

GENERAL INFORMATION: MAP AMENDMENT REQUEST (MAR) APPLICATION

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

APPLICANT: Solomon Van Meter, PO Box 1966, Lexington, KY 40588-1966 (859) 221-3165

OWNER: John William Cole, 431 S. Broadway, Suite 211, Lexington, KY 40508 (859) 252-4462

ATTORNEY:

2. ADDRESS OF APPLICANTS PROPERTY (ATTACH LEGAL DESCRIPTION)

1447 Antique Drive, Lexington, KY 40511

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

Existing		Requested		Acreage	
Zoning	Use	Zoning	Use	Net	Gross
B-4	Vacant	B-1	Nursing home, rest home, assisted living facility	2.8650 acres	3.4570 acres

4. SURROUNDING PROPERTY, ZONING & USE

Property	Use	Zoning
North	Multi-family residential	B-1
East	Business	B-1
South	Business	B-1
West	Business	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 within the past 12 months? YES NO

c. Are these units currently occupied by households earning 40% of the median income? YES NO
 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. N/A 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 type="checkbox"/> Existing	<input checked="" type="checkbox"/> To be constructed by	<input checked="" 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 current 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 May 8, 2015

APPLICANT *Solomon Van Meter* DATE 7/2/2015

OWNER *John William Cole* DATE 7/2/2015

LFUCG EMPLOYEE/OFFICER, if applicable _____ DATE _____

STATEMENT OF JUSTIFICATION

The undersigned Applicant requests your approval of a zone change from B-4 (wholesale and warehouse business) *back* to B-1 (neighborhood business) for 2.8650 net acres (3.4570 gross acres) located at 1447 Antique Drive.

The Applicant is also requesting a variance extending the *maximum* front yard established by Section 8-16(h)(b) of the Zoning Ordinance from 20 feet to 100 feet.

Zone Change

In order to meet the anticipated surge in the senior population of Fayette County in the coming years (see, LFUCG 2013 Comprehensive Plan, pp. 16-18), Applicant plans to develop an assisted living or licensed personal care facility on this property.

The LFUCG 2013 Comprehensive Plan's Goals and Objectives recommend growing successful neighborhoods through planning for safe, affordable and accessible housing to meet the needs of older residents (Theme A, Goal #1, Obj. c) and supporting infill opportunities as a strategic component of growth (Theme A, Goal #2, Obj. a). The LFUCG 2013 Comprehensive Plan specifically recommends enabling infill that creates jobs where people live (Theme C, Goal #1, Obj. d). Another stated objective of the LFUCG 2013 Comprehensive Plan is the collaboration with healthcare entities to meet the needs of Lexington-Fayette County's residents (Theme D, Goal #2, Obj. b).

For at least 30 years prior to 2008 the property was zoned B-1. All of the properties surrounding the subject property are zoned B-1.

In 2008 the property was re-zoned to its current zoning of B-4, but with a significant list of prohibited uses and buffering restrictions added as conditions under the provisions of Article 6-7 of the Zoning Ordinance. The office, storage and light fabrication facility that was proposed by the applicant at that time (Southern Industrial, LLC) was never built and the property remains vacant land.

The property is generally triangular in shape. It is bounded by the Meadowthorpe Shopping Center on one side, offices and businesses on another side, and the edge of the Meadowthorpe residential neighborhood on the third side.

The property's original B-1 zoning is the most appropriate for this property.

- The proposed use is in keeping with both the residential character of the Meadowthorpe neighborhood to the north of the property and the business establishments on the other sides of the property.

- The proposed use would generate virtually no noise.
- What small amount of traffic would be generated by the proposed long-term care facility would have no adverse affect on any of the surrounding properties as there are three avenues of access (from both ends of Antique Drive and from an access drive through the Meadowthorpe Shopping Center).
- The proposed use is in harmony with the recommendations of the LFUCG 2013 Comprehensive Plan:
 - It will create approximately 25-30 new permanent jobs in Fayette County, many of which could be filled by residents of surrounding and nearby neighborhoods;
 - It is an infill project which will make use of vacant and underutilized land within the Urban Service Area and outside of the downtown area;
 - It is an infill project that is sensitive to the character and citizens of the Meadowthorpe neighborhood;
 - It addresses a recognized anticipated need for long-term care of the growing senior population of Fayette County and is located in a part of Fayette County that is underserved by such facilities.

