

MAR 2011-18 Date Received 10/31/11 Pre-Application Date 10/24/2011 Filing Fee \$ 760

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

### 1. ADDRESS INFORMATION (Name, Address, City/State/Zip, & PHONE NUMBER)

APPLICANT: Trinitas Ventures, LLC, Indiana limited liability company, 201 Main Street, Suite 1000, Lafayette, IN 47901

OWNER: TKM Properties, LLC, a Kentucky limited liability company, 2440 Innovation Dr., Lexington, KY 40511

ATTORNEY: Rena G. Wiseman, Stoll Keenon Ogden PLLC, 300 W. Vine St, Ste. 2100, Lexington, KY 40508, (859)231-3000

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

474, 497 and 498 Angliana Avenue

### 3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY (Use attachment, if needed--same format.)

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
I-2	Vacant	R-5	Multi-Family	8.10	8.29
B-4	Vacant	R-5	Multi-Family	2.03	2.4

### 4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Residential	R-4
East	Industrial - Railroad	I-1
South	Business/Industrial	B-4, I-2
West	Business	B-4

### 5. 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 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 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 2007.

APPLICANT  
OWNER

LFUCG EMPLOYEE/OFFICER, if applicable

Attorney for Trinitas Ventures, LLC

DATE 11/9/11  
DATE \_\_\_\_\_  
DATE \_\_\_\_\_



Ann McBrayer  
Kentucky Eagle Inc  
2440 Innovation Drive  
Lexington, KY 40511

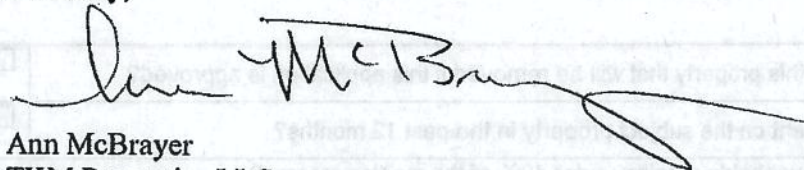
October 26, 2011

Traci Wade  
Senior Planner, Division of Planning  
Lexington-Fayette Urban County Government  
101 East Vine Street - Suite 700  
Lexington, KY 40507

Dear Traci:

I authorize Trinitas Ventures the right to re-zone the properties (approximately 10.03 acres) they currently have under contract with TKM Properties LLC (see attached survey). If there is anything else you need from me to ensure they hit their deadlines please don't hesitate to contact my office.

Sincerely,



Ann McBrayer  
TKM Properties LLC  
Manager





**STOLL  
KEENON  
OGDEN**

300 WEST VINE STREET  
SUITE 2100  
LEXINGTON, KY 40507-1801  
MAIN: (859) 231-3000  
FAX: (859) 253-1093

**RENA G. WISEMAN**  
DIRECT DIAL: (859)-231-3071  
rena.wiseman@skofirm.com

October 24, 2011

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

**RE: Zone Change Application of Trinitas Ventures**

Dear Members of the Planning Commission:

On behalf of Trinitas Ventures (Trinitas), we have filed a zone change application to High Rise Apartment (R-5) zone for approximately 10.13 acres located on the east and west sides of Angliana Avenue, between S. Broadway and Versailles Roads, and designated as 474, 497 and 498 Angliana Avenue. The subject properties located on the west side of Angliana Avenue (474 and 498) are presently zoned Wholesale and Warehouse Business (B-4) and recommended for Office/Warehouse (OW) by the Land Use Element of the 2007 Comprehensive Plan. The property located on the east side of Angliana Avenue (497) is presently zoned Heavy Industrial (I-2) and recommended for Downtown Master Plan (DTMP) in the Comprehensive Plan.

497 Angliana Avenue is the location of the former Southwestern Tobacco warehouse and is not occupied. 474 and 498 Angliana Avenue were previously used as a storage area for Kentucky Eagle delivery trucks and are listed as commercial vacant lots by the PVA. Trinitas proposes to remove the existing structures and redevelop the subject properties into an apartment community for University of Kentucky (UK) students and young adults ages 18-26. The proposed community will be consistent with the existing "5 Twenty-Four" Angliana complex located adjacent to the western subject property. Specifically, Trinitas proposes to construct an apartment community containing 280 units with a total of 700 bedrooms.

Trinitas is headquartered in Lafayette, Indiana and has developed similar projects at Indiana University, University of Illinois, Purdue University, IUPUI and University of Indianapolis. Currently, Trinitas is building a student apartment complex at Virginia Commonwealth University in Richmond, Virginia.

We submit that the zone change is justified based on three reasons. First, there has been a major physical and economic change in the area since the adoption of the 2007 Comprehensive Plan. Second, the existing zoning is inappropriate and the proposed R-5 zoning is appropriate.



