

MAR 2015-13

Date Received 7/6/15

Pre-Application Date 5/20/15

Filing Fee \$490.00

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

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

APPLICANT: Greer Nick Rd II, LLC, 866 Malabu Dr, Ste 250, LEXINGTON KY, 40502
(859) 269-1966

OWNER: Greer Nick Rd II, LLC, 866 Malabu Dr, Ste 250; LEXINGTON KY, 40502
1201 S Broadway:
Greer Petroleum, LLC, 866 Malabu Dr, Ste 252, LEXINGTON, KY, 40502

ATTORNEY: N/A

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

1201 S Broadway, 406 Pyke Rd and 408 Pyke Rd

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	Single Family Residential	B-3	Commercial	0.33	0.39
B-1	Commercial	B-3	Commercial	0.79	1.08
Total				1.12	1.47

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Residential	R-1C
East	Commercial / Retail / Vacant	B-3
South	Commercial / Retail	B-1
West	Medical	B-1

5. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved? YES NO

b. Have any such dwelling units been present on the subject property in the past 12 months? YES NO

c. Are these units currently occupied by households earning under 40 % of the median income?
If yes, how many units? houses are vacant
If yes, please provide a written statement outlining any efforts to be undertaken to assist those residents in obtaining alternative housing. YES 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... 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. I further certify that I am OWNER or HOLDER of an agreement to purchase this property since _____

APPLICANT Phil Greer DATE 07/10/15

OWNER _____ DATE _____

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

Section 7: Justification for Requested Change

The requested zone change to Highway Service Business (B-3) Zone consists of 1.47 Acres (Gross), 1.12 Acres (Net). Currently the property is zoned as follows; a combined 1.08 Acres (Gross), 0.79 Acres (Net) Neighborhood Business (B-1) Zone located at 1201 South Broadway and 406 Pyke Street; and a combined 0.39 Acres (Gross), 0.33 Acres (Net) Single Family Residential (R-1C) Zone located at the rear of 1201 South Broadway and 408 Pyke Street.

The proposed development is bounded on three sides by public streets. To the North East, this development fronts along Pyke Street for approximately 200 LF and runs from South Broadway to the North West. To the South East, this development fronts along South Broadway, a principal arterial for approximately 300 LF. To the South West, the property faces Gibson Avenue for approximately 200 LF and runs North West from South Broadway.

The requested Zone Change is more appropriate than the current Zone Change due to the location of the property fronting along South Broadway (US 68), an Urban Principal Arterial Street with an ADT of 31,700 Trips per day. The applicant wishes to combine the zone on all of these properties into a single Highway Service Business (B-3) Zone making them one cohesive development more suitably compatible with properties fronting along a busy arterial street. South Broadway could be characterized as a mix of many zones in the general vicinity of this development. Zones fronting along South Broadway include R-4, B-1, B-3, B-4, B-5P and P-1. Considering the classification of roadway and the ADT, this development would be appropriately zoned if it were a Highway Service Business (B-3) Zone.

Currently the property located at 1201 South Broadway has a Thornton's Convenient Store located on it. This property is split zoned with Neighborhood Business (B-1) Zone on the front portion of the property and Single Family Residential (R-1C) Zone located to the rear of the Thornton's Store. This zone change will clean up the split zone and make the property all one zone. The Thornton's Convenient store is compatible with the principal uses found in the Highway Service Business (B-3) Zone.

The applicant wishes to redevelop the properties located at 402, 406 and 408 Pyke Street. The commercial building located at 402 Pyke Street (formerly The Rag Peddler) is zoned Highway Service Business (B-3) and currently sits vacant and underutilized. The property to the rear of this is zoned Neighborhood Business (B-1) and was used as accessory parking by the Rag Peddler. And finally the property located at 408 Pyke Street was recently purchased by the applicant as a Master Commissioner sale. There are no occupants living in the house therefore know one will be displaced. By developing these three properties together, the applicant wants to market this property for a restaurant with a drive through. There will be ample room to the rear to screen from the adjoining residential properties.

