISTINE N. WESTOVER  
CWESTOVER@MMLK.COM

201 EAST MAIN STREET, SUITE 900  
LEXINGTON, KENTUCKY 40507  
(859) 231-8780 EXT. 137  
FAX: (859) 253-0706

October 6, 2014

Mr. Mike Owens, Chairman  
Lexington-Fayette Urban County Planning Commission  
200 E. Main Street  
Lexington, Kentucky 40507

RE: Zone Change from R-C, B-1 and B-4 to MU-2  
1001, 1003, 1011, 1015 and 1021 N. Limestone Street

Dear Chairman Owens,

I represent Bruce Nicol, a local developer of affordable housing whose company, Nicol Development, LLC ("Nicol") is applying to rezone the above referenced properties from their current R-1C, B-4 and B-1 categories to the MU-2 zone in order to develop a mixed use, mixed income project. The project includes 5 separate parcels, all of which except the lot at 1001 N Limestone are owned by Epworth Methodist Church. After the property is rezoned the church will retain ownership and control of the lot upon which the church itself is located. The remainder of the property will be developed as a mixed use, mixed income project.

The church is a vital part of the North Limestone neighborhood. Entering in to an arrangement with Nicol will provide additional income that the church will use to make needed repairs and improvements to its property and allow it to expand the programs it provides to the community. Nicol will develop the remainder of the other property, which consists of vacant or underutilized lots, for a mixed use, mixed income project that will include 80 new dwelling units, 74% of which will be income verified affordable units, and the remainder will be offered at market rate. The estimated cost of this project is \$5,700,000.00. The housing will be rental units. The nonresidential portion of the development is planned to include a community center, offices and a coin-operated laundry. A small restaurant or coffee shop and retail space are among the other uses under consideration.

The site adjoins a large trailer park, vacant land and single family dwellings. It is directly across from Arlington Elementary School. Although it is just outside the boundary of the defined Infill Area, the neighborhood shares many of the same characteristics, including inadequate infrastructure, vacant or underutilized parcels, storm water problems and a lack of affordable housing.

We believe that this project will be the first to be developed under the regulations for mixed income projects that were approved about seven years ago in an effort to facilitate private sector development of affordable housing. The development will incorporate substantial storm water



October 6, 2014

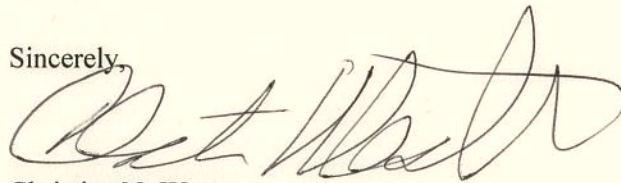
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improvements that will benefit the larger neighborhood. The church was approved for a \$211,000.00 storm water grant repair a water problem that has caused the church basement to flood periodically. In addition, Nicol proposes to install more comprehensive storm water improvements that will improve drainage in a larger area, including new storm water features within the public right of way, a rain garden, pervious paving and landscape wells. All of these improvements will create a more environmentally responsible project. The project facilitates the use of transportation alternatives to the automobile. It is anticipated that many residents will not have vehicles, so the location of the property on a major public transit line is a great asset. Bicycle racks will be incorporated into the project to encourage bicycle transportation, and the proximity of the site to the commercial corridor on North Broadway will encourage walking, not to mention that some neighborhood oriented nonresidential uses will be provided directly on the site itself.