The Applicant has experience in developing and operating long-term care facilities. The Applicant was the founder/developer of The Breckinridge on Cornerstone Drive in Lexington, a state-of-the-art long-term care facility that provides high quality care for people with Alzheimer's disease and related dementias. Like The Breckinridge, the long-term care facility proposed by the Applicant will be attractively designed and will incorporate many elements specifically to enhance the independence and quality of life of its residents.

The proposed facility will have a significant amount of landscaped outdoor space. Although primarily for the enjoyment of the residents of the proposed facility, this abundance of outdoor space will will have the additional benefits of minimizing the amount of impervious surface area in the development of the property and generally beautifying the area.

Because the property is relatively large and currently has some trees and shrubbery to provide shelter, it is attractive as a "camping" location for homeless and transient people. By eliminating this condition, the proposed development of the property will enhance the safety and overall value of the surrounding neighborhood.

Maximum Front Yard Variance

The Applicant proposes to develop a long-term care facility (assisted living or licensed personal care) on the property to serve the needs of Lexington-Fayette County's older residents. Although this use is a *principal use* in the B-1 zone (Zoning Ordinance 8-16(b-11)), it is conceptually different from the general type of "neighborhood shopping facilities" (Zoning Ordinance 8-16(a)) for which the new *maximum* front yard requirement was recently added in the B-1 zone.

Although the proposed facility will be a business, it will be inherently *residential* in function and needs to have a more residential appearance. Critical to that appearance is significant landscaping and a proportionately sized front yard.

The front yard of the property is the entire *east* side of Antique Drive. Unfortunately, the entire *west* side of Antique Drive is the *rear* of the stores and restaurants in the Meadowthorpe Shopping Center. The Applicant will need to mitigate the negative effect of the unattractive front yard view by having a significant amount of landscaping to *soften* it. This will require significantly more than 20 feet of front yard.

The property is in excess of 3 acres in size but has a unique triangular shape. The proposed long-term care facility will be approximately 18,000 to 20,000 square feet in size. Locating the facility on the property with 20 feet or less of front yard on Antique Drive would not allow the front yard to be in an esthetically pleasing proportion to the side and rear yards.

Increasing the maximum front yard from 20 feet to 100 feet would also be in keeping with the *relative proportions* the yards of the Meadowthorpe neighborhood that adjoins the property's north boundary. Businesses in the B-1 zone "should be oriented to the residential neighborhood" adjoining it (Zoning Ordinance 8-16(a)).

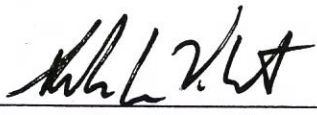
Finally, it is noted that there is an existing 80-foot "access easement" across more than half of the Antique Drive frontage of the property which will prevent any development of the property without a variance of the maximum front yard restriction of 8-16(h)(b).

Summary

In summary, the proposed re-zoning will (1) return the property to its most appropriate zoning and (2) allow the proposed infill development of the property which will be an attractive, low-impact addition to the area that will be sensitive to the character and citizens of the neighborhood that will create new permanent jobs.

The unique conditions resulting from (1) the "front yard" of the property being directly across from the unsightly back side of Meadowthorpe Shopping Center, (2) the size and unique triangle-shape of the property, and (3) the special requirements occasioned by the residential character of the proposed use of the property, support the granting of a variance extending the *maximum* front yard established by Section 8-16(h)(b) of the Zoning Ordinance from 20 feet to 100 feet.

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

 7/2/2015

Solomon Lee Van Meter, Applicant

LEGAL DESCRIPTION

Meadowthorpe Community Business Center Unit 1

Zone Change from B-4 to B-1

1447 Antique Drive,
Lexington, Fayette County, Kentucky

Being a parcel of land in the city of Lexington, Fayette County, Kentucky lying on the north side of Antique Drive between Burke Road and North Forbes Road and more particularly described as:

COMMENCING at a 5/8" diameter rebar found at the intersection of the east right-of-way of Burke Road and the north right-of-way of Antique Drive, and said point having Kentucky State Plane Coordinates of E(X)=1,561,932.05', N(Y)=206,362.59' (NAD 83, KY North Zone, US Survey Feet); thence with the right-of-way of Burke Road North 30°22'36" East a distance of 39.78' to the Point of Beginning, said point being a corner to Lot 1A of Meadowthorpe Unit 3 (Plat Cabinet E, Slide 728); thence from the

POINT OF BEGINNING and with the line of Meadowthorpe Unit 3 for two calls:

