

MAP AMENDMENT REQUEST (MAR) APPLICATION

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

Applicant: Ball Homes, Inc., 3609 Walden Drive, Lexington, KY 40517
Owner(s): KY AMERICAN WATER CO, 2300 RICHMOND RD, LEXINGTON KY 40502
Attorney: Nick Nicholson, Stoll Keenon Ogden, PLLC, 300 West Vine Street, Suite 2100, Lexington, KY 40507

2. ADDRESS OF APPLICANT'S PROPERTY

478 and 480 SQUIRES RD LEXINGTON KY

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing		Zoning	Requested		Acreage	
		Use			Use	Net	Gross
A-U		Vacant	R-3	Residential & Middle School	67.58		67.65
A-U		Vacant	R-4	Multi-Family Residential	22.01		22.18

4. 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 checked="" 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 type="checkbox"/> NO

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	To Be Constructed
Storm Sewers:	To Be Constructed
Sanity Sewers:	To Be Constructed
Refuse Collection:	LFUCG
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





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October 3, 2016

Lexington-Fayette Urban County Planning Commission
101 East Vine Street
Lexington, KY 40507

**Re: Application for R-3 and R-4 Zoning for Residential Development
478 and 480 Squires Lane**

Dear Members of the Planning Commission:

We represent Ball Homes, LLC and on its behalf have filed a zone change request for the properties located at 478 and 480 Squires Lane (the "Zone Change Property"). The Zone Change Property contains 89.59 net (89.83 gross) acres. The Applicant's request is for 19.59 net (19.76 gross) acres of A-U to be rezoned to R-4, and 70.00 net (70.07 gross) acres of the A-U property to be rezoned to R-3. This zone change is part of a large project detailed on the submitted development plan for residential development and a new Fayette County Middle School. The Zone Change Property is one of the few remaining large undeveloped parcels within the urban service boundary and outside of the expansion areas. It is adjoined by residential and commercial properties to the north and west with the rest of the property surrounded by the Kentucky-American reservoir.

The Applicant is proposing to develop approximately 45 acres of single family lots, 22 townhomes on 4.3 acres, 11 apartment buildings on 17 acres totaling 308 units and 516 bedrooms, and accessory clubhouse and pool facilities. The Fayette County Middle School site has a proposed 20 acres of land to use for constructing the new school. The balance of the property will be dedicated to open space and neighborhood amenities.

This request is in complete agreement with the Comprehensive Plan. The proposed project meets several of the Goals and Objectives of the Comprehensive Plan. Primarily, this project is an ideal iteration of Lexington's guiding principle for infill development on vacant land inside the urban service boundary. There are very few properties that will allow for this combination of acreage for single-family residential, multi-family residential, and a community asset in the new middle school to be planned at once. This well-designed project upholds the Urban Service Area preservation strategy, is appropriate infill in a residential corridor, provides varied housing choices which meet several community needs, encourages community interaction through pedestrian connectivity, all while respecting its neighbors with landscaping buffers, greenspace, and a trail system along the Kentucky-American reservoir. Additionally, this project aids in the Comprehensive Plan's goal of job creation and improving a desirable community by setting aside 20+ acres for a new Fayette County Middle School, a specific recommendation of the 2013 Comprehensive Plan.

The proposal is also consistent with the Comprehensive Plan's Land Use Change Consideration:

1. The Change will address a community need, such as providing a park, a neighborhood focal point, significant employment opportunities or housing needs.
2. The proposed land use enhances, and is compatible with, adjacent land uses.
3. The land use will promote housing located in close proximity to existing employment centers.
5. The land use will create opportunities for needed recreation, additional greenspace and/or greenway connections.
8. The existing utility and transportation networks will accommodate the new land use.
9. Underutilized land should be promoted for greater utility (and) function...
11. The proposed ... development will provide a mix of housing types, residential densities and ... land uses.
12. The use will ... provide neighborhood-oriented commercial centers...
13. The land use should maximize opportunities to accommodate future growth within the Urban Services Area, include land that is underutilized, vacant or planned for a reuse.

Further, the proposal meets several of the key additional considerations for land located outside of the downtown area in the Urban Service Area:

2. Where residential density, and existing infrastructure are adequate to support the use, and the adjacent uses are compatible, the development should create more walkable neighborhoods, neighborhood-oriented businesses and neighborhood amenities.
4. An effective buffer or transition between different intensities of adjacent land uses should be provided.
5. The use shall provide a service deemed beneficial for the immediate area.
6. Developments that improve the livability of existing neighborhoods by adding compatible uses and compatible urban design should be encouraged.
8. Demonstrate "place-making" in new developments, as outlined previously in the text of the Plan.

What this project is at its core is a planned neighborhood featuring a multitude of housing options (from single-family to townhomes to apartments), a new middle school facility, and a use of greenspace that focuses around one of Lexington's best water features that will be the envy of every neighborhood in Fayette County. This project aligns seamlessly with the aspects of a desirable community that the Comprehensive Plan stresses such as openness, social offerings, and aesthetics – especially when considering the walkable design of the neighborhood's interior and the trail system along the reservoir.

In addition to compliance with the Comprehensive Plan, the request is justified because the existing zoning is inappropriate and improper and the proposed zoning is appropriate. The current zoning is A-U and any type of agricultural use would be increasingly difficult as most of the surrounding area have developed as residential subdivisions and commercial businesses. On the other hand, the proposed R-3 and R-4 zoning is appropriate in that it will allow the property to be developed as residential consistent with the types and densities of residential uses in the area and long recommended by Future Land Use maps in previous Comprehensive Plans.

We will be at the November public hearing in order to make a complete presentation of this application and request your favorable consideration.

Sincerely,


Stoll Keenon Ogden PLLC

William M. Lear, Jr
Nick Nicholson

WML:NN