

ORDINANCE NO. 042 - 2026

AN ORDINANCE CHANGING THE ZONE FROM A PROFESSIONAL OFFICE (P-1) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 0.6049 NET (0.6436 GROSS) ACRES, FOR PROPERTY LOCATED AT 456 EAST HIGH STREET. (BREAD AND ROSES, LLC; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on April 23, 2026, a petition for a zoning ordinance map amendment for property located at 456 East High Street, changing the zone from a Professional Office (P-1) Zone to a Neighborhood Business (B-1) Zone, for 0.6049 net (0.6436 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 8-0; and

WHEREAS, the Urban County Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 456 East High Street, from a Professional Office (P-1) Zone to a Neighborhood Business(B-1) Zone, for 0.6049 net (0.6436 gross) acres, being more fully described in Exhibit “A,” which is attached hereto and incorporated herein by reference.

Section 2 – That, under the provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply to the subject property:

1. The following uses shall be prohibited:
 - a. Automobile service stations
 - b. Miniature golf courses
 - c. Carnivals and Circuses, even on a temporary basis
 - d. Drive-through facilities
 - e. Pawn shops
 - f. Gasoline pumps
 - g. Mining of non-metallic minerals
 - h. Parking lots and structures, other than as an accessory use
 - i. Rental of equipment whose retail sale would otherwise be permitted in a B-1 zone
 - j. Minor automobile repair
 - k. Funeral parlors

These conditional zoning restrictions are appropriate and necessary in order to

protect the character of the Aylesford Park Historic area as well as the character of the High Street corridor, and the limitation of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public.

Section 3 -- That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 4 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: June 4, 2026

MAYOR 

ATTEST:


CLERK OF URBAN COUNTY COUNCIL
PUBLISHED: June 12, 2026-1t

Rec'd by _____

Date: _____

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

IN RE: **PLN-MAR-26-00007: BREAD AND ROSES, LLC** – a petition for a zone map amendment from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.6049 net (0.6436 gross) acres for property located at 456 East High Street. (Council District 3)

Having considered the above matter on **April 23, 2026**, at a Public Hearing, and having voted **8-0** 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 requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed development will respect the context of the surrounding area by utilizing a structure that has been at this location since 1954 (Theme A, Goal #2.b).
 - b. The proposed development will help the existing neighborhood flourish by introducing new neighborhood scaled and oriented business uses into what was previously a strictly professional office development (Theme A, Goal #3.a).
 - c. The proposed development will encourage positive and safe social interactions by retaining the pedestrian connections to surrounding uses (Theme A, Goal #3.b).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The applicant is not proposing any changes to the exterior of the building and will remain within the character of the area (Design Policy #4).
 - b. The request will repurpose an existing structure for another use (Growth Policy #4).
 - c. This development provides pedestrian-friendly connections to other neighborhood-level commercial uses (Design Policy #5 and #12).
3. The justification and corollary development plan are in agreement with the development criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use as it promotes modifying the current office space to include low-intensity business uses that will provide neighborhood amenities in an existing mixed-use neighborhood (C-LI7-1, C-PS9-1, E-GR9-2).
 - b. The proposed rezoning meets the Transportation, Connectivity, and Walkability development criteria, as the proposal will utilize the existing pedestrian and vehicular connections that are in place for the existing office building, and the property is in close proximity to existing transit stop (A-DS1-2, A-DS4-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resilience as the existing tree canopy will be maintained, and native plants will be used for any new landscaping (B-PR7-1, B-SU11-1).
 - d. The proposed rezoning is compatible with the Site Design criteria as parking will continue to be oriented to the side and rear of the site. Additionally, over-parking will not occur as no new parking is being proposed (A-DS7-1, C-PS10-2).
 - e. The proposed rezoning meets the Building Form criteria as it is incorporating reuse of a viable existing structure and minimizes significant contrasts in scale, massing, and design (A-DN2-2, E-GR4-1).

4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:

a. Prohibited Uses:

- i. Automobile service stations
- ii. Miniature golf courses
- iii. Carnivals and Circuses, even on a temporary basis
- iv. Drive-through facilities
- v. Pawn shops
- vi. Gasoline pumps
- vii. Mining of non-metallic minerals
- viii. Parking lots and structures, other than as an accessory use
- ix. Rental of equipment whose retail sale would otherwise be permitted in a B-1 zone
- x. Minor automobile repair
- xi. Funeral parlors

These use restrictions are appropriate and necessary for the following reasons:

1. Staff finds that these restrictions are appropriate and necessary to protect the character of the Aylesford Park Historic area as well as the character of the High Street corridor.
 2. The limitations of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public.
5. This recommendation is made subject to approval and certification of PLN-MJDP-26-00020: BREAD & ROSES PROPERTY, 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 15th day of May, 2026.


Secretary, Jim Duncan

ZACH DAVIS
CHAIR

KRS 100.211(7) requires that the Council take action on this request by July 22, 2026.

Note: A dimensional variance was approved by the Planning Commission on April 23, 2026.

Note: The corollary development plan PLN-MJDP-26-00020: BREAD AND ROSES, LLC PROPERTY was approved by the Planning Commission on April 23, 2026, and certified on May 7, 2026.

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

OBJECTORS

- NONE

OBJECTIONS

- NONE

VOTES WERE AS FOLLOWS:

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

Motion for **APPROVAL** of **PLN-MAR-26-00007** carried.

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

MAP AMENDMENT REQUEST (MAR) APPLICATION

1. CONTACT INFORMATION (Name, Address, City/State/Zip & Phone No.)

Applicant: BREAD AND ROSES LLC, 417 E MAXWELL ST, LEXINGTON, KY 40508
Owner(s): BREAD AND ROSES LLC 417 E MAXWELL ST LEXINGTON KY 40508
Attorney: Richard V. Murphy, 250 WEST MAIN STREET, STE 2510, LEXINGTON, KY 40507 PH: 8592339811

2. ADDRESS OF APPLICANT'S PROPERTY

456 HIGH ST LEXINGTON KY 40507

3. ZONING, USE & ACREAGE OF APPLICANT'S PROPERTY

Zoning	Existing		Zoning	Requested		Acreage	
		Use			Use	Net	Gross
P-1		OFFICE	B-1		COMMERCIAL	0.6049	0.6436

4. EXISTING CONDITIONS

a. Are there any existing dwelling units on this property that will be removed if this application is approved?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b. Have any such dwelling units been present on the subject property in the past 12 months?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c. Are these units currently occupied by households earning under 40% of the median income? 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.	<input type="checkbox"/> YES <input type="checkbox"/> NO

5. URBAN SERVICES STATUS (Indicate whether existing, or how to be provided)

Roads:	LFUCG
Storm Sewers:	LFUCG
Sanity Sewers:	LFUCG
Refuse Collection:	LFUCG
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



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RICHARD V. MURPHY

CHRISTOPHER M. CLENDENEN

March 2, 2026

Mr. Zach Davis, Chairman
and Members of the Lexington-Fayette Urban County Planning Commission
200 East Main Street
Lexington, KY 40507

Re: Proposed zone change for 456 East High Street

Dear Chairman Davis and Members of the Planning Commission:

This letter is written behalf of Bread and Roses, LLC, which is filing a zone change application and development plan for the property at 456 East High Street. The property is approximately 0.6436 net acre and is currently zoned Professional Office (P-1). We are requesting a zone change to Neighborhood Business (B-1) zone. The property is the site of a one-story building. No exterior changes will be made to the building. The purpose of the zone change is to allow a wider range of community-appropriate businesses to be located in the building.