Third, the request is consistent with Goal 8 of the Comprehensive Plan which encourages appropriate infill and redevelopment.

The unanticipated change in the area is the rezoning and redevelopment of the apartment complex located at 520-534 Angliana Avenue, known as 5 Twenty-Four Angliana. That property, along with the property across the street at 537 Angliana Avenue, was rezoned to the High Density Residential (R-4) category in 2007 in disagreement with the recommendations of the Comprehensive Plan. The property at 537 Angliana Avenue has not yet developed, but the 5 Twenty-Four Angliana complex is completed and has 228 units and 740 beds, primarily geared toward UK students. Accordingly, the rezoning and redevelopment of the adjacent properties is a major economic and physical change which has altered the character of the immediate area.

The existing B-4 zoning for the portion of the property on the western side of Angliana Avenue is inappropriate. Those properties are currently vacant and have not been redeveloped for a use within their current zoning classification. The I-2 property on the eastern side of Angliana Avenue is occupied by an abandoned tobacco warehouse and there is no demand for use of this facility either as a warehouse or as an adaptive reuse. In fact, a recent proposal to incorporate the warehouse into a mixed use project was recently abandoned.

However, the proposed R-5 zoning is appropriate and will be consistent with new development not only in the immediate area but along the South Broadway corridor. It has been well-documented that UK cannot meet the housing needs of its 25,000+ full-time students on-campus. And, the Planning Commission has acknowledged the need for and appropriateness of student housing in the area by approving the following zone changes: in 2003 (MAR 2003-27: Edwards Communities) and 2006 (MAR 2006-10: Edwards Communities) for development of Newtown Crossing apartments located on S. Broadway, directly across from Angliana Avenue; in 2005 (MARV 2005-32: Polaris Real Estate Equities, LLC) for development of The LEX apartments located at S. Broadway and Pine Street; and, in 2007 (MAR 2007-7: Progressive Capital Group, LLC) for development of the aforementioned 5 Twenty-Four Angliana apartments. Thus, the proposed project is consistent and appropriate with the surrounding area.

Student housing complexes in the S. Broadway/Angliana Ave. area are also appropriate because they decrease traffic congestion and relieve the pressure to provide student housing in more established and historic neighborhoods near campus. Furthermore, the increased student population in the area recently led LexTran to add a new route specifically to provide service to and from UK Campus.

The request is also consistent with Goal 8 of the Comprehensive Plan which identifies infill and redevelopment as a major strategy to revitalize established areas and neighborhoods and relieving the need to expand the Urban Service Boundary. The proposed project meets this Goal by converting two vacant lots into residential housing and by redeveloping an underutilized area that is uniquely suited to student housing due to its proximity to UK.

Allowing the subject properties to be redeveloped into apartments will provide much needed and quality housing to UK students and is consistent with the character of the South Broadway/Angliana area. For the reasons discussed above, we submit that the proposed R-5



October 24, 2011

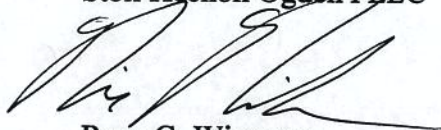
Page 3

zoning be approved.

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

Very truly yours,

Stoll Keenon Ogden PLLC

Handwritten signatures of Rena G. Wiseman and Nick Nicholson in black ink.

