

Rec'd by _____

Date: _____

RECOMMENDATION OF THE
URBAN COUNTY PLANNING COMMISSION
OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY

IN RE: **PLN-MAR-25-00014: CS ACQUISITION VEHICLE, LLC.** – a petition for a zone map amendment from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone for 2.003 net (2.716 gross) acres for properties located at 251-273 Maxwell St (odd #s) 256-271 Kalmia Ave (even #s).

Having considered the above matter on **September 25, 2025**, at a Public Hearing, and having voted **8-2** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The proposed Downtown Business Frame (B-2A) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The request will help meet an increase in the demand for housing, particularly for University of Kentucky students (Theme A, Goal #1.b and #1.d; Theme A, Goal #2.a).
 - b. The request incorporates changes in the massing and height of the structure in order to transition into the scale of development currently present in the area (Theme A, Goal #2.b).
 - c. The request de-emphasizes single-occupancy vehicles by limiting parking on-site and providing for direct multi-modal connections to the University of Kentucky and the greater downtown area (Theme B, Goal #2.d).
2. The proposal is in agreement with the Policies of the 2045 Comprehensive Plan for the following reasons:
 - a. The request meets the Multi-Family Design Standards (Theme A, Design Policy #3).
 - b. By creating a step down in height, the proposed structure is sensitive to the surrounding context (Theme A, Design Policy #4).
 - c. The proposal provides for additional residential density along a downtown corridor (Theme A, Density Policy #1 and #2).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2045 Comprehensive Plan.
 - a. The proposed rezoning meets the criteria for Land Use, as the request significantly increases residential density along a downtown corridor (A-DN2-1; E-TS8-2).
 - b. The proposed rezoning meets the criteria for Transportation, Connectivity, and Walkability, as the request provides accessible links to transit (A-DS1-1), widens the sidewalks present on the site (ADS4-1 and ADS5-1), creates a walkable streetscape (A-DS5-2).
 - c. The request meets the criteria for Environmental Sustainability and Resiliency, as the request does not impact any environmentally sensitive areas (B-PR-2-1), and incorporates an integrated parking structure to reduce surface parking and impervious surface present with the development (B-SU4- 1).
 - d. The proposal meets the criteria for Site Design, as the development activates the streetscapes along all four sides (A-DS5-4), improves pedestrian connectivity in the area (C-LI8-1), limits on-site parking (C-PS10-2), and provides for programmed open space (D-PL4-1).
 - e. The plan meets the majority of the criteria for Building Form, as the request meets the Multi-Family Design Standards (A-DS3-1), incorporates height transitions to better relate to the existing context of development further along Rose Street (A-DS4-2), and provides for active first-floor uses that improve the pedestrian experience on the site (A-DS5-3; D-PL2-1).

4. This recommendation of approval is subject to the following conditional zoning restrictions:
- a. Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses shall be prohibited:
 - i. Establishments for the display, rental, or sale of automobiles, motorcycles, trucks and boats.
 - ii. Hotels and motels.
 - iii. Wholesale establishments.
 - iv. Minor automobile and truck repair.
 - v. Establishments primarily engaged in the sale of supplies and parts for vehicles and farm equipment.
 - vi. Drive-through facilities for sale of goods or products or provision of services otherwise permitted herein.
 - vii. Automobile and vehicle refueling stations and service stations
 - viii. Adult entertainment establishments
 - ix. Stadium and exhibition halls
 - b. The property shall be developed with a minimum of 100 dwelling units per acre.

These restrictions are necessary and appropriate in order to maintain the character of the E. Maxwell Street corridor, protect the adjoining residential uses, as well as meet the Comprehensive Plan's goal of increasing the density of residential development in and near downtown, and along arterial corridors.

5. This recommendation is made subject to approval and certification of PLN-MJDP-25-00051: LYNDHURST SUBDIVISION, BLOCK C (THE HUB ON EAST MAXWELL) prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

ATTEST: This 10th day of October, 2025.

Secretary, Jim Duncan

ZACH DAVIS
CHAIR

KRS 100.211(7) requires that the Council take action on this request by December 24, 2025.

Note: The corollary development plan, **PLN-MJDP-25-00051: LYNDHURST SUBDIVISION, BLOCK C (THE HUB ON EAST MAXWELL)** was approved by the Planning Commission on September 25, 2025, and certified on October 10, 2025.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Branden Gross, attorney for the applicant.**

OBJECTORS

- Katherine Pence, 344 E. High Street
- Alana Grace Broderson
- Wendy McAllister
- Richard Schein
- Dr. Zak Leonard, Historic Preservation Manager at the Bluegrass Trust
- Matthew Meyer, 265 Lindhurst Place
- Kathy Reynolds, Kappa Kappa Gamma Sorority
- April Bisee, 282 Rose Street
- Steven Trask, 360 Transylvania Park
- Maynard Leon, Aylesford Neighborhood Association
- John Michler, 415 E Maxwell Street

OBJECTIONS

- Stated that she was concerned about traffic and displacement of the current residents.
- Stated concerns with demolishing the historic homes and questioned the economic benefit of the development.
- Stated that the proposal will increase traffic in the area.
- Stated that the proposal results in the destruction of historic houses, and that the proposal eliminates “missing middle” housing opportunities.
- Stated that the proposal results in the destruction of historic houses, and that the proposal eliminates “missing middle” housing opportunities.
- Stated that they had negative experiences with other locations developed by the applicant, and that the proposal would result in the displacement of current residents.
- Stated that the request does not fit in with the character of the neighborhood and would increase traffic.
- Stated that she did not believe there was adequate public engagement, and that the proposal was out of character with the neighborhood.
- Stated that the proposal was an overcorrection to the student housing issue, and that the proposal would displace families.
- Stated that the scale and massing of the proposal are out of character for the neighborhood.
- Stated that the proposal’s economic value did not justify tearing down historic houses, and that the proposal will not foster a sense of community.

- Amy Clark, 628 Kastle Road
- Stated that the proposal goes against the history of the area and would be detrimental to existing residents' well-being.

VOTES WERE AS FOLLOWS:

AYES: (8) Barksdale, J. Davis, Z. Davis, Forester, Penn, Wilson, Nicol, and Worth
NAYS: (2) M. Davis, Michler
ABSENT: (1) Owens
ABSTAINED: (0)
DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR-25-00014** carried.

Enclosures: Application
Justification
Supplemental Justification
Legal Description
Property Map
Development Snapshot
Staff Report
Supplemental Staff Report
Applicable excerpts of minutes of above meeting