Our justification to approve the rezoning is agreement with the 2013 Comprehensive Plan an. It fulfills Theme A Goal 1, to expand housing choices, Theme A Goal 2, to support infill development; Theme B Goal 2, to reduce Lexington's carbon footprint; Theme B Goal 3, to support green infrastructure; Theme C Goal 1, to support creation of a variety of jobs; Theme C Goal 2, to encourage the entrepreneurial spirit and embrace a diverse and inclusive community; Theme D Goal 1, to achieve a comprehensive transportation system; Theme D Goal 3, to enhance Lexington's unique cultural and natural landscapes; and Theme E Goal 1, to uphold the Urban Services Area concept, among other elements of the Comprehensive Plan. In addition, the development complies with many of the goals and recommendations in the Central Sector Small Area Plan, which places this site within Subarea D, an area characterized by neighborhoods with crumbling curbs and sidewalks, and poor storm water drainage. The project complies with all of the Central Sector Goals and Objectives set out on pp. 47-51, including provision of more affordable housing, improving infrastructure, enhancing environmental quality and offering needed goods and services to local residents. In addition, the development is compatible with the Central Area Plan recommendations for Subarea D, including upgrading the streetscape of N. Limestone Street and providing sustainable solutions to existing storm water problems.

Accordingly we request approval of our application as submitted.

Sincerely,



Christine N. Westover

CNW/klm

The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Fayette County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from R-1C to MU-2  
for  
1001, 1003 & 1015 (portion)  
North Limestone Street  
Lexington, Ky. 40505**

Beginning at a point at the centerline intersection of North Limestone Street and North Broadway Park:

Thence **South 48° 58' 33" West 186.08 feet;**

Thence **South 48° 58' 38" West 53.00 feet;**

Thence **South 48° 58' 38" West 76.61 feet** to a point at the centerline intersection of said North Limestone Street and 10<sup>th</sup> Street;

Thence **North 39° 52' 37" West 180.55 feet;**

Thence **North 50° 07' 23" East 26.00 feet** to a point in the northern right-of-way of said 10<sup>th</sup> Street;

Thence **North 48° 58' 27" East 50.00 feet;**

Thence **North 48° 58' 38" East 50.00 feet;**

Thence **North 41° 01' 27" West 100.00 feet;**

Thence **North 48° 58' 33" East 150.00 feet** to a point on the southern right-of-way line of North Broadway Park;

Thence **North 48° 58' 33" East 36.08 feet** to a point on the centerline of said North Broadway Park;

Thence **South 41° 01' 27" East 280.00 feet** to the point of beginning containing 1.723 Acres (Gross), 1.210 Acre (Net).





The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Fayette County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from B-1 to MU-2  
for  
1021 North Limestone Street  
Lexington, Ky. 40505**

Beginning at a point at the centerline intersection of North Limestone Street and North Broadway Park;

Thence **North 48° 58' 33" East 161.27 feet** to a point on the centerline of said North Limestone Street;

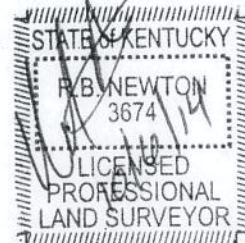
Thence **North 41° 23' 59" West 30.00 feet** to a point on the western right-of-way line of said North Limestone Street;

Thence **North 41° 01' 27" West 146.52 feet**;

Thence **South 48° 58' 33" West 125.00 feet** to a point on the northern right-of-way line of said North Broadway Park;

Thence **South 48° 58' 33" West 36.08 feet** to a point on the centerline of said North Broadway Park;

Thence **South 41° 01' 27" East 176.52 feet** to the point of beginning containing 0.652 Acre (Gross), 0.420 Acre (Net).



The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Fayette County Clerk's office. This description does not represent a boundary survey and should not be used for real estate conveyance or transfer.

**Zone Change from B-4 to MU-2  
for  
1011 & 1015 (portion)  
North Limestone Street  
Lexington, Ky. 40505**

Commencing at a point at the centerline intersection of North Limestone Street and 10<sup>th</sup> Street:

Thence North 39° 52' 37" West 180.55 feet;

Thence North 50° 07' 23" East 26.00 feet to a point on the northern right-of-way line of said 10<sup>th</sup> Street, the Point of Beginning;

Thence North 41° 01' 27" West 100.00 feet;

Thence North 41° 01' 27" West 284.00 feet;

