

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

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

APPLICANT:	Steve and Cathy Snowden, 690 Gingermill Lane, Lexington, KY 40509 (859) 621-0584
OWNER:	Applicant
ATTORNEY:	Richard Murphy, 250 West Main Street, Suite 2510, Lexington, KY 40507 (859) 233-9811

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

708-712 Henry Clay Boulevard

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	Residential	B-1	Retail	0.172	0.217
R-1C	Retail	B-1	Retail	0.137	0.186
			Total	0.309	0.403

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Residential	R-1C
East	Residential	R-1C
South	Residential	R-1C
West	Residential	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 <u>40%</u> 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 checked="" type="checkbox"/> Existing	<input 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 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 checked="" type="checkbox"/> more appropriate than the existing zoning	<input type="checkbox"/> 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. I further certify that I am OWNER or HOLDER of an agreement to purchase this property since _____.

APPLICANT _____	DATE _____
OWNER <u>Steve Snowden</u>	DATE <u>Jan 7 2013</u>
LFUCG EMPLOYEE/OFFICER, if applicable _____	DATE _____

7. Statement of Justification

The applicant, Steve Snowden, is requesting your approval of a zone change from the single-family residential (R-1C) zone to the Neighborhood Business (B-1) zone for approximately 0.3 net acres which is adjacent to or part of the neighborhood shopping center at the intersection of Liberty Road and Henry Clay Boulevard.

Mr. and Mrs. Snowden purchased the shopping center less than two years ago in March, 2011. Since the purchase, they have revitalized the retail center. At the time it was purchased, the center was in disrepair and was largely vacant. Mr. and Mrs. Snowden have renovated the building, modernized the center, and it is now 100% occupied. It serves as a vital part of the surrounding residential area. The current occupants of the shopping center include the Lunch Box restaurant, a chiropractic/wellness center, a cupcake bakery, and an antique and fine consignment store.

The purpose of this zone change is to ensure the continued viability of the shopping center. There are two parts to this zone change application. First, a portion of the existing shopping center, which fronts on Liberty Road, is currently zoned R-1C. The owners wish to make improvements to the parking lot behind this section of the shopping center; a zone change would make the use a conforming use and would allow these changes to be made. The main change would be to pave the existing gravel parking area to the rear.

The second part of the zone change relates to the property at 708 Henry Clay Boulevard. There is an existing residential structure on the property. However, the shopping center and the residence have always shared the driveway. We are asking for a zone change to allow 708 Henry Clay Boulevard to be rezoned to the B-1 zone.

Currently there is no screening or buffering between the B-1 area and the property at 708 Henry Clay Boulevard. As mentioned above, the properties share a driveway. The driveway itself appears to be located on the shopping center property, and the residence has parallel parking spaces off of the driveway. There is no landscaping or other separation between the business and residential uses.

Also, it is important for the shopping center to make a small addition to maintain enough space to remain viable. Addition of retail space would assist all users in the shopping center. Most important, rezoning of this tract will allow the applicants to reduce an on-street parking problem along Henry Clay Boulevard. Currently, during peak hours, a number of cars park along Henry Clay Boulevard. This zone change will allow us to add about 12 parking spaces which will greatly alleviate the on-street parking situation.

The first portion of the zone change request, along Liberty Road, is in direct agreement with the land use recommendation of the 2007 comprehensive plan. The comprehensive plan designates that portion of the property as "retail trade". B-1 zoning is in direct agreement with

the retail trade designation. As to the second part of the zone change request, as mentioned above, a portion of the property has been used as a joint driveway for access to the rear of the shopping center and to the residential use. Currently, all deliveries to the shopping center use this driveway and a gravel parking area to the rear, to make deliveries to the stores. The dumpster is also located to the rear. Rezoning of this property to the B-1 zone will allow the shopping center to be more self-contained. It will allow on-site deliveries using a paved parking area; it will allow us to alleviate the on-street parking situation, and it will allow us to create a buffer between the shopping center and adjacent residential uses. It will allow for the continued, long-term viability of this important neighborhood retail area. Both the 2007 Goals and Objectives and the 2012 Goals and Objectives favor strengthening neighborhood shopping areas such as this. The 2012 Goals and Objectives call for support of infill and redevelopment throughout the Urban Service Area as a strategic component of growth (Goal A2). Areas of opportunity for infill and redevelopment should be identified which respect the area's context and design features (Goal A2a). Small neighborhood centers such as this promote neighborhood interaction, as advocated by Goal A3b. In addition, small neighborhood center such as this provide entertainment and quality of life opportunities that attract young professionals and a workforce of all ages to Lexington, as called for by Goal C2d. Finally, this neighborhood center provides for accessible community facilities and services to meet the health and quality of life needs of the community's residents as called for in Goal D2. The 2007 plan calls for the revitalization of existing neighborhood business areas (Goal 15 G). Neighborhood centers such as this promote human-scale, bicycle, and pedestrian-friendly neighborhoods as called for by Goal 15 K. This proposal will ensure the continued the viability of a non-residential use that is compatible with existing developed areas (Goal 7 I). As stated in Goal 8G, this zone change request will revitalize and enhance this existing neighborhood center and businesses. It will be compatible with and complementary to existing development (Goal 8H). Adequate urban services and infrastructure are in place or are planned, as called for by Goal 8L. Goal 10 F calls for promotion and enhancement of facilities in and around the downtown area which are necessary to support and attract tourism. Finally, Goal 11 calls for provision of diverse business and employment opportunities for Lexington-Fayette County.