With these properties being under a single zone of Highway Service Business (B-3) Zone instead of multiple zones, it creates a better corridor line as you move back towards the residential neighborhood. It eliminates stepping of the commercial zone within the block bounded by Pyke Street to the North East, South Broadway to the South East and Gibson Avenue to the South West. This way none of the residential lots in this block have commercial on two sides making it much easier to screen this development from the adjoining residences.

An additional bonus for granting this zone change will be meeting one of the Goals and Objectives of the 2013 Comprehensive Plan Theme C, Goal 1, Objective A. By keeping the Thornton's active and thriving and building a restaurant in place of the Rag Peddler, we will continue to employ and grow employment opportunities for people living in the general vicinity. Not only will this development provide jobs and careers for some, it will provide a place to work within walking distance of houses and apartments where they could live. This all being part of a successful community concept.

In Conclusion, for the reasons stated above, the proposed zone change request to Highway Service Business (B-3) Zone for properties located at 1201 South Broadway and 406 and 408 Pyke Street is more appropriate than their current zone of Neighborhood Business (B-1) Zone and Single Family Residential (R-1C) Zone.

The following description is intended for zoning purposes only. The description represents information depicted on documents of record found in the Scott 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 B-3
For
406 Pyke and a Portion of 1201 South Broadway
Lexington, Ky. 40502**

Beginning at a point on the centerline of Gibson Avenue, said point being North 41° 45' 37" West 261.90 feet from the centerline intersection of said Gibson Avenue and South Broadway;

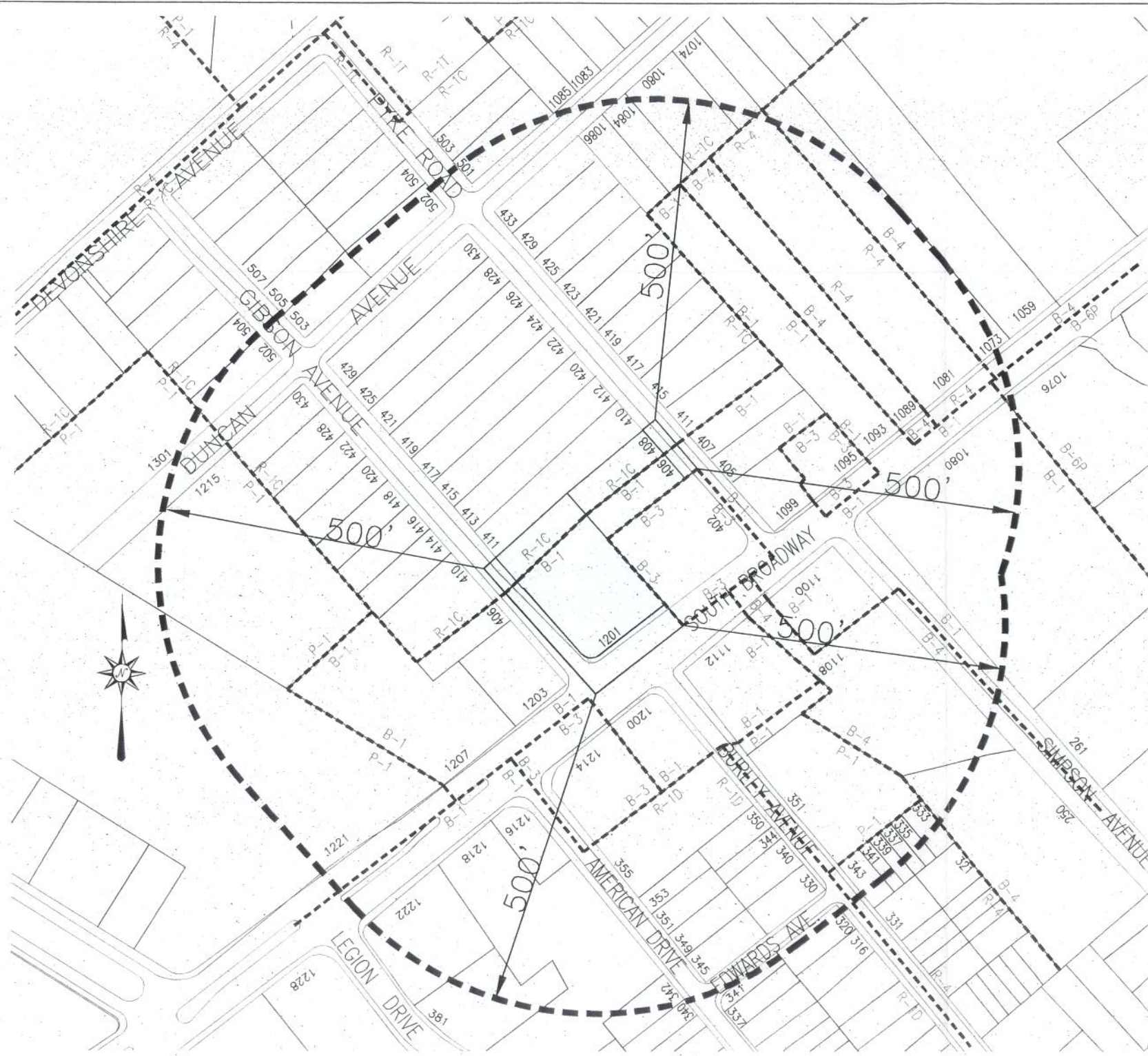
Thence North 45° 55' 27" East 24.59 feet to a point on the eastern Right-Of-Way line of Gibson Avenue;
Thence North 45° 55' 27" East 150.01 feet;
Thence North 51° 47' 52" East 153.47 feet to a point on the western Right-Of-Way line of Pyke Street;
Thence North 51° 47' 52" East 25.00 feet to a point on the centerline of said Pyke Street;
Thence South 40° 31' 30" East 50.00 feet with said centerline;
Thence South 51° 48' 53" West 25.00 feet to a point on the western Right-Of-Way of said Pyke Street;
Thence South 51° 48' 53" West 152.56 feet;
Thence South 41° 34' 05" East 135.03 feet to a point on the northern Right-Of-Way line of South Broadway;
Thence South 41° 34' 05" East 44.00 feet to a point on the centerline of said South Broadway;
Thence South 51° 39' 32" West 174.00 feet with said centerline to the point of centerline intersection of said South Broadway and Gibson Avenue;
Thence North 41° 45' 37" West 261.90 feet to the Point Of Beginning containing 1.08 Gross Acre and 0.79 Net Acre.