INTRODUCTION

Bread and Roses, LLC is a company owned by members of the Michler family. Three years ago, Bread and Roses purchased the adjoining property at 446 East High Street, and requested a zone change to the B-1 zone in order to allow a bakery to locate in the building. The bakery is associated with the Kentucky Native Café at 417 East Maxwell Street. The café is located in the Michler Florist property. The café has become an urban oasis setting, indoors and outdoors all year around. It has become a neighborhood focal point.

Bread and Roses purchased the subject property, 456 East High Street, on January 19, 2026. When the contract to purchase was entered into, it was assumed that the long-time tenant, Hubbuch Interior Design, would continue in the building. However, shortly after the contract to purchase was signed, Hubbuch Interior Design informed Bread and Roses that it was closing its Lexington office, and would be ending its lease. Thus, the purpose of this zone change is to allow the building to be leased to a wider range of neighborhood-friendly commercial uses which would be appropriate next door to the Bread and Roses Bakery, and close to the Kentucky Native Café. The Michler family wants to build upon the positive momentum of the florist, café and bakery. We

wanted to initiate the zone change as soon as possible so that perspective tenants will not have to wait to move into the building. (It is also possible that if the right tenant is not found, a portion of Bread and Roses operations could move to this building).

DESCRIPTION OF PROJECT

There are no planned exterior changes to the one-story building on the property. The existing parking configuration will remain. The property is located within the Aylesford Historic District and has the H-1 designation. The building is in generally sound condition and was constructed in 1954. In many ways, this building along with the adjacent building also owned by Bread and Roses were ahead of their time as they were constructed close to the street with parking to the rear and side of each of the buildings. The present building is at the same setback as the neighboring building on 446 East High Street.

ENGAGEMENT

The applicant held an open house for the Aylesford Neighborhood Association in the Cafe next door on February 24, 2026. Three persons attended. It was mainly informational.

GOALS AND OBJECTIVES OF THE 2045 COMPREHENSIVE PLAN

This zone change is in agreement with the Goals and Objectives of the 2045 Comprehensive Plan. This proposal will support and enhance the neighborhood business and focal point, the Kentucky Native Café and bakery, and will allow complementary uses to strengthen this hub, as called for in Theme A, Growing and Sustaining Successful Neighborhoods. Although this proposal will not result in an additional building, other than the existing building, it will support Goal A.2., relating to infill and redevelopment, by allowing new businesses which will serve and support the neighborhood. As no exterior changes will be made to the building, it will respect the context and design features of the surrounding area (Objective A.2.b.). The greenspace with a 29-inch oak tree at the rear of the building will remain, supporting Objective A.2.c. By providing space for additional small businesses, it will support Goal A.3., to provide well-designed neighborhoods and communities. It will support Objectives A.3.a and A.3.b., which call for expanded opportunities for neighborhood character preservation and spaces for positive and safe social interactions in neighborhoods. Because no exterior changes are planned for the building or lot, we will minimize disruption of natural features (Objective A.3.c.). The existing building will provide neighborhood-serving businesses and will enhance the community focal point as called for in Objective A.3.d. It will provide community facilities at the neighborhood scale (Goal A.4.). The property has good transportation options. The front sidewalk connects to East High Street and the occupants will have access to the Kentucky Native Café through the adjoining property at 446 East High Street. East High Street has a dedicated bicycle lane, and is on a LexTran route. The existing parking will remain for those who drive. Thus, the property will be integrated, walkable, bicycle and transit accessible as called for Objective A.5.a. and Objective B.2.d.

The building is currently the site of an extremely low-intensity office use. By providing additional retail opportunities in the existing building in an established neighborhood on a major thoroughfare, it will strengthen efforts to develop a variety of opportunities that support a living

wage (Objective C.1.a.). It will enhance tourism (Objective C.1.d.) and will complement the Kentucky Native Café in providing entertainment and other quality of life opportunities that attract and retain young and culturally diverse professionals and a workforce of all ages and talents (Objective C.2.d.). By placing new businesses on a road with dedicated bicycle lanes and mass transit, it will support the use of mass transit and bicycles as well as walkways (Objectives D.1.b and D.1.c.).

As this property is located within the H-1 zone, preserving the current building will help protect this historic neighborhood and will incentivize maintenance of commercial structures (Objective D.3.a. and D.3.b.).

Finally, our proposal will also assist in upholding Theme E, Maintaining a Balance for Urban Uses, and upholding the Urban Service Area concept and will emphasize redevelopment of underutilized corridors (Theme E.1 and Objective E.1.d.).

THEMES AND POLICIES

This zone change proposal is also in agreement with many of the Themes and Policies of the Comprehensive Plan. Our proposal will remain sensitive to the surrounding context, preserving the existing building and exterior and will support pedestrian-friendly street patterns and walkable blocks by utilization of the existing sidewalks and the entrance to the Kentucky Native Café through the adjoining property. It will support and strengthen this neighborhood-level commercial area (Design Policies 4, 5 and 12). As to Pillar II: Density, this proposal is located along a current transit route (Density Policy 1) and will provide a greater density than the current use to enhance the existing neighborhood (Density Policy 2). It is well-designed for pedestrian use and will support Equity Policy 9 by being integrated into its neighborhood. As it is located along multi-model transportation options and will not be altering the exterior of the building or paving additional parking areas, it complies with Sustainability Policies 3 and 4. Native plants will be utilized for any new landscaping, Sustainability Policy 11. This proposal supports Livability Policies by improving the livability of downtown areas to support more community serving businesses and entertainment options and it will assist in maintaining a walkable city with quality transit (Livability Policies 4, 6 and 7). By continuing flexible parking arrangements with neighboring properties, the proposal will support Prosperity Policy 10. By locating additional local businesses on a transit route, it will support transit ridership (Connectivity Policy 3). The proposal will provide additional activation to the built environment (Placemaking Policy 2). As mentioned above, it will assist in upholding the Urban Service Area concept (Stewardship Policy 1). Finally, and importantly, this proposal promotes the adaptive reuse of an existing structure (Growth Policy 4).