In summary, the existing R-1C zoning is inappropriate and the proposed B-1 zoning is appropriate for this property. This zone change will bring the property along Liberty Road into conforming status and allow improvements to the parking area to be made. As for the Henry Clay Boulevard frontage, this zone change will allow a small expansion of the neighborhood center, will allow an appropriate and safe parking and loading area to be provided for the center, and will provide a separation between the B-1 area and the R-1C area. It will alleviate on-street parking problems. It is in agreement with the Goals and Objectives of both the 2007 and 2012 comprehensive plan, which call for the revitalization and improvement of existing neighborhood business areas which provide human-scale services and vitality to existing neighborhoods.

Thank you for your consideration of this zone change request.

Richard V. Murphy

Richard V. Murphy

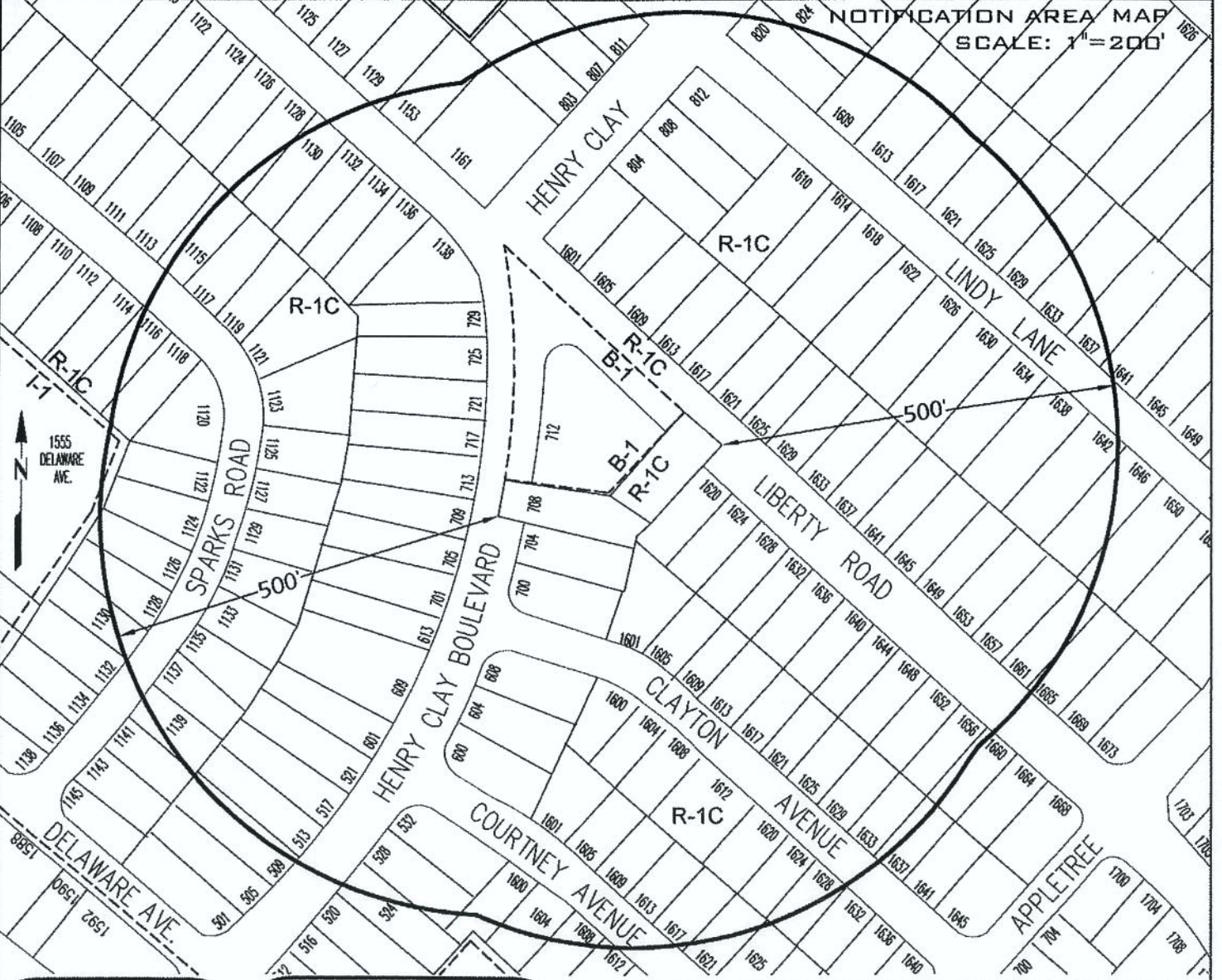
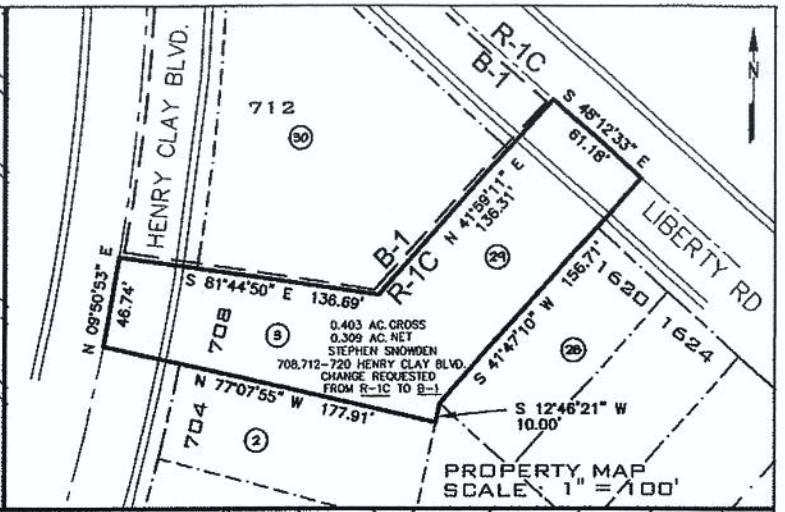
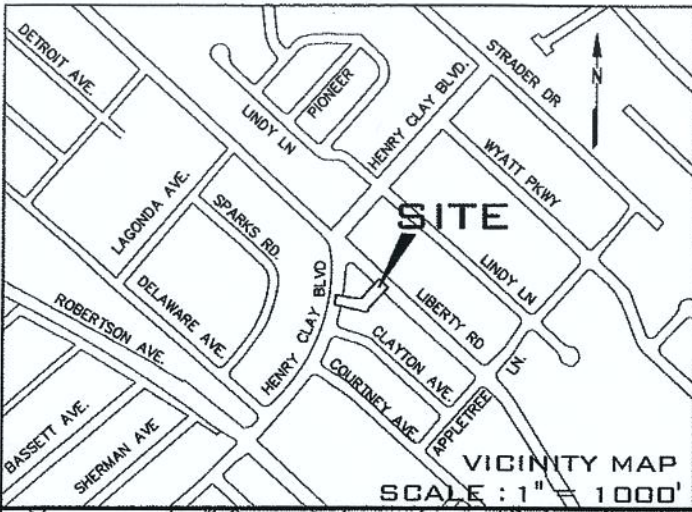
Attorney for Applicant

