

Statement of Justification

The applicant, Core Lexington 685 Limestone, LLC, is applying for a zone change from the R-3 zone to the B-1 zone for approximately 1.35 acres of land located in the northwest corner of the intersection of South Limestone Street and Virginia Avenue in Lexington. The property includes 119, 121, 123 and 131 Virginia Avenue, 665, 685 and 693 South Limestone Street, and 662 Maxwellton Court. The property is currently the site of a temporary gravel parking lot for the University of Kentucky. 662 Maxwellton Court is the site of a residence. The applicant has a contract to purchase the property from the University of Kentucky.

The applicant is an affiliate of Core Spaces, a company which builds and manages mixed use developments, mainly in university communities. It has constructed developments in Seattle, Washington; Tucson, Arizona; Eugene, Oregon; Madison, Wisconsin; Columbia, South Carolina; Oxford, Mississippi, and Tempe, Arizona. In addition, it has projects underway in a number of other communities including Ann Arbor, Michigan, West Lafayette, Indiana, and Tuscaloosa, Alabama. Its goal is to design, build and manage high quality mixed-use developments in educational markets.

The property at the corner of Virginia Avenue and South Limestone Street is ideally suited for a campus-oriented mixed-use development. Our proposal includes street level retail space, a two-level parking garage, and residential units above. It will be a six to seven story building which will be consistent with the University of Kentucky buildings which are in close proximity, especially the new health services corridor. Immediately across Virginia Avenue are five to seven story buildings which are part of the health/research program at the University. There is a new research building under construction across the street.

Because the property is in a corridor which has a strong pedestrian component, the first floor will be retail which will serve university students and visitors to the health corridor. Off-street parking will be provided in the garage, for those who arrive by automobile. Parking will also be provided for the residential units.

Through our development plan, we are requesting approval of a Form-Based Neighborhood Business Project under Article 8-16(o)(3) of the Zoning Ordinance. Because this portion of the University of Kentucky campus has developed with great density, the Form-Based Project will allow construction of this mixed use development which will be consistent in size and scale with the University development.

This proposal is in agreement with the 2013 Comprehensive Plan. The mission statement of the 2013 Plan is to provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life and fosters regional planning and economic development. The mission includes promoting successful, accessible neighborhoods. This mixed-use, pedestrian friendly development will promote the ongoing success of the University area.

In addition, this proposal is in agreement with the Goals & Objectives of the 2013 Comprehensive Plan. Theme A is to grow successful neighborhoods. Goal A.1. is to expand housing choices. Objective A.1.a. is to pursue regulatory approaches that encourage creativity

and sustainability in housing development. This proposal will utilize the newly created Form-Based Neighborhood Business Project to attain these goals.

Objective A.1.b. is to plan for housing that addresses the market needs for all of Lexington-Fayette County's residents, including mixed-use and housing near employment and commercial centers. This development will provide mixed-use and housing near the University of Kentucky, the community's largest employment area.

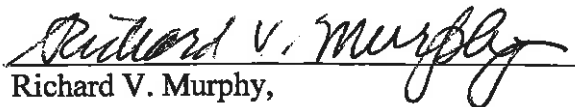
This development supports infill and redevelopment in the Urban Service Area as a strategic component of growth, as called for in Goal A.2. This largely vacant lot is an opportunity for infill and redevelopment that respects the area's context and design features, as called for in Objective A.2.a. This development will provide well-designed neighborhoods and communities, as called for in Goal A.3. It carries out the public commitment to expanded options for mixed-use and mixed-housing throughout Lexington and Fayette County (Objective A.3.a.). It will minimize disruption of natural features, as called for in Objective A.3.c.

This proposal will reduce Lexington-Fayette County's carbon footprint, by providing retail and housing areas within walking and bicycling distance of its major employment and educational center (Goal B.2.).

This proposal will improve a desirable community (Theme D) by providing services and housing in close proximity to the University, and by encouraging walking and bicycling (Objective D.1.b.). It will provide for accessible community facilities and services to meet the health, safety and quality of life needs of the community's residents and visitors, as called for in Goal D.2. It is a result of collaboration with educational and healthcare entities to meet the need of the community's residents and visitors, as called for in Objective D.2.b.

The utilization of the Form-Based Project will assist in upholding the Urban Service Area concept (Goal E.1.) by encouraging compact, contiguous and mixed-use sustainable development within the Urban Service Area, as guided by market demand, to accommodate future growth needs (Objective E.1.b.). It will assist in maintaining the current boundary of the Urban Service Area (Goal E.3.).