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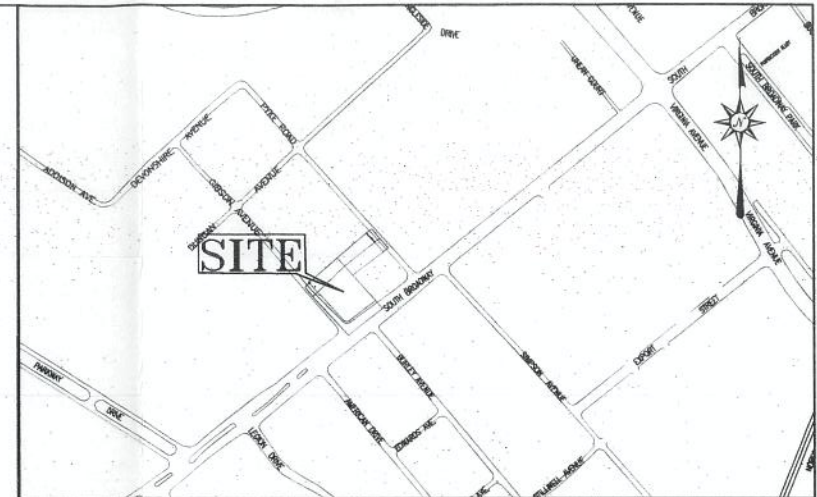
**Zone Change from R-1C TO B-3
For
408 Pyke and a Portion of 1201 South Broadway
Lexington, Ky. 40502**

Beginning at a point on the centerline of Gibson Avenue, said point being North 41° 45' 37" West 261.90 feet from the centerline intersection of said Gibson Avenue and South Broadway;

