

**GENERAL INFORMATION - Zoning Ordinance Text Amendment Application**

**1. APPLICANT INFORMATION:**

Name: **MV Residential Development, LLC**  
 Address: **9349 Waterstone Blvd.**  
 City, State, Zip Code: **Cincinnati, OH 45249**  
 Phone Number: **513-774-8400**

**2. ATTORNEY (Or Other Representative) INFORMATION:**

Name: **T. Bruce Simpson, Jr./Nick Nicholson, Stoll Keenon Ogden PLLC**  
 Address: **300 W. Vine St., Ste. 2100**  
 City, State, Zip Code: **Lexington, KY 40507**  
 Phone Number: **859-231-3000**

**3. DESCRIBE YOUR REQUESTED TEXT CHANGE:**

Date of Pre-Application Conference: 6/22/15

Zoning Ordinance Article #23A-7. Specific text change proposed:  
**(See attached)**

**4. DESCRIBE THE JUSTIFICATION FOR MAKING THIS CHANGE: (Use attachment if necessary.)**  
**(See attached letter)**

**5. SIGN THIS APPLICATION:**

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.

APPLICANT: *DAVID R. LIETTE* **AUTHORIZED SIGNER**

ATTORNEY (or other representative): \_\_\_\_\_

LFUCG EMPLOYEE/OFFICER, if applicable: \_\_\_\_\_

NOTE: Attorneys may submit a formal letter instead of this form; otherwise, fill in all box information requested above.



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July 6, 2015

Mr. Mike Owens, Chairperson  
Lexington-Fayette Urban County Planning Commission  
101 E. Vine St., 7<sup>th</sup> Floor  
Lexington, KY 40507

Re: Proposed Text Amendment to Article 23A-7(k)4  
(Expansion Area Residential 3 Zone)

Dear Chairperson Owens:

Our firm represents the MV Residential Development, LLC, a development company which seeks to build an upscale apartment community in Lexington. The subject property is located in the “Expansion Area” and is currently zoned “EAR-3”. The expressed intent of the EAR-3 zone is “to provide a mixture of housing uses and housing types at a higher density than the other Expansion Area residential zones, to allow density transfer from areas that should not be developed and to provide for well-designed neighborhoods.”

One of the provisions in the existing EAR-3 zoning ordinance precludes parking in a yard which abuts a collector street. Unless this restriction is amended, particularly for multifamily developments, it would require a number of persons living in apartments to walk great distances (in some cases 300 feet or longer depending on the size of the apartment community) to get to their motor vehicles. The text amendment we are proposing would allow for a reasonable amount of parking next to a collector street for multifamily developments but still preclude development scenarios where there would be a “sea of parking” or a vast number of parking spaces directly adjacent to a collector street.

The proposed text amendment represents a minor adjustment to the existing ordinance and is consistent with many of the goals, objectives and planning themes of the 2013 Comprehensive Plan. These goals, objectives and themes include, but are not limited to the following:

1. Theme A  
Growing Successful Neighborhoods

Goal 2: Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.

Objectives:

- a. Identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area's context and design features whenever possible.

2. Goal 3: Provide well designed neighborhoods and communities.

Objectives:

- a. Enable existing and new neighborhoods to flourish through improved regulation, expanded opportunities for neighborhood character preservation, and public commitment to expanded options for mixed-use and mixed-type housing throughout Lexington-Fayette County.
- b. Strive for positive and safe social interactions in neighborhoods, including, but not limited to, neighborhoods that are connected for pedestrians and various modes of transportation.

3. Theme D  
Improving a Desirable Community

Goal 1: Work to achieve an effective and comprehensive transportation system.

Objectives:

- a. Support the Complete Streets concept which includes, but is not limited to, the design and use of the right-of way for cars, bicycles, and pedestrians.
- b. Develop a viable network of accessible transportation alternatives for residents and commuters, which may include the use of mass transit, bicycles, walkways, ridesharing, greenways, and other strategies.
- c. Improve traffic operation strategies.

Goal 2: Provide for accessible community facilities and services to meet the health, safety and quality of life needs of Lexington-Fayette County's residents and visitors.

4. Theme E

Goal 1: Uphold the Urban Services Area concept.

- a. Encourage compact, contiguous, and/or mixed-use sustainable development within the Urban Service Area, as guided by market demand, to accommodate future growth needs.

The existing ordinance significantly discourages higher density residential developments from locating in Expansion Area 3 when the subject property is next to a collector street. Persons who live in apartments want to park their motor vehicles as close to their residential unit as possible. Having to walk long distances, particularly during inclement weather or late at night in order to get to their home, is not a desired option for any resident.

The 2013 Comprehensive Plan emphasizes the need to increase residential density while at the same encouraging well designed neighborhood communities. Adoption of the proposed text amendment, which is attached hereto, will help to implement these important planning objectives.

We look forward to presenting this text amendment to the Planning Commission for its favorable consideration during the August 27th meeting.

Thank you.

Very truly yours,



T. Bruce Simpson, Jr.

**Proposed Text Amendment to Article 23A-7(k)4**

The following language shall be deleted in its entirety: “There shall be no off-street parking permitted in a yard which abuts a collector street.”, and inserted in lieu thereof the following sentence: “No more than twenty-five percent (25%) of the required off-street parking for a multi-family residential development shall be located between the closest residential building and the right of way of any collector street.”