Thank you for your consideration of this zone change request.


Richard V. Murphy,
Attorney for Applicant

Addition to Statement of Justification

This is an addition to the Statement of Justification submitted by Core Lexington 685 Limestone, LLC, for the property at the northwest corner of South Limestone Street and Virginia Avenue.

In addition to the zone change, the applicant is requesting a variance to the required parking in the Infill and Redevelopment area.

Section 7-6(b) allows a reduction in the minimum number of parking spaces of up to 50% of the otherwise required number in the Infill and Redevelopment area. Without a variance, this project would be required to supply 205 parking spaces (227 spaces less a 5% credit for transit stop, and 5% credit for bicycle spaces). We are proposing 160 spaces, a reduction of about 22%. The residential parking actually needed for the project is based upon the experience of the applicant in more than 22 student-oriented developments in other communities.

This project is surrounded on three sides by the University of Kentucky campus. Residents who are students will not need automobiles to get around campus. Pedestrian accessibility is one of the features that will attract residents to this building. The residential parking will be long-term parking; experience shows that the cars are moved only two or three days per week. Based upon the applicant's historical parking demand experience with campus-based urban infill projects, the amount of spaces provided is more than sufficient for the project.

The retail portion of the building is being allocated more spaces than our potential retailer requested. The retail portion of the building will be oriented to people who live in the higher density housing facilities in the immediate area, to residents of this building, and to persons who are visiting the adjacent University of Kentucky campus and hospital. Again, we do not anticipate a large number of people who will be driving to the retail store. The University of Kentucky has recently constructed a large parking garage across Virginia Avenue from the site, and there are additional garages for patients and visitors to the south on South Limestone Street.

No purpose would be served by requiring construction of excess parking. Thus, we are requesting this variance for the following reasons:

1. Granting this variance will not adversely affect the public, 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 has supplied adequate parking, based upon its experience in building mixed-use retail/residential developments in a number of other university communities across the country.

2. Granting this variance will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because the ordinance allows reduction of parking

requirements in the Infill and Redevelopment area. This is a development which will be drawing more pedestrian traffic than automobile traffic.

3. The special circumstances which apply to this property and which do not generally apply to the land in the general vicinity or in the same zone are that this is a development oriented to residents who want to be within walking distance of the University of Kentucky campus and its associated hospital facilities. The commercial portion is also a pedestrian oriented development, and it is anticipated that most traffic will be pedestrian traffic. In addition, the University of Kentucky has constructed parking garages in the immediate vicinity of this property.

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 in a high density urban development, excess parking is not needed or desirable and takes up valuable space which can be utilized for retail or residential purposes.

5. The circumstances surrounding the requested variance are not the result of actions this applicant has taken subsequent to the regulation from which relief is sought. No construction has started. Reductions in parking are allowed in the Infill and Redevelopment area.

We are also requesting two variances for a 28-foot section of the boundary of the subject property behind the property at 135 Virginia Avenue, adjacent to Maxwellton Court. The variance requested is a reduction of the required landscape buffer from 15 feet to 0 feet, and a reduction of the required setback from 10 feet to 0 feet for this 28-foot section of the boundary of the property.

The reasons for these variances are because at that point, there will be an access point from the property on to Maxwellton Court. The property is only 30 feet wide at that point, and if the variances were not granted, the property would not have enough room to provide safe, two-way access in and out of the property. We are requesting these variances 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 purpose is to provide a safe exit and entrance on Maxwellton Court.

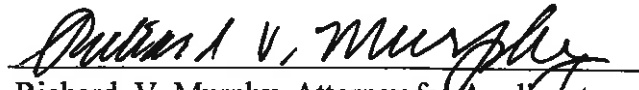
2. Granting these variances will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because setback and landscape areas will be provided along the remainder of the property, where required. The adjacent property contains a parking lot at this location.

3. The special circumstances which apply to this property and which do not generally apply to the land in the general vicinity or in the same zone are that this property is unusually shaped in the rear, and has only 30 feet of frontage on Maxwellton Court. A safe access point would not be provided if the setbacks were required at this location.

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 applicant would not have adequate access to the public right-of-way.

5. The circumstances surrounding the requested variance are not the result of actions this applicant has taken subsequent to the regulation from which relief is sought. This property was originally subdivided with only 30 feet of access onto Maxwellton Court.

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


Richard, V. Murphy, Attorney for Applicant