PLACE-TYPE, DEVELOPMENT-TYPE AND REQUESTED ZONE

This proposal fits within the Enhanced Neighborhood Place-Type and within the Low Density Non-Residential/Mixed Use (LNR/MU) development-type. We are requesting the Neighborhood Business (B-1) zone, which is a recommended zone for this place-type and development-type. It is important to note that the existing Professional Office (P-1) zone is **not** a recommended zone for this place-type and development-type.

DEVELOPMENT CRITERIA

Here is a discussion of the criteria that were not specifically addressed on the development plan, or which need further discussion:

- **A-DS12-1.** This property is located immediately adjacent to 446 East High Street, which contains the bakery. It also has pedestrian access through that property to the Kentucky Native Café on Maxwell Street.
- **B-SU3-1.** This development will remain compact.
- **C-PS9-1.** Because this is a one-story building, it will not be practical to include residential use, but the uses will be complementary to the Kentucky Native Café, florist and related uses.
- **D-PL7-1.** The applicant held an open house for Aylesford Place Neighborhood Association members in February, 2026.
- **D-PL15-1.** There will be no drive-through facilities or gas stations on this property.
- **E-ST8-2.** The owners will rent to or provide community-oriented services.
- **A-DS1-1, A-DS1-2 and A-DS4-1.** This property is on a LexTran bus route and the building has sidewalk linkage to the sidewalk along the road. Due to the nature of the one-way street, seating and shelters would not be appropriate on this side of East High Street.
- **A-DS5-1, A-DS10-1, D-CO2-1 and D-CO2-2.** East High Street, as mentioned above, has a dedicated bike lane, sidewalks and is on a LexTran route. Pedestrian connections are provided to Kentucky Native Café on East Maxwell Street.
- **B-PR10-1, B-SU4-1 and B-SU5-1.** As mentioned above, this development will retain the existing building and exterior. No new impervious surfaces will be created, and the existing greenspace behind the building will be retained. Appropriate lighting is provided. Energy systems will be determined as new users are chosen.
- **B-SU11-1, B-RE1-1 and B-RE2-1.** This parcel has many mature trees which will be preserved. We are asking for variances so that we do not disturb existing trees with new fences or re-construction of parking areas. The tree canopy will be maintained. The Michler family has worked to maintain the tree canopy in the Kentucky Native Café and surrounding properties.
- **A-DS5-4, A-DS9-1 and C-LI8-1.** The pedestrian-oriented streetscape of this 70-year old building will remain. We wish to provide businesses which will serve and enhance this well-connected neighborhood.

- **A-DN2-2 and D-PL2-1.** The existing scale and massing will remain, as there will be no exterior changes to the building. This is a one-story building which faces the street.

VARIANCE REQUESTS

In addition the zone change application, we are requesting dimensional variances in order to retain, not disturb, the existing mature trees on the property, especially along the rear (west) property line. The two variances requested are to reduce the width of the required landscape buffer area from 15 feet to 4.4 feet along the western (rear) property line adjacent to the R-3 zone, and to eliminate the required six-foot fencing along the rear property line.

The applicant will retain the existing trees and vegetation within the buffer area. There are many sizable, tall, mature trees in that property line. In addition, over the years, informal pedestrian routes have been utilized between the properties on East High Street and the properties behind which face Maxwell Street. We are concerned that the installation of a six-foot fence would be almost impossible due to the number of trees, and it would disturb existing vegetation. It would also cut off the informal pedestrian linkages. The existing parking lot has been in existence for many decades, probably dating to 1954. We are very concerned that construction activity which would be needed to remove existing pavement would itself do greater damage to the existing trees than would leaving the paving as-is. Thus, we are requesting variances for the following reasons:

1. Granting these variances 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 existing landscaping will be maintained. The existing configuration of the parking area which has served the property well for many years will remain and will be shared by businesses that locate in the existing building, and will be shared with the neighboring businesses, as is the current practice. Although the ordinance allows the width to be reduced with the addition of a six-foot tall fence or wall, a fence or wall could not be placed in the landscape area without causing damage to many existing trees.

2. Granting these variances will not allow an unreasonable circumvention of the requirements of the Zoning Ordinance because the applicant is not requesting any change to the existing building or to the current parking and vehicular use area. There are many existing large, tall mature trees which the applicant will maintain.

3. The special circumstances which apply to this property and which do not generally apply to the general vicinity or in the same zone are that this zone change is for the purpose of adapting the use of the building to supply commercial services complementary to the neighborhood focal point which has developed around the Kentucky Native Café. The existing parking will serve the new businesses in this building, and will be shared with adjacent businesses as is the current practice. To enlarge the landscape area by removing existing paving will introduce construction activities which could potentially endanger the existing trees which have long-adapted to the existing paving situation on the property. Similarly, installation of a six-foot tall fence on the property would also harm the existing vegetation.

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 the existing layout of the property will be retained. The location of the building and pavement have been established for many decades, probably since 1954. The plants along the property line have long ago adapted to the existing terrain. It would be ill-advised to place a six-foot tall fence or wall along the property line, or to introduce construction activity to remove paving.

5. The circumstances surrounding the requested variances are not the result of the actions of this applicant taken subsequent to the regulation from which relief is sought. The applicant purchased the property six weeks prior to filing this application. The location of the building, sidewalks and vehicular use areas has been established for over half a century.

CONCLUSION

The applicants did not know that they would be losing a long-time tenant when they signed the purchase agreement on this property. A zone change to the B-1 zone (which is recommended in this place-type) from the P-1 zone (which is **not** recommended in this place-type) will allow the applicants the opportunity to appeal to a wider range of businesses, thus giving them more flexibility to attract new businesses which will complement the existing community business center and enhance the surrounding area.

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

Sincerely,



Richard V. Murphy
Murphy & Clendenen, PLLC,
Attorneys for Bread and Roses, LLC

RVM/prb

ENHANCED NEIGHBORHOOD

ENHANCED NEIGHBORHOOD - LOW DENSITY NON-RESIDENTIAL/MIXED USE

LAND USE

- A-DS12-1** Development should be located nearest to neighborhood serving commercial areas.
- A-DN2-1** Infill residential should aim to increase density.
- A-DN3-1** Pedestrian-oriented commercial opportunities and other services should be incorporated within residential neighborhoods.
- B-SU3-1** Development should provide compact and/or mixed use development.
- C-L17-1** Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
- C-PS9-1** Where possible, developments should modify current office space to include complementary uses, with a specific focus on the inclusion of residential.
- C-PS16-2** Improve options for affordable and nutritious food where not currently available.
- D-PL7-1** Stakeholders should be consulted to discuss site opportunities and constraints prior to submitting an application.
- D-PL15-1** Drive through facilities and gas stations should not be within neighborhoods or the urban core.
- D-SP1-1** Elementary and middle schools should be located within residential neighborhoods, and high schools primarily along collector streets.
- E-STB-2** Development should provide community oriented places and services.
- E-GR3-1** Development should meet recreational needs by following the recommendations of the Parks Master Plan.
- E-GR9-2** Low-intensity business uses that will provide neighborhood amenities should be incorporated into existing neighborhoods.
- E-GR9-3** Less intense multi-family residence types should be incorporated into primarily single-family detached areas.

