

January 10, 2019

Urban County Planning Commission
Division of Planning – Planning Services Section
c/o Mr. William Wilson, Chairperson
200 East Main Street
Lexington, Kentucky 40507

Re: Amended Application
Justice Plaza LLC / PLN-MAR-18-00015
1916 Justice Drive from B-5P to B-6P
1750 Pleasant Ridge Drive from B-5P to B-6P

Dear Members of the Planning Commission:

We represent Justice Plaza LLC for its amended application for a zone map amendment request for the property located at 1916 Justice Drive and, which now also includes, 1750 Pleasant Ridge Drive (collectively, “Property”). The Property is 4.939 acres gross (4.050 acres net). The applicant owns 1916 Justice Drive, and the owner of 1750 Pleasant Ridge Drive, Kentucky Nickel Investments LLC, has consented to the application, as amended. The Property is currently zoned Interchange Service Business (B-5P) Zone. The applicant is seeking to rezone the Property from the B-5P Zone to the Commercial Center (B-6P) Zone.

The applicant desires to rezone the Property to bring them in conformity with the majority of other the properties in the immediate area and allow greater flexibility for uses in this commercial area. The immediate area consists of many commercial uses, comprising two blocks of properties, bordered by Pleasant Ridge Drive and Bryant Road. All of those properties are currently zoned either B-5P Zone or B-6P Zone, with the majority of the properties being the latter. Currently, the properties in the B-6P Zone exceed 12.50 acres. With approval of the zone change for the Property, those two blocks will have almost 17 acres located in the B-6P Zone.

Within the last few years, the current owners have developed the Property into its current layout. 1916 Justice Drive is used as a retail center (constructed in 2017) with two casual dining restaurants. The owner of 1750 Pleasant Ridge Drive is constructing a hotel on the Property, and the B-6P Zone was recently amended to allow hotels so long as located within a commercial center zone with a minimum of ten acres. The Property already complies with the current design standards of the B-6P Zone, including, without limitation, the maximum required parking and the minimum Lot Coverage and Floor Area Ratio.

BINGHAM GREENEBAUM DOLL LLP

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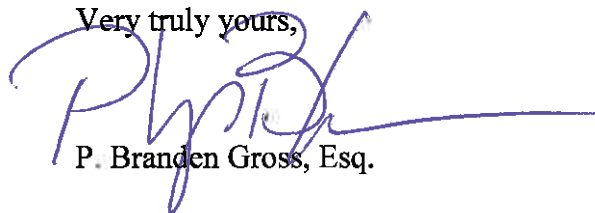
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The zone change would allow the owners a wider range of business and professional uses for the Property. The retail center, and even the hotel, would have the flexibility to offer new uses to complement current and future uses of the area. With the B-6P Zone, the Property (like most other properties in the immediate area) would have the flexibility to offer more retail business uses, office uses, and other uses that create centers of activity to promote commerce and retail. The B-5P Zone prohibits most retail uses and professional uses.

The Property is already the type of development encouraged by the 2013 Comprehensive Plan and is in accord with many of the goals and objectives of both the 2013 Comprehensive Plan and the adopted 2018 Goals and Objectives. The Property includes a hotel to accommodate the demand for higher density housing and a mixture of housing types, and the hotel gives tourists, temporary business workers and other visitors access to areas with abundant community facilities, retail, entertainment and commerce opportunities (Theme A and Theme C). The rezone would allow the Property to increase the types of community facilities, retail, entertainment and commerce opportunities in the area (Theme C). Allowing additional retail and professional businesses in the area will assist with expanding community facilities and meeting the quality of life needs of residents and visitors (Theme D of the 2013 Comprehensive Plan). Further, allowing additional retail business in the area will relieve some pressure, even if minor, to expand the Urban Service Area in the adjacent area (Theme E). Rezoning this development will allow the owners to further provide Lexington the facilities that the Comprehensive Plan encourages.

We look forward with working with you on this amended application.

Very truly yours,



P. Branden Gross, Esq.

cc: Justice Plaza LLC
Kentucky Nickel Investments LLC