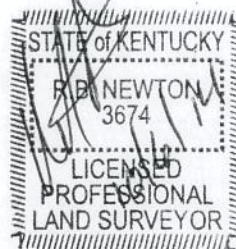
Thence North 48° 58' 33" East 100.00 feet;

Thence South 41° 01' 27" East 284.00 feet;

Thence South 41° 01' 27" East 100.00 feet;

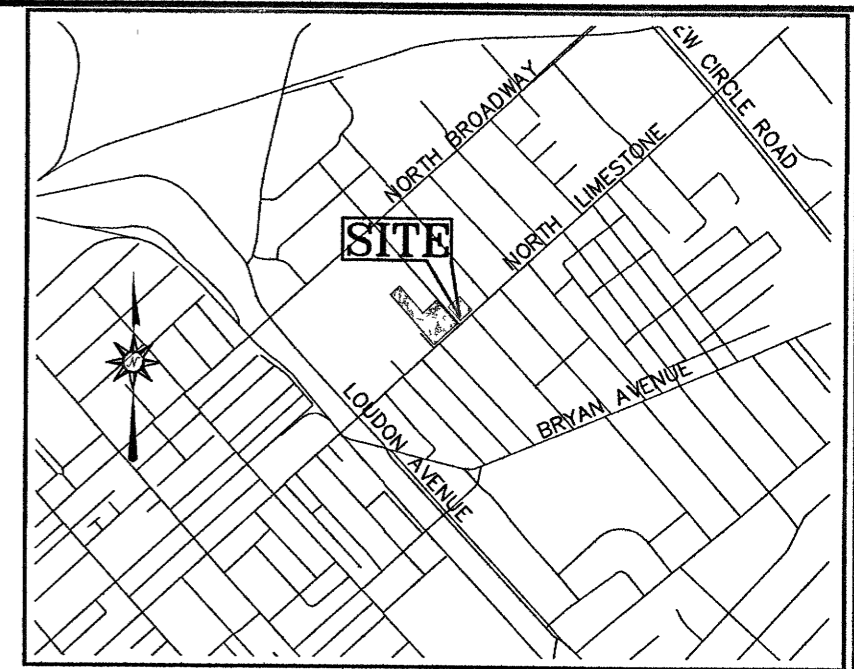
Thence South 48° 58' 38" West 50.00 feet;

Thence South 48° 58' 27" West 50.00 feet to the Point of Beginning containing 0.880 Acre (Gross); 0.880 Acre (Net).

