

Supplement to Justification for requested rezoning

The applicant has amended its development plan to reduce the footprint of the buildings, eliminate three of the four variances requested and improve the development.

Features of our requested R-4 development are as follows;

- The streetscape on Burley Avenue is preserved, and limited to two stories. The streetscape on Burley Avenue utilizes the alternate design standards established for a Group Residential Project within the Infill and Redevelopment Area.
- The footprint of the development has been reduced.
- Along American Avenue, the design is pedestrian and street-oriented in a more urban-type development, closer to the street.
- All driveways on American Avenue have been eliminated.
- Parking will be interior, rather than following the current pattern on American Avenue which can include unlimited, overflowing parking.
- The streets will be widened to a larger cross-section.
- The new units consist of one-bedroom units, with existing three and four-bedroom units. This will provide greater housing choice, and greater diversity among residents. One-bedroom units appeal to upperclassmen, graduate students, and persons working in the university area.
- The vast majority of properties in this area are non-owner occupied. This development breaks the pattern of continuous four-bedroom, four-bathroom, single-family detached rental homes which do not provide infrastructure improvements, and do not appeal to a diverse base of residents.
- This proposal is the result of cooperation between potentially competing property owners which will result in better designed residential units with greater infrastructure, eliminating front yard parking. If lots were redeveloped on an individual basis, it would result in additional student-oriented four-bedroom, four-bath single-family detached residential structures.

This proposal is in agreement with the 2013 Comprehensive Plan for the following reasons:

- Part of the mission of the 2013 Comprehensive Plan is to ensure that development of the community preserves quality of life and promotes successful, accessible neighborhoods.

- This proposal is in agreement with Theme A, Growing Successful Neighborhoods, and Goal A.1., Expand Housing Choices. It provides one-bedroom apartment units, at a scale which is in keeping with the neighborhood.
- It agrees with Objective A.1.b., which is to plan for housing that addresses the market needs for all of Lexington-Fayette County's residents, including, but not limited to mixed-use and housing near employment and commercial centers.
- This proposal supports Goal A.2., which supports infill and redevelopment throughout the Urban Service Area as a strategic component of growth. This proposal will increase density near the University of Kentucky, consistent with the development of the existing neighborhood.
- Theme A.2.a. calls for identification for opportunities for infill, redevelopment and adaptive reuse that respect the area's context and design features whenever possible. Three houses along American Avenue require significant investment and could be replaced. Replacement with a consistent development, rather than three individual houses with three individual parking areas and three driveways, respects the area's context.
- The proposal agrees with Goal A.3., by providing well-designed neighborhoods and communities. Since this is a redevelopment, it will minimize disruption of natural features (Objective A.3.c.).
- By providing housing near the University of Kentucky, it will reduce Lexington's carbon footprint (Goal B.2.).
- The proposal upholds the Urban Service Area concept (Goal E.1) and encourages compact, contiguous development within the Urban Service Area, as guided by market demand, to accommodate future growth needs (Theme E.1.b.).
- It will assist in maintaining the current boundaries of the Urban Service Area (Goal E.3.).
- This development will provide housing choice within a neighborhood as called for on Page 40 of the Comprehensive Plan: "By providing housing choices within a neighborhood, residents of a community have greater options of where to live, particularly when the components of housing choice include access to jobs and schools, affordability, and housing type...Diverse neighborhoods feature townhomes, apartments and condominiums and duplex housing adjacent and mixed with single-family homes."

In addition, this proposal is in agreement with the Goals and Objectives of the 2018 Comprehensive Plan:

- Goal A.1.: Expand housing choices
- Objective A.1.b.: Accommodate the demand for housing in Lexington responsibly, prioritizing higher-density and mixture of housing types.
- Goal A.2: Support infill and redevelopment throughout the Urban Service Area as a strategic component of growth.
- Objective A.2.a: Identify areas of opportunity for infill, redevelopment, adaptive reuse and mixed-use development.
- Objective A.3.c: Minimize disruption of natural features when building new communities.
- Goal B.2.: Reduce Lexington-Fayette County's carbon footprint.
- Goal E.1.: Uphold the Urban Service Area concept
- Objective E.1.d: Maximize development on vacant land within the Urban Service Area and promote redevelopment of underutilized land in a manner that enhances existing urban form and/or historic features.
- Goal E.3.: Maintain the current boundaries of the Urban Service Area and rural activity centers; and create no new rural activity centers.

We withdraw all of our variance requests except for the request for a reduction in the required front yard along American Avenue from twenty feet to eight feet. Granting this variance will allow the applicant to improve the streetscape of American Avenue by improving the street infrastructure, and eliminating curb cuts and driveways. It will allow us to put parking in the rear and build a two-story, pedestrian-scale building along American Avenue. It will result in a more unified and cohesive development than would individual redevelopment of single-family homes on each of the three lots on American Avenue.

Thus, we are requesting this variance for the following reasons:

1. Granting this variance will not adversely affect the public health, safety or welfare, and will not alter the character of the general vicinity, and will not cause a hazard or nuisance to the public, because the applicant will be improving the streetscape of American Avenue and improving the infrastructure. Parking will be placed in the rear, rather than the front or side of each property. All existing driveway and curb cut openings will be eliminated along American Avenue. Placement of the building closer to the street on American Avenue will present a more urban appearance than would redevelopment of the lots individually.

2. Granting this variance will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because infrastructure will be improved, driveways will be

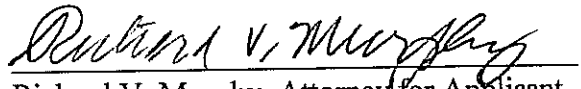
eliminated and group parking will be provided behind the structures, improving the appearance of the neighborhood.

3. The special circumstances which apply to this property and which do not generally apply to land in the general vicinity or in the same zone are that this is a cooperative redevelopment among adjoining land owners. Instead of replacement of existing houses with narrow, two-story buildings, each having its own driveway and access point, the redevelopment will respect the character of the area through the size and height of the proposed buildings (two stories). It will allow more diverse types of housing.

4. Strict application of the regulations of the Zoning Ordinance would deprive the applicant of a reasonable use of its land or create an unnecessary hardship because it would eliminate the incentive to place parking behind each building and improve the character of the area, and would encourage the individual lot owner to develop lots separately. The Comprehensive Plan calls for identifying underutilized properties which can be redeveloped.

5. The circumstances surrounding the requested variances are not the result of actions this applicant has taken subsequent to the regulation from which relief is sought. No construction has started. It results from efforts of developers to work together to improve the area.

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


Richard V. Murphy, Attorney for Applicant