TRANSPORTATION, CONNECTIVITY, AND WALKABILITY

- A-DS1-1** Mass transit infrastructure such as seating and shelters should be provided/enhanced along transit routes.
- A-DS1-2** Accessible pedestrian linkages to transit should be provided.
- A-DS4-1** A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.

ENHANCED NEIGHBORHOOD - LOW DENSITY NON-RESIDENTIAL/MIXED USE

- A-DS4-1** A plan for a connected multi-modal network to adjacent neighborhoods, greenspaces, developments and complementary uses should be provided.
- A-DS5-2** Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape.
- A-DS5-1** Safe multi-modal facilities should be provided to ensure vehicular separation from bicycles, pedestrians and other modes of transport.
- A-DS5-2** Developments should incorporate vertical elements, such as street trees and buildings, to create a walkable streetscape.
- A-DS10-1** New developments should incorporate clear and dedicated connections to nearby community anchors.
- A-DS11-1** Street layouts should provide clear, visible access to neighborhood-focused open space and greenspaces
- A-DS13-1** Stub streets should be connected.
- C-PS10-1** Flexible parking and shared parking arrangements should be utilized.
- D-CO2-1** Development should create and/or expand a connected multimodal transportation network that satisfies all users' needs.
- D-CO2-2** Development should comply with Lexington's Complete Streets Policy.
- D-CO4-1** Dead-end streets and cul-de-sacs should be discouraged.
- D-CO4-2** Provide multiple route options (grid type structure) to alleviate congestion in lieu of additional lanes upon existing roadways.
- D-CO4-3** Street pattern and design should consider site topography and minimize grading where possible.
- D-CO5-1** Streets should be designed with shorter block lengths, narrower widths, and traffic calming features.
- D-SP6-1** Social services and community facilities should be accessible via mass transit, bicycle and pedestrian transportation modes.

ENVIRONMENTAL SUSTAINABILITY AND RESILIENCY

- B-PR1-1** Impact on environmentally sensitive areas should be minimized within and adjacent to the proposed development site.
- B-PR2-2** Development should include regularly spaced access with an adequate width to the greenway network and conservation areas.
- B-PR3-1** Minimize impact of development adjacent to land conservation properties through buffering.
- B-PR7-1** Developments should be designed to minimize tree removal and to protect and preserve existing significant trees.

ENHANCED NEIGHBORHOOD - LOW DENSITY NON-RESIDENTIAL/MIXED USE

- B-PR9-1** Minimize grading and topsoil disturbance by utilizing the existing topography to the greatest extent possible and preserving key natural features.
- B-PR10-1** Development should avoid overlighting and upward directed lighting.
- B-SU4-1** Development should minimize and/or mitigate impervious surfaces.
- B-SU5-1** Developments should incorporate energy efficient systems and renewable energy resources (i.e. wind, solar, etc.).
- B-SU9-1** Green Stormwater Infrastructure (GSI) should be implemented in new development.
- B-SU11-1** Development should incorporate low impact landscaping and native plant species.
- B-RE1-1** Developments should improve the tree canopy.
- B-RE2-1** Lexington's green infrastructure network, including parks, trails, greenways, or natural areas should be highly visible and accessible.
- B-RES-1** Dividing floodplains into privately owned parcels with flood insurance should be avoided.
- B-RE5-2** Floodplains should be incorporated into accessible greenspace, and additional protection should be provided to areas around them.
- B-RE5-3** Developments within the Royal Springs Aquifer should consult with the Royal Springs Water Supply Protection Committee.
- D-SP10-1** Prioritize street trees in the planting strip.

SITE DESIGN

- A-DSS-4** Development should provide a pedestrian-oriented and activated streetscapes.
- A-DS7-1** Parking should be oriented to the interior or rear of the property for non-residential or multi-family developments.
- A-DS9-1** Development should provide active and engaging amenities within neighborhood focused open spaces.
- A-DS9-2** Where neighborhood open space or parks are not located within walking distance of a new development, applicants should incorporate these facilities.
- A-E09-1** School sites should be appropriately sized.
- A-E09-2** Shared open spaces should be easily accessible and clearly delineated from private open spaces.
- C-L18-1** Development should enhance a well-connected and activated public realm.

ENHANCED NEIGHBORHOOD - LOW DENSITY NON-RESIDENTIAL/MIXED USE

- C-PS10-2** Over-parking of new developments should be avoided.
- D-PL4-1** Enhance open space through the provision of programmatic elements and amenities
- D-PL10-1** Activate the streetscape or publicly visible areas by designating public art easements in prominent locations.
- D-SP1-2** School design should prioritize a high percentage of open and accessible street frontage.
- D-SP2-1** Visible, usable greenspace and other natural components should be incorporated into school sites.
- D-SP3-3** Adequate right-of-way, lease areas and easements for infrastructure, with emphasis on wireless communication networks should be provided to create reliable service throughout Lexington.
- D-SP3-2** Cellular tower antennae should be located to minimize intrusion and negative aesthetic impacts, and stealth towers and landscaping used to improve the visual impact from the roadway and residential areas.

BUILDING FORM

- A-DS3-1** Multi-family residential developments should comply with the Multi-family Design Standards in Appendix A.
- A-DS4-2** New construction should be at an appropriate scale to respect the context of neighboring structures; however, along major corridors, it should set the future context.
- A-DS5-3** Building orientation should maximize connections with the street and create a pedestrian-friendly atmosphere.
- A-DS6-1** Where single family detached residential units are provided, a variety of other housing types should be regularly interspersed along the street frontage.
- A-ON2-2** Development should minimize significant contrasts in scale, massing and design, particularly along the edges of historic areas and neighborhoods.
- D-PL2-1** Development should provide active first floor uses whenever adjacent to a street, pedestrian facility, or community focused open space.
- E-GR4-1** Developments should incorporate reuse of viable existing structures.
- E-GR5-1** Structures with demonstrated historic significance should be preserved or adapted.