South 49°02'01" East a distance of 269.59' to a point; thence

North 82°59'02" East a distance of 386.25' to a point, said point being a corner to John William Cole (Deed Book 3217, Page 563, Lots 5-19 of Plat Cabinet E, Slide 711); thence South 07°00'58" East a distance of 380.00' to a point, said point being the northwest corner of S&B Cattle Company (Deed Book 1835, Page 196 - Lot 20A of Plat Cabinet A, Slide 58A); thence with the S&B Cattle Company, South 42°51'50" West a distance of 34.52' to a point; thence continuing with the Cattle Company and then the line of J & C Campbell Investment Company (Deed Book 3100, Page 704 - Lot 20 of Plat Cabinet A, Slide 58A), South 48°49'53" East a distance of 289.60' to a point in the centerline of North Forbes Road; thence with the centerline of North Forbes Road, South 41°06'38" West a distance of 60.00' to a point in the centerline of Antique Drive; thence with the centerline of Antique Drive, North 48°50'00" West a

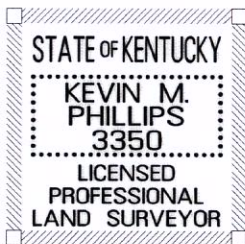
distance of 1131.52' to a point in the centerline of Burke Road; thence with the centerline of Burke Road for two calls:

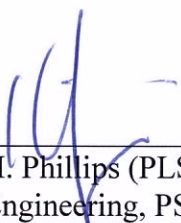
North 41°10'03" East a distance of 19.86' to a point; thence

North 30°22'36" East a distance of 39.78' to a point, said point being in the centerline of Meadowthorpe Avenue; thence leaving the centerline of Meadowthorpe Avenue, South 49°02'01" East a distance of 40.00' to a point, which is the Point of Beginning, having a Gross area of 3.4570 acres, and a Net area of 2.8650 acres

The Bearings and coordinates shown hereon are based on Kentucky State Plane Grid North, Kentucky State Plane North Zone, North American Datum of 1983 (NAD 83). Particularly, the bearings and coordinates are based on a GNSS Survey Utilizing a Trimble R6 GNSS Receiver and the KYTC VRS System.

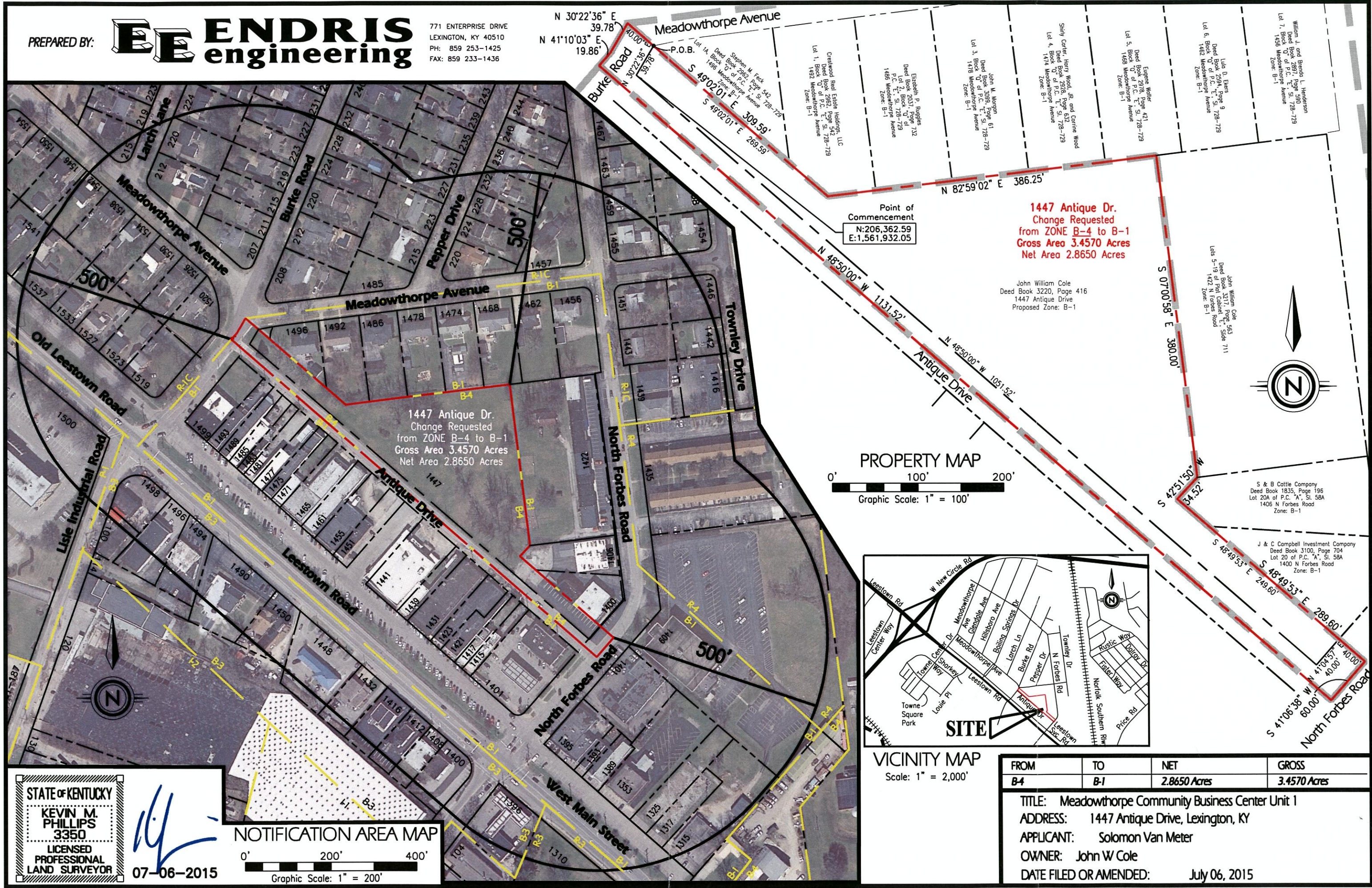
The description above being based on an actual ground survey of the property conducted under the direct supervision of Kevin Phillips (PLS 3350), of Endris Engineering, 771 Enterprise Drive, Lexington, Kentucky concluding on February 20, 2015.