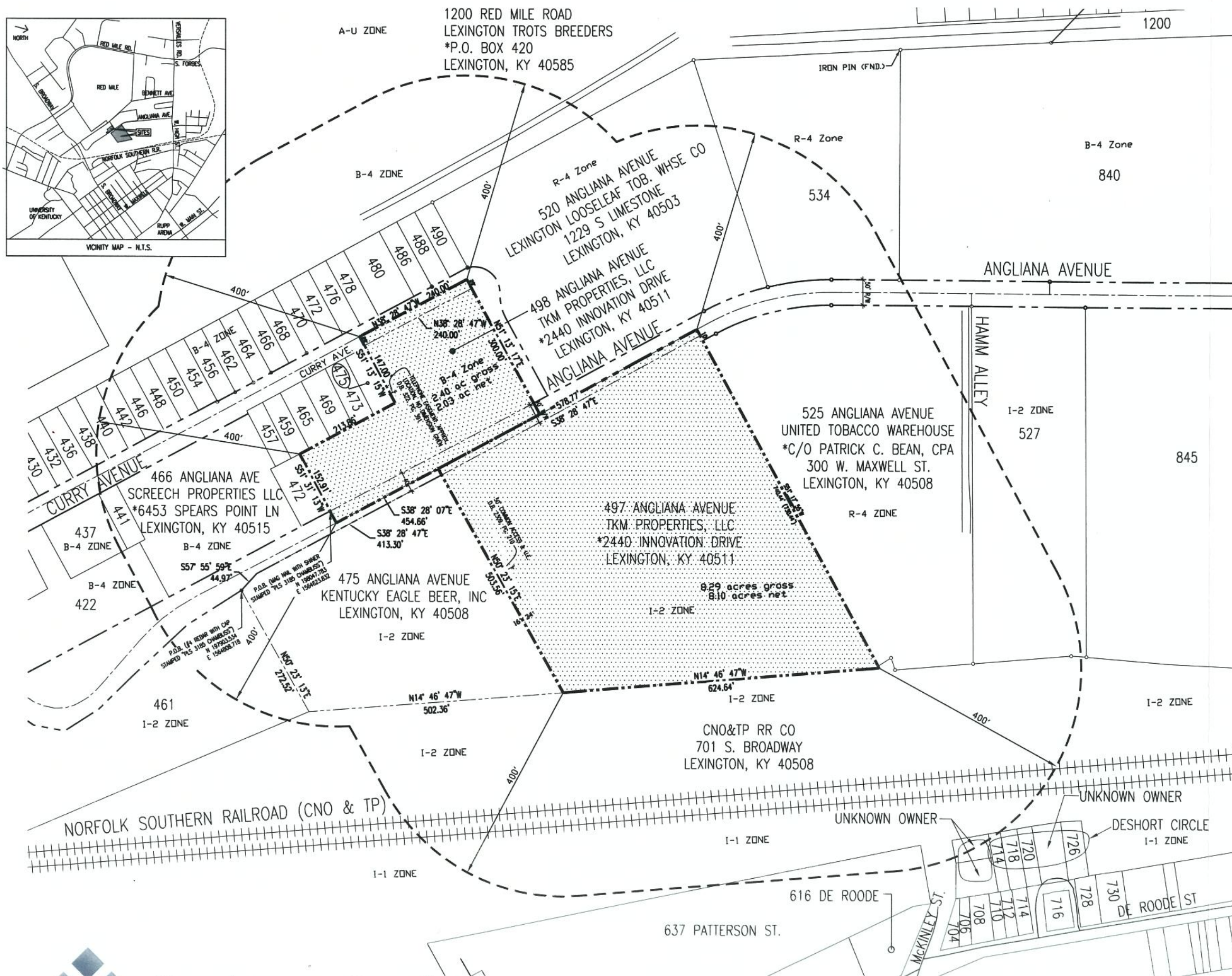
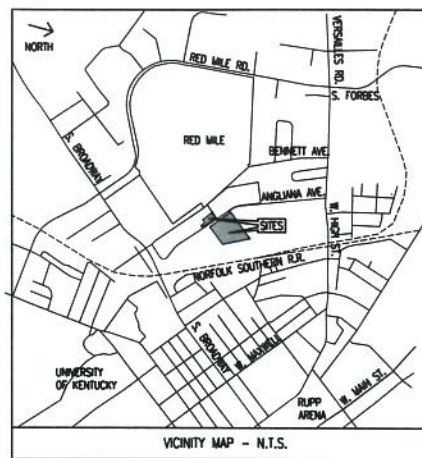
Rena G. Wiseman

Nick Nicholson

RGW:nn

115273.141619/4000797.6





NOTES: 1) ADJACENT PARCEL INFORMATION ARE FROM G.I.S. PARCELS, PURCHASED FROM THE CITY OF LEXINGTON IN 2006 AND HAVE BEEN REVISED USING MAPS FROM THE FAYETTE CO PVA WEBSITE.

2) THIS MAP SHOWN HEREON SHALL NOT BE USED FOR THE TRANSFER OR SALE OF PROPERTY AND IS NOT FOR CONSTRUCTION PURPOSES.



FROM	TO	NET	GROSS
1-2	R-5	8.10 ac	8.29 ac
B-4	R-5	2.03 ac	2.40 ac
TOTAL :		10.13 ac	10.69 ac

APPLICANT NAME: TRINITAS VENTURES LLC  
201 MAIN ST. SUITE 1000  
LAFAYETTE, IN 47901  
PH: 765-464-2800  
FAX: 765-464-2804

OWNER: TKM PROPERTIES LLC  
2440 INNOVATION DRIVE  
LEXINGTON, KY 40511

PREPARED BY: BRANDSTETTER CARROLL INC. 2360 CHAUVIN DR. LEXINGTON, KY 40517  
DATE FILED/AMENDED:



**Brandstetter Carroll Inc.**  
ARCHITECTS ENGINEERS PLANNERS  
CINCINNATI LEXINGTON CLEVELAND

# Property Information Map Trinitas Housing Project