ZONE CHANGE LEGAL DESCRIPTION

for
Bread and Roses, LLC property
conveyed in
Deed Book 4172, Page 729
located at
456 East Maxwell Street
Lexington, Fayette County, Kentucky

**Zone Change from P-1 (Professional Office)
to
B-1 (Neighborhood Business)**

Being a parcel of land in Lexington, Fayette County, Kentucky located on the west side of East High Street approximately 13' south of the intersection of the centerline of Ransom Avenue and the centerline of East High Street and being more particularly described as:

Beginning at a point on the centerline of East High Street, said point being 12.54 feet northwest of its intersection with the centerline of Ransom Avenue; said point having Kentucky State Plane Coordinates [KY North Zone, NAD 83 (2011)] of N(Y) = 196,043.20', E(X) = 1,570,323.30'; thence leaving the centerline of East High Street and through the East High Street right-of-way,

South 54°24'30" West a distance of 20.31' to a 5/8" rebar with plastic surveyor's cap (found, PLS 3140) in the west right-of-way of East High Street, said point being the northeast corner of Sunny VIJ, LLC (Deed Book 3472, Page 698); thence leaving East High Street and with the northerly line of said Sunny VIJ, LLC,

South 54°24'30" West a distance of 189.81' to a MAG nail with stainless steel ID washer (PLS 3350) set in the easterly line of Real Equity LLC (Deed Book 1386, Page 594); thence with the easterly line of said Real Equity LLC, and then the easterly line of Burton Properties, LLC (Deed

Book 4013, Page 290); R3L Properties, LLC (Deed Book 3890, Page 484) and David H. Burton (Deed Book 2986, Page 142),

North 34°54'01" West a distance of 164.89' to a 24"-long, 5/8" diameter rebar with 2.5" diameter aluminum cap (set, PLS 3350), said point being the southwest corner of Bread and Roses, LLC (Deed Book 3920, Page 62); thence with the southerly line of said Bread and Roses, LLC (Deed Book 3920, Page 62),

North 74°06'00" East a distance of 232.82' to a MAG nail with stainless steel ID washer (PLS 3350) set in the west right-of-way of East High Street; thence through the East High Street right-of-way,

North 74°06'00" East a distance of 19.00' to a point in the centerline of East High Street; thence with the centerline of said East High Street,

South 15°41'57" East a distance of 85.10' to a point; which is the Point Of Beginning,

having a gross area of 28,036.6 square feet or 0.6436 acre and a net area of 26,350.6 square feet or 0.6049 acres.

The bearings and coordinates used in the description above being based on KY State Plane coordinates, KY North Zone, NAD 83 (2011) as determined by a GNSS survey to the site using a Carlson BrX7 GNSS Receiver and the KYTC CORS system.

The description above being based on a survey of the property by Kevin M. Phillips, PLS 3350, Endris Engineering, PSC, 771 Enterprise Drive, Lexington, KY 40510 concluded on January 09, 2026.



A red handwritten signature, appearing to be "K. Phillips", written over a horizontal line.

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

February 13, 2026
Date

ZONE CHANGE LEGAL DESCRIPTION

for

Bread and Roses, LLC property

conveyed in

Deed Book 4172, Page 729

located at

456 East High Street

Lexington, Fayette County, Kentucky

Zone Change from P-1 (Professional Office)

to

B-1 (Neighborhood Business)

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having a gross area of 28,036.6 square feet or 0.6436 acre and a net area of 26,350.6 square feet or 0.6049 acres.

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The description above being based on a survey of the property by Kevin M. Phillips, PLS 3350, Endris Engineering, PSC, 771 Enterprise Drive, Lexington, KY 40510 concluded on January 09, 2026.



Handwritten signature in red ink, appearing to read "K. Phillips".

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

February 13, 2026

Date

BREAD AND ROSES, LLC (PLN-MAR-26-00007)

Rezone property to allow for neighborhood business uses.

456 EAST HIGH STREET

Applicant/Owner

Bread and Roses, LLC
417 East Maxwell Street
LEXINGTON, KY 40508
ATTORNEY: Richard Murphy:
richard@murphyclendennen.com

Application Details

Acresage:

0.6049 net (0.6436 gross) acres

Current Zoning:

Professional Office (P-1)

Proposed Zoning:

Neighborhood Business (B-1)

Place Type/Development Type:

Enhanced Neighborhood/Low Density Non-Residential/Mixed-Use

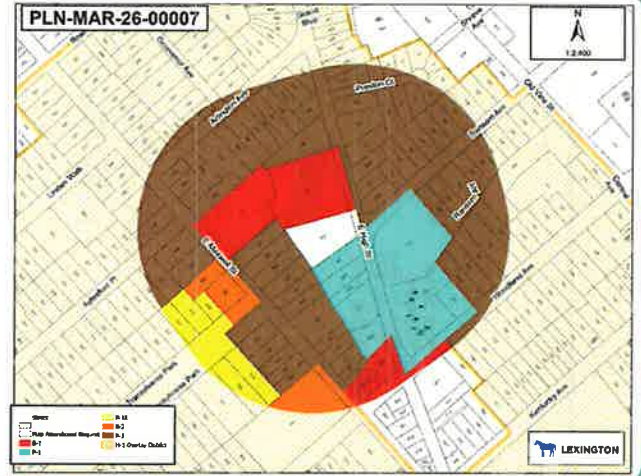
For more information about the Enhanced Neighborhood Place-type see Imagine Lexington page 269. For more information on the Low Density Non-Residential/Mixed-use Development Type see page 271.

Description:

The applicant is seeking to rezone the subject property in order to lease the property to a wider range of potential users. The site contains an existing 2,300 square-foot commercial building. In addition to the rezoning request, the applicant is seeking a variance to reduce the width of the required perimeter landscape screening from 15 feet to 4.4 feet.

Public Engagement

The applicant has not indicated that public outreach or engagement has occurred at this time.



Status

- Public Engagement
- Pre-Application Meeting
- Application Review
- Planning Staff Review
- Technical Review Committee
- Zoning/Subdivision Committee Meetings
- Planning Commission Hearing
- Urban County Council Meeting

STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-26-00007: BREAD AND ROSES, LLC

DESCRIPTION OF ZONE CHANGE

Zone	From a Professional Office (P-1) zone
Change:	To a Neighborhood Business (B-1) zone
Acreage:	0.6049 net (0.6436 gross) acres
Location:	456 E High Street



EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Property	P-1	Office
To North	B-1	Bakery
To East	R-3/P-1	Single-family Residential/Office
To South	P-1	Office
To West	R-3	Single-family Residential

URBAN SERVICE REPORT

Roads - The subject property is located along E High Street (US Route #1974), which is a one-way major arterial roadway that connects Bates Creek Road (US Route #1974) with the downtown core.

Curb/Gutter/Sidewalks - Curb and sidewalk facilities have been constructed along E High Street; however, gutter facilities have not been constructed due to the historic nature of the area.

Utilities - All utilities, including natural gas, electric, water, phone, cable television, and internet are available in the area, and are available to serve the proposed redevelopment.

Storm Sewers - The subject property is located within the Town Branch watershed. There are no FEMA Special Flood Hazard Areas or environmentally sensitive areas on the subject property, or the immediate vicinity.

Sanitary Sewers - The subject site is located within the Town Branch sewershed. Sanitary sewer treatment is provided by the Town Branch Wastewater Treatment Plant for properties within this portion of the Urban Service Area, which is located on Lisle Industrial Road. Prior to any construction on the site, the Division of the Water Quality's Capacity Assurance Program will evaluate the available capacity of the system.

Refuse - The Urban County Government serves this area with refuse collection on Tuesdays. Supplemental service by private refuse haulers is available to supplement existing service, if necessary.