Kevin M. Phillips (PLS 3350)
Endris Engineering, PSC
771 Enterprise Drive
Lexington, KY 40510

07-06-2015
Date



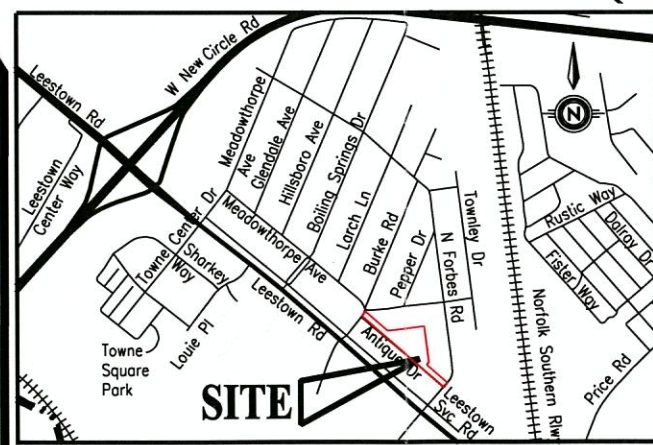
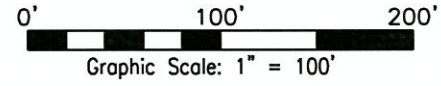
1447 Antique Dr.
 Change Requested
 from ZONE B-4 to B-1
 Gross Area 3.4570 Acres
 Net Area 2.8650 Acres

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 Change Requested
 from ZONE B-4 to B-1
 Gross Area 3.4570 Acres
 Net Area 2.8650 Acres

Point of
 Commencement
 N:206,362.59
 E:1,561,932.05

John William Cole
 Deed Book 3220, Page 416
 1447 Antique Drive
 Proposed Zone: B-1

PROPERTY MAP



VICINITY MAP

Scale: 1" = 2,000'

FROM	TO	NET	GROSS
B-4	B-1	2.8650 Acres	3.4570 Acres

TITLE: Meadowthorpe Community Business Center Unit 1
ADDRESS: 1447 Antique Drive, Lexington, KY
APPLICANT: Solomon Van Meter
OWNER: John W Cole
DATE FILED OR AMENDED: July 06, 2015

STATE OF KENTUCKY
KEVIN M. PHILLIPS
 3350
 LICENSED
 PROFESSIONAL
 LAND SURVEYOR

[Signature]
 07-06-2015

NOTIFICATION AREA MAP