Legal Description

For: 708 & 712 (a portion of) Henry Clay Blvd.

Zone Change

Beginning in the centerline of Henry Clay Blvd., at the common lot line extended between 708 and 712 Henry Clay Blvd. Thence, with said common line for two calls S 81°44'50" E 136.69', and N 41°59'11" E 136.31', to a point in the centerline of Liberty Road. Thence along said centerline S 48°12'33" E 61.18' to a point at the common lot line extended between 712 Henry Clay Blvd. and 1620 Liberty Road. Thence, with said common lot line, S 41°47'10" W 156.71', to a common corner with 1620 Liberty Road and 1601 Clayton Ave. Thence, along the common line with 1601 Clayton Avenue S 12°46'21" W 10.00', to a common corner with 704 and 708 Henry Clay Blvd. Thence, with said line, N 77°07'55" W 177.91' to a point in the centerline of Henry Clay Blvd. Thence, along said centerline, N 09°50'53" E 46.74' to the point of beginning. having an area of 17,543.89 square feet. 0.403 acres.



ZONE CHANGE PROPERTY INFORMATION MAP

STATE of KENTUCKY
JUSTIN D. DRURY
3843
LICENSED PROFESSIONAL LAND SURVEYOR

2020 LAND SURVEYING
2216 YOUNG DRIVE
SUITE 7B
LEXINGTON KY, 40505
PHONE 859-268-1044
FAX 859-268-1049
MOBILE 229-2278

PROPERTY ADDRESS: 708 -712 HENRY CLAY BOULEVARD
OWNER/APPLICANT:
STEVE & CATHY SNOWDEN
690 GINGERMILL LANE
LEXINGTON, KENTUCKY 40509

FROM	TO	GROSS	NET
R-1C	B-1	0.403 AC.	0.309 AC.
TOTAL		0.403 AC.	0.309 AC.

DATE FILED: 1/22/13