Police - The subject property is located within the Central Sector, and is served by the Central Sector Roll Call Center, which is located on Industry Road, approximately two miles to the northeast of the subject property. The downtown Police Headquarters is also in close proximity to the subject site, about 1/2 mile to northeast on East Main Street.

Fire/Ambulance - The nearest fire station (#5) is located about two blocks south of the subject property, at the intersection of Woodland Avenue and E Maxwell Street.

Transit - LexTran service is available within the immediate area along E High Street. Outbound service for the Southland Drive Route (#16) is located less than 1/4 mile from the subject property, at the intersection of Arlington Avenue and E High Street. The transit center is also located approximately half a mile north of the subject property, on E Vine Street.

Parks - There are two parks within close proximity to the subject property. Woodland Park is located approximately one block southeast of the subject property, while Thoroughbred Park is located approximately 1/4 mile to the north.

SUMMARY OF REQUEST

The applicant is seeking to rezone the subject property from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone in order to lease the property to a wider range of users.

PLACE-TYPE

ENHANCED
NEIGHBORHOOD

An Enhanced Neighborhood is an existing residential area that could be enhanced with additional amenities, housing types, and neighborhood-serving retail, services, and employment options that contribute to a sustainable neighborhood. Vibrant neighborhoods include a range of uses. The development that occurs in this place-type should be context-sensitive to the surrounding area and implemented in a way that adds to the sense of place. Multi-modal connections from new elements within enhanced neighborhoods are crucial to their success and long-term viability.

DEVELOPMENT TYPE

LOW DENSITY NON-RESIDENTIAL/
MIXED-USE

Primary Land Use, Building Form, & Design

Primarily neighborhood-serving commercial uses, services, places of employment, and/or a mix of uses within low to mid-rise structures appropriately scaled to the surrounding neighborhood. Mixed-use structures can include a mix of residential, commercial, services, and/or employment uses, and an activated and pedestrian-scale ground level should be provided. Developments with a residential component are generally non-residential on the ground floor with units above, providing opportunities for live/work arrangements. The retail/service options typically include boutique-type establishments, neighborhood restaurants or pubs, and/or neighborhood-serving services like dentists, daycares, etc, and the places of employment are small offices.

Transit Infrastructure & Connectivity

Bicycle and pedestrian connections to adjoining neighborhoods, and buildings oriented to the street are required to ensure the non-residential enhances nearby neighborhoods by creating a truly walkable environment.

Parking

Parking should be minimized and where necessary, located internally.

PROPOSED ZONING



This zone is intended to accommodate neighborhood shopping facilities to serve the needs of the surrounding residential area. Generally, they should be planned facilities and should be located as recommended in the Comprehensive Plan. This zone should be oriented to the residential neighborhood, and should have a roadway system which will be adequate to accommodate the anticipated vehicular traffic.

PROPOSED USE



The petitioner proposes the rezoning of the subject property to the Neighborhood Business (B-1) zone to allow for the applicant to lease the existing one-story, 20,038 square-foot office structure to a wider range of potential uses.

The applicant proposes to retain the site's the existing 37-space parking lot configuration and existing pedestrian network with this request.

APPLICANT & COMMUNITY ENGAGEMENT



In addition to the general notification requirements, the applicant held an open house for the Aylesford Neighborhood Association at the Kentucky Native Cafe on February 24, 2026. The applicant states that three people attended, and it was mainly an informational meeting.

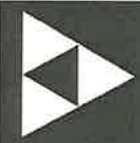
PROPERTY & ZONING HISTORY



Historically, the subject property has been utilized as professional office space. The one-story, 20,038 square foot office building that currently occupies the site was constructed in 1954.

The subject property has no prior history of zoning map amendments, and has been zoned Professional Office (P-1) since the 1969 comprehensive rezoning of the City and County. The subject property is located within the defined Infill and Redevelopment area, as well as the Aylesford Historic District, which has an established H-1 Overlay zone.

COMPREHENSIVE PLAN COMPLIANCE



The 2045 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

GOALS, OBJECTIVES & POLICIES

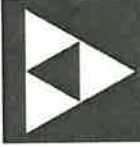
The applicant opines that they are in agreement with the adopted Goals, Objectives, and Policies of the 2045 Comprehensive Plan. The applicant indicates that by utilizing an existing structure that has been in operation at this location since 1954, the request will maintain compatibility with the existing urban form and context of the surrounding area (Theme A, Goal #2.b). By introducing the neighborhood business scale uses into what was previously a strictly professional office development, the request will expand the uses and services available in the area, which will help the existing neighborhood to flourish (Theme A, Goal #3.a). The applicant opines that the request will help facilitate safe social interactions, as the proposal retains the site's existing pedestrian connections to both the surrounding residential uses, as well as the nearby Kentucky Native Cafe (Theme A, Goal #3.b). The applicant is not planning any exterior changes for the building or lot, so disruption of natural features will be minimized (Theme A, #3.d).

Within their letter of justification, the applicant also highlights several Comprehensive Plan Policies that are being met with this request. The applicant opines the request meets Design Policy #4, which relates to providing development that is sensitive to the surrounding context. While the scope of uses are expanding, the footprint of the existing structure is not. With no physical changes proposed to the layout of the site, the scale of the building will remain compatible with the character of the immediate area. As such, the development of the property will not detract from the Aylesford Park Historic Overlay (H-1) District, as the request maintains the site's existing 1950s aesthetic and development pattern. In expanding the allowable uses, the applicant opines the request meets Growth Policy #4, which promotes the adaptive reuse of existing structures. The applicant also indicates that this request will provide pedestrian-friendly street patterns & walkable blocks and strengthen a neighborhood-level commercial area by utilizing existing sidewalks and the entrance to the Kentucky Native Café through the adjoining property (Design Policy #5 and #12).

PLACE-TYPE, DEVELOPMENT TYPE, AND ZONE

In an effort to allow for the greatest contextual development of Lexington's Urban Service Area, applicants are asked to identify a Place-Type based on the location of the subject property. Within each Place-Type there are recommended Development Types based on the form and function of the proposed development. Based on the Place-Type and Development Type there are also several recommended zones that are most appropriate based on the Goals, Objectives, and Policies of the Comprehensive Plan. While these zones are the ideal zoning categories to develop within a specified area, other zones may be considered, provided there is an appropriate justification addressing the unique situation and provided the development is able to adequately meet the associated Development Criteria.

The applicant indicates that the project is located within the Enhanced Neighborhood Place-Type and is a Low-Density Non-Residential/ Mixed Use Development Type. The Enhanced Neighborhood Place-Type is an existing residential area that could be enhanced with additional amenities, housing types, and neighborhood-serving retail, services, and employment options that contribute to a sustainable neighborhood. The existing structure will remain a focal point of the site by maintaining parking to the side and rear of the site. Staff



agrees with the applicant's assessment of the proposed Enhanced Neighborhood Place-Type.