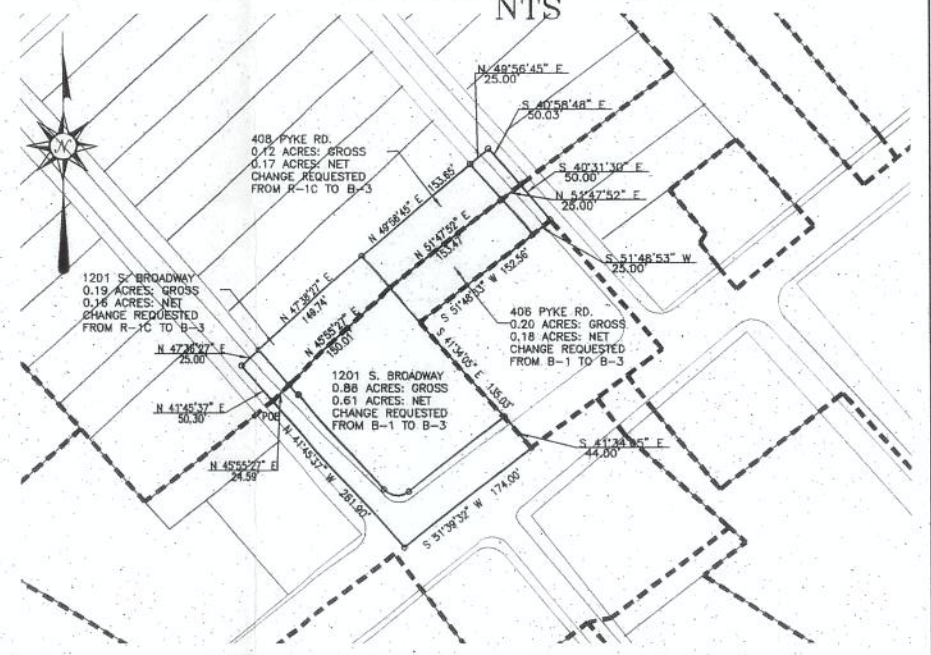
Thence North 41° 45' 37" East 50.30 feet with the centerline of Gibson Avenue;
Thence North 47° 36' 27" East 25.00 feet to a point in the eastern Right-of-Way of Gibson Avenue;
Thence North 47° 38' 27" East 149.74 feet;
Thence North 49° 56' 45" East 153.65 feet to a point in the western Right-Of-Way line of Pyke Street;
Thence North 49° 56' 45" East 25.00 feet to a point on the centerline of said Pyke Street;
Thence South 40° 58' 48" East 50.03 feet;
Thence South 51° 47' 52" West 25.00 feet to a point on the western Right-Of-Way line of said Pyke Street;
Thence South 51° 47' 52" West 153.47 feet;
Thence South 45° 55' 27" West 150.01 feet to a point on the eastern Right-Of-Way line of Gibson Avenue;
Thence South 45° 55' 27" West 24.59 feet to the Point of Beginning containing 0.39 Gross Acre and 0.33 Net Acre .



NOTIFICATION MAP
SCALE: 1"=200'



VICINITY MAP
NTS



PROPERTY INFORMATION MAP
SCALE: 1"=200'

ZOMAR:		TITLE: 1201 S. BROADWAY			
PROPERTY ADDRESS:	FROM	TO	GROSS	NET	
1201 S. BROADWAY	B-1	B-3	0.88	0.61	
1201 S. BROADWAY	R-1C	B-3	0.19	0.16	
406 PYKE RD.	B-1	B-3	0.20	0.18	
408 PYKE RD.	R-1C	B-3	0.20	0.17	
APPLICANT NAME / ADDRESS:					
GREER NICK RD II, LLC					
866 MALABU DR STE 250					
LEXINGTON, KENTUCKY 40502					
OWNER: GREER NICK RD II, LLC					
GREER PETROLEUM, LLC (1201 S BROADWAY)					
PREPARED BY: VISION ENGINEERING, LLC					
DATE FILED OR AMENDED: JULY 13, 2015			TOTAL	1.47 1.12	

