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March 6, 2017

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

Re: Zone Map Amendment Request for 1387 E. New Circle Road (a portion of)

Dear Members of the Lexington-Fayette Urban County Planning Commission,

We represent Turner Property 2, LLC, which owns two tracts of land at 1387 E. New Circle Road, Lexington, Kentucky 40507 ("Property"). One of those tracts is zoned Light Industrial (I-1) ("I-1 Tract") and the other is Single Family Residential (R-1B) ("R-1B Tract"). Our client has applied to change the zoning of the R-1B Tract to I-1.

Background

While technically separate tracts, the Fayette County Property Valuation Administrator shows the two tracts as having a single address. They are taxed and treated for all practical purposes as a single parcel. The I-1 Tract abuts New Circle Road, but the R-1B Tract has no direct road access and can only be reached by crossing the I-1 Tract. Improvements on the Property consist of a building built in 1969. The building is located primarily on the I-1 Tract. However, a corner of the building and some of the parking are located on the R-1B Tract, which therefore constitutes a nonconforming use. The proposed zone change will remove the nonconforming use and make the zoning of the tracts consistent with each other and the area as a whole.

Following the zone change, the property is slated to be the corporate headquarters of Amteck of Kentucky, LLC, which is an electrical construction, engineering, and fabrication company founded by Ron Turner in 1977. Amteck's plans include an interior and exterior renovation and enlargement of the existing building. The building will ultimately consist of offices (approximately 34% of floor space) and warehouse and fabrication space (approximately 66% of the floor space). The Turner family is known for attractive, high quality developments and this project will be no exception.

The addition to the building will be located in large part on the R-1B Tract. Because that is an enlargement of the nonconforming use, it is not permitted without the proposed zone change. The applicant believes that the I-1 zoning for the entire property is more appropriate than the current zoning and is consistent with the Comprehensive Plan.

The I-1 Zone is More Appropriate for this Property than the Current Zone

The Property is located in a busy area of New Circle Road and is surrounded predominantly by land that is zoned and used for I-1 and compatible commercial uses, including wholesale and warehouse business (B-4) and highway service business (B-3).

The R-1B Tract is rectangular in shape. It is bounded on the two sides closest to New Circle Road by property that is already zoned I-1. It is bounded on its other two sides by residential (R-1B) land. However, the residential lot along the southeast boundary of the R-1B Tract is vacant. That lot is over 3 acres and thus provides a substantial buffer between the R-1B Tract and the house on the opposite side of that lot.

Given the traffic and light industrial/commercial uses that dominate the area, there would seem to be little chance that the 3 acre parcel will ever be developed for residential purposes even if this zone change is denied. It appears there has been virtually no residential development in the immediate area for many years. Of the 9 houses in the notification area, the newest was built in 1981—36 years ago; the rest were built in the 1930s, 40s, and 50s. None of the residential land in the notification area abuts New Circle Road, and the majority is not used for residential purposes. At least one parcel is home to a church, and nearly 50 acres are used by the Fayette County Public Schools for school bus parking. All of the homes in the area are on different street than the R-1B Tract and most are not within sight.

Notably, the R-1B Tract has no road access and virtually no value or viable use as currently zoned. Without a zone change to allow a more suitable use, this nearly two acre tract, in a prime infill/redevelopment location, will likely remain vacant/underutilized and limit potential for the I-1 Tract.

The Zone Change is Consistent with the themes and objectives of the Comprehensive Plan

The Comprehensive Plan recognizes that “it is important to promote adaptive reuse of older industrial areas.” Zoning Ordinance, 8-22(a). Consideration “should be given to the relationship of [the I-1] zone to the surrounding land uses and the adequacy of the street system to serve the anticipated traffic needs.” *Id.*

One of the objectives of Theme A is to “identify areas of opportunity for infill, redevelopment and adaptive reuse that respect the area’s context and design features whenever possible.” Theme B calls to “identify and protect natural resources and landscapes before development occurs.” Theme C encourages “infill and redevelopment that creates jobs where people live.” Under Theme F, effort should be made to avoid encroaching on the Urban Service

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Area boundary. “[U]nderperforming or underutilized lands may be victim of changing economic models, technology, or public taste, or failures of earlier planning efforts.” “Urban infill and redevelopment strategies that accommodate growth responsibly, preserve vibrant neighborhoods, and encourage job creation in turn provide safeguards to rural land.”

The proposed zone change readily meets these and other directives of the 2013 Comprehensive Plan. It will involve converting an underutilized building in a central commercial location to a modern and attractive work place for approximately 75 employees, and it will do so well within the existing footprint of the Urban Service Area. The proposed use is consistent with the current character and use of the area, and the existing local infrastructure, including roads, are sufficient to support the new zone.

Tor the foregoing reasons, the applicant respectfully requests that the zoning of the R-1B Tract be changed to I-1

Sincerely,

MORGAN & POTTINGER, P.S.C.



Jacob (Jake) K. Michul

cc: Turner Property 2, LLC