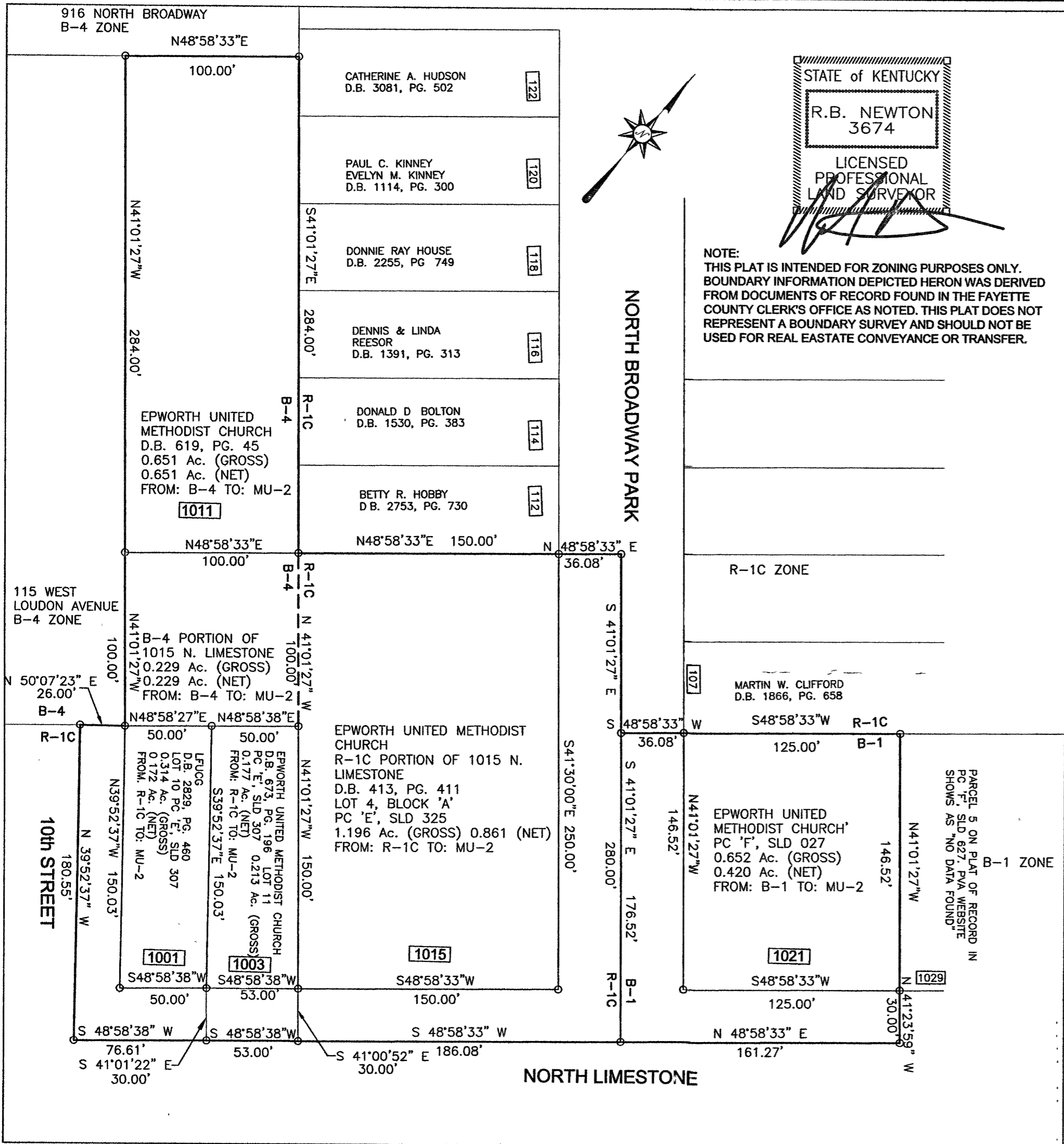




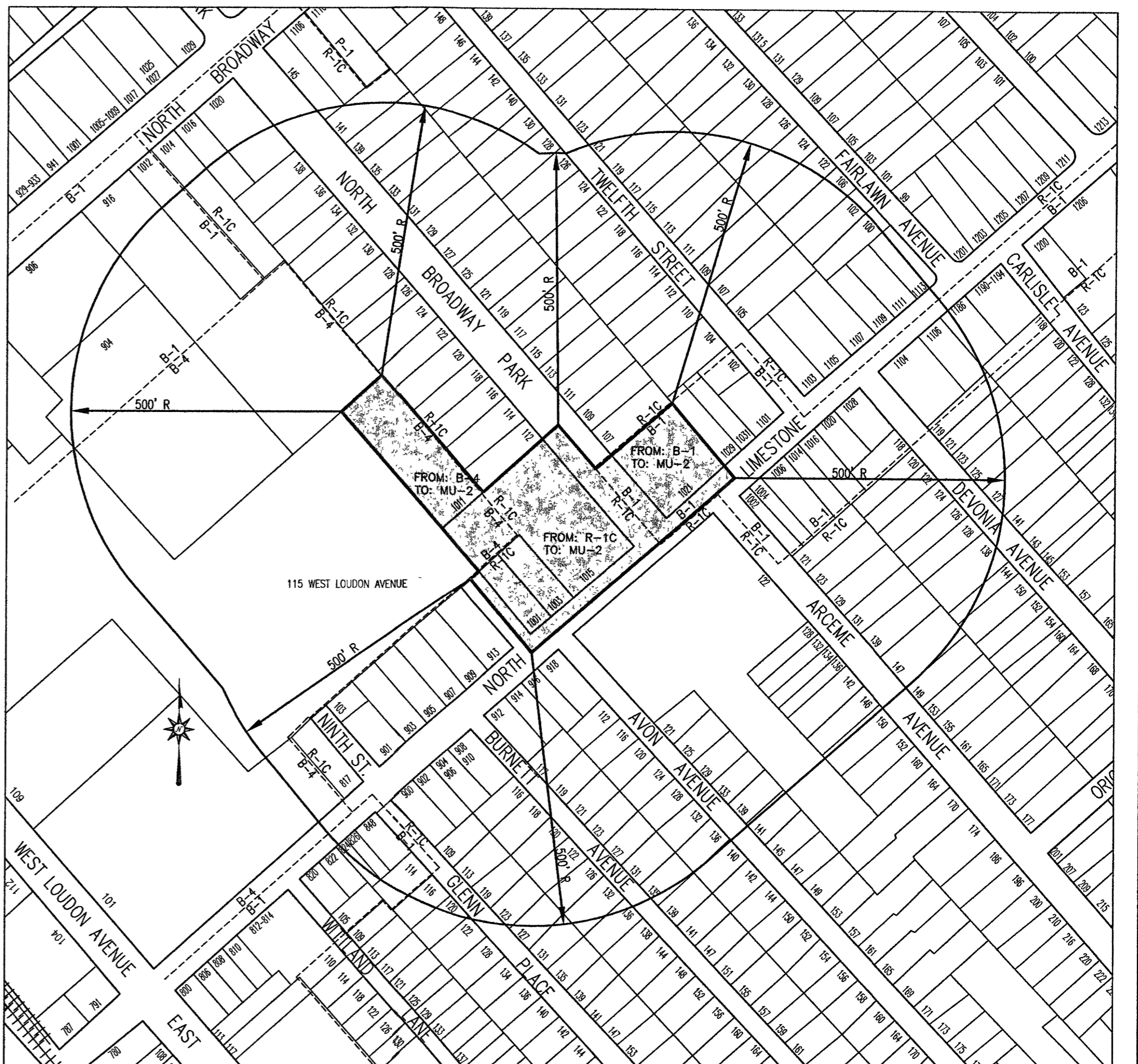
ZOMAR:	TITLE: ARLINGTON APARTMENTS			
PROPERTY ADDRESS:	FROM	TO	GROSS	NET
1001, 1003 & 1015 NORTH LIMESTONE	R-1C	MU-2	1.723 Ac.	1.210 Ac.
1011 & 1015 NORTH LIMESTONE	B-4	MU-2	0.880 Ac.	0.880 Ac.
1021 NORTH LIMESTONE	B-1	MU-2	0.652 Ac.	0.420 Ac.
	TOTAL		3.255 Ac.	2.510 Ac.
APPLICANT NAME / ADDRESS:				
NICOL DEVELOPMENT COMPANY, LLC				
1604 BON AIR DRIVE				
LEXINGTON, KY 40502				
OWNER: THE TRUSTEES OF EPWORTH METHODIST CHURCH			PROPERTY ADDRESSES:	
1015 N. LIMESTONE			1003, 1011, 1015 & 1021	
LEXINGTON, KY 40505			NORTH LIMESTONE	
OWNER: BRUCE R. NICOL, Jr.			1001 NORTH LIMESTONE	
1604 BON AIR DRIVE				
LEXINGTON, KY 40502				
PREPARED BY: VISION ENGINEERING, LLC				
DATE FILED OR AMENDED: OCTOBER 15, 2014				



VICINITY MAP  
NTS



PROPERTY MAP  
SCALE: 1" = 60'



NOTIFICATION MAP  
SCALE: 1" = 200'