Additionally, the applicant is seeking to apply the Low-Density Non-Residential/Mixed Use Development Type, which is recommended within the Enhanced Neighborhood Place-Type and is meant to be comprised of 1-2 story commercial development that prioritizes enhancing existing development through quality design and connections. The applicant has proposed to utilize an existing one-story structure. Staff agrees that the proposed Development Type can be appropriate for the subject property.

Finally, the applicant has requested the rezoning of the property to the Neighborhood Business (B-1) zone. This zone is a recommended zone associated with the Enhanced Neighborhood Place-Type and the Low-Density Non-Residential/ Mixed Use Development Type. Staff agrees that the B-1 zone can be appropriate for the subject property.

DEVELOPMENT CRITERIA

The development criteria for a zone change are the distillation of the adopted Goals and Objectives, as well as the policies put forth in the 2045 Comprehensive Plan. The development criteria represent the needs and desires of the Lexington-Fayette Urban County community in hopes of developing a better built environment. The applicable criteria are defined based on the proposed Enhanced Neighborhood Place-Type and Low Density Non-Residential/ Mixed Use Development Type.

1. Land Use

The proposed rezoning works with the criteria for land use by modifying current office space to include low-intensity business uses that will provide neighborhood amenities in an existing mixed-use neighborhood.

2. Transportation, Connectivity, and Walkability

The proposed rezoning meets the Transportation and Pedestrian Connectivity development criteria, as the proposal will utilize the existing pedestrian and vehicular connections that are in place for the existing office building, and is in close proximity to existing transit stop.

3. Environmental Sustainability and Resilience

The proposed rezoning meets the criteria for Greenspace and Environmental Health as the existing tree canopy will be maintained, and native plants will be used for any new landscaping.

4. Site Design

The proposed rezoning is compatible with the Site Design criteria as parking will continue to be oriented to the side and rear of the site. Additionally, over-parking will not occur as no new parking is being proposed.

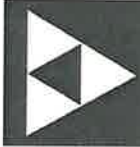
5. Building Form

The proposed rezoning meets the Building Form criteria as it is incorporating reuse of a viable existing structure and minimizes significant contrasts in scale, massing, and design.

CONDITIONAL ZONING RESTRICTIONS

In an effort to preserve the character of the historic Aylesford Park area, protect the existing pedestrian-oriented environment, protecting a major gateway into Lexington, a list of restricted uses are proposed consistent with other recent rezonings in the vicinity. The following uses are to be prohibited via conditional zoning:

1. Automobile service stations
2. Miniatures golf courses
3. Carnivals and Circuses, even on a temporary basis
4. Drive-through facilities
5. Pawn shops
6. Gasoline pumps
7. Mining of non-metallic mineral
8. Parking lots and structures, other than as an accessory use
9. Rental of equipment whose retails sale would otherwise be permitted in a B-1 zone



- 10. Minor Automobile repair
- 11. Funeral parlors

Staff finds that these restrictions are appropriate and necessary to protect the character of the Aylesford Park Historic Area, as well as the character of the High Street Corridor, a major downtown corridor. The limitations of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public. .

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed development will respect the context of the surrounding area by utilizing a structure that has been at this location since 1954 (Theme A, Goal #2.b).
 - b. The proposed development will help the existing neighborhood flourish by introducing new neighborhood scaled and oriented business uses into what was previously a strictly professional office development (Theme A, Goal #3.a).
 - c. The proposed development will encourage positive and safe social interactions by retaining the pedestrian connections to surrounding uses (Theme A, Goal #3.b).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The applicant is not proposing any changes to the exterior of the building and will remain within the character of the area (Design Policy #4).
 - b. The request will repurpose an existing structure for another use (Growth Policy #4).
 - c. This development provides pedestrian-friendly connections to other neighborhood-level commercial uses (Design Policy #5 and #12).
3. The justification and corollary development plan are in agreement with the development criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use as it promotes modifying the current office space to include low-intensity business uses that will provide neighborhood amenities in an existing mixed-use neighborhood (C-LI7-1, C-PS9-1, E-GR9-2).
 - b. The proposed rezoning meets the Transportation, Connectivity, and Walkability development criteria, as the proposal will utilize the existing pedestrian and vehicular connections that are in place for the existing office building, and the property is in close proximity to existing transit stop (A-DS1-2, A-DS4-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resilience as the existing tree canopy will be maintained, and native plants will be used for any new landscaping (B-PR7-1, B-SU11-1).
 - d. The proposed rezoning is compatible with the Site Design criteria as parking will continue to be oriented to the side and rear of the site. Additionally, over-parking will not occur as no new parking is being proposed (A-DS7-1, C-PS10-2).
 - e. The proposed rezoning meets the Building Form criteria as it is incorporating reuse of a viable existing structure and minimizes significant contrasts in scale, massing, and design (A-DN2-2, E-GR4-1).

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:

a. Prohibited Uses:

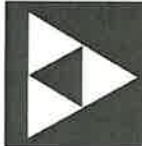
- i. Automobile service stations
- ii. Miniatures golf courses
- iii. Carnivals and Circuses, even on a temporary basis
- iv. Drive-through facilities
- v. Pawn shops
- vi. Gasoline pumps
- vii. Mining of non-metallic minerals
- viii. Parking lots and structures, other than as an accessory use
- ix. Rental of equipment whose retails sale would otherwise be permitted in a B-1 zone
- x. Minor automobile repair
- xi. Funeral parlors

These use restrictions are appropriate and necessary for the following reasons:

1. Staff finds that these restrictions are appropriate and necessary to protect the character of the Aylesford Park Historic area as well as the character of the High Street corridor.
2. The limitations of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public.

5. This recommendation is made subject to approval and certification of PLN-MJDP-26-00020: Bread & Roses Development, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

STAFF REPORT ON VARIANCE REQUEST



As part of their application, the petitioner is also seeking dimensional variances that are requesting relief from the required property perimeter screening requirements for the portions of the property that abut Planned Neighborhood Residential (R-3) zoning. The applicant is seeking to reduce the minimum required property perimeter requirements as regulated in of Article 18-3(a)(1) of the LFUCG Zoning Ordinance.

Before any variance is granted, the Planning Commission must find the following:

- a. The granting of the variance will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. In making these findings, the Planning Commission shall consider whether:
 1. The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone.
 2. The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
 3. The circumstances are the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.
- b. The Planning Commission shall deny any request for a variance arising from circumstances that are the result of willful violations of the zoning regulation by the applicant subsequent to the adoption of the zoning regulation from which relief is sought.

ZONING ORDINANCE

Article 6-4(c) states that the Planning Commission may hear and act upon requested variances associated with a zone change. In such cases, they may assume all of the powers and responsibilities of the Board of Adjustment, as defined in Article 7-6(b) of the Zoning Ordinance.

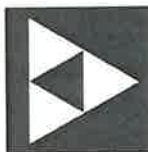
Article 18-3(a)(1) states that for any office or business zone (except P-2), that adjoins any residential zone, there shall be a minimum buffer area of 15 feet adjacent to all common boundaries (located behind the building line) except street frontage, which will contain one tree per 40 feet of linear boundary, or fraction thereof, from Group A or B only, plus, 1) a double row of six feet high hedge or 2) a six feet high fence, wall or earth mound.

CASE REVIEW

The applicant is seeking a dimensional variance and an elimination of the scope of required fencing that is required by the property perimeter screening requirements. These requirements are for the portion of the property that abuts the Planned Neighborhood Residential (R-3) zones to the west. The Zoning Ordinance requires buffering of a specific distance and regulated planting materials to provide screening between more intense commercial land uses and surrounding residential land uses. The specific provisions were added to the Ordinance to decrease the impact of light and sound on adjacent properties, which may be caused by events or activities, such as those that the applicant has expressed interest in developing on the property.

The area between the proposed B-1 zone and the R-3 zone requires a minimum buffer area of 15 feet adjacent to all common boundaries (located behind the building line) except street frontage, to contain one tree per 40 feet of linear boundary, or fraction thereof, from Group A or B only, plus, 1) a double row of six feet high hedge or 2) a six feet high fence, wall or earth mound. The applicant is requesting to reduce this required property perimeter buffer from 15 feet to 4.4 feet along the western property line where the property adjoins R-3 zoning. In addition, the applicant is also seeking to eliminate the required six-foot fencing along the rear property line.

The applicant provides five justifications for the variance request. First, they opine that the variance will not affect the public health, safety, or welfare, as the applicant will retain the existing landscaping already present on-site. The applicant indicates that this landscaping should be sufficient to screen the use without requiring the full 15-foot buffer width and six-foot tall fence, noting that installing a fence could damage the existing trees. Next, the applicant opines that the variance will not be an unreasonable circumvention of the zoning ordinance because the applicant is not seeking to make any physical changes to the building or vehicle use



area to accommodate any new uses. Next, the applicant opines that the lack of physical changes proposed by the request represent a special circumstance that justifies the need for the variance. The applicant then claims that strict application of the Zoning Ordinance would create an unnecessary hardship by requiring the reduction of paving on site, or removal of existing landscaping to accommodate the required elements. Finally, the applicant indicates that they have done nothing to create the special circumstances, which impact this property. They indicate that the conditions on the property predate the current Zoning Ordinance requirements, and that they are seeking the variance prior to establishing the proposed use.

Staff is in favor of the requested variances. The subject property's location along a two-lane arterial roadway restricts the ability to provide on-street parking, as such, removing substantial amounts of parking to install the required landscape buffers would significantly impact the applicant's utilization of the site. The subject property is located within the Infill and Redevelopment Area, where extra consideration should be given to the functionality of the property and access to services. The requested variances will not negatively impact the health, safety, or welfare of the area, as this development has operated for over 65 years without the full screening, and the existing vegetation will provide a sufficient buffer to screen view of the site's vehicular use area from adjoining residentially zoned properties.

STAFF RECOMMENDS: APPROVAL, FOR THE FOLLOWING REASONS:



1. Approval of the landscape variances should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public. The subject property has operated over 70 years without the required landscaping buffers adjacent to the adjoining residential zoning. Furthermore, the proposed fencing would disrupt the existing trees, and the existing vegetation in this area will be sufficient to screen views of the use.
2. With the lack of on-street parking available on E. High Street, the reduction in parking that would result from incorporating a 15-foot wide landscape buffer area would unreasonably restrict the applicant's use of the property.
3. The circumstances of this variance are not a result of actions taken by the applicant subsequent to the adoption of the Zoning Ordinance.

This recommendation of Approval is made subject to the following conditions:

1. Provided the Planning Commission and Urban County Council approve the requested zone change to the B-1 zone, otherwise the requested variances shall be null and void.
2. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
3. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
4. Action of the Planning Commission shall be noted on the Development Plan for the subject property.

3. BREAD AND ROSES, LLC MAP AMENDMENT REQUEST AND BREAD AND ROSES, LLC PROPERTY DEVELOPMENT PLAN

- a. **PLN-MAR-26-00007: BREAD AND ROSES, LLC (4/23/26)*** – a petition for a zone map amendment from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.6049 net (0.6436 gross) acres for property located at 456 East High Street. In addition to the rezoning request, the applicant is requesting variances to 1.) reduce the width of the required landscape buffer area from 15 feet to 4.4 feet along the western (rear) property line and 2.) eliminate the required six-foot fence along the rear property line.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2045 Comprehensive Plan, Imagine Lexington, seeks to provide flexible yet focused planning guidance to ensure equitable development of our community's resources and infrastructure that enhances our quality of life, and fosters regional planning and economic development. This will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

Note: The petitioner proposes the rezoning of the subject property to the Neighborhood Business (B-1) zone to allow for the applicant to lease the existing one-story, 20,038 square-foot office structure to a wider range of potential uses. The applicant proposes to retain the site's existing 37-space parking lot configuration and existing pedestrian network with this request.

The Zoning Committee Recommended: Approval, with a modified list of conditional zoning restrictions.

The Staff Recommends: Approval for the following reasons:

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
 - a. The proposed development will respect the context of the surrounding area by utilizing a structure that has been at this location since 1954 (Theme A, Goal #2.b).
 - b. The proposed development will help the existing neighborhood flourish by introducing new neighborhood scaled and oriented business uses into what was previously a strictly professional office development (Theme A, Goal #3.a).
 - c. The proposed development will encourage positive and safe social interactions by retaining the pedestrian connections to surrounding uses (Theme A, Goal #3.b).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
 - a. The applicant is not proposing any changes to the exterior of the building and will remain within the character of the area (Design Policy #4).
 - b. The request will repurpose an existing structure for another use (Growth Policy #4).
 - c. This development provides pedestrian-friendly connections to other neighborhood-level commercial uses (Design Policy #5 and #12).
3. The justification and corollary development plan are in agreement with the development criteria of the 2045 Comprehensive Plan, for the following reasons:
 - a. The proposed rezoning meets the criteria for Land Use as it promotes modifying the current office space to include low-intensity business uses that will provide neighborhood amenities in an existing mixed-use neighborhood (C-LI7-1, C-PS9-1, E-GR9-2).
 - b. The proposed rezoning meets the Transportation, Connectivity, and Walkability development criteria, as the proposal will utilize the existing pedestrian and vehicular connections that are in place for the existing office building, and the property is in close proximity to existing transit stop (A-DS1-2, A-DS4-1).
 - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resilience as the existing tree canopy will be maintained, and native plants will be used for any new landscaping (B-PR7-1, B-SU11-1).

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

- d. The proposed rezoning is compatible with the Site Design criteria as parking will continue to be oriented to the side and rear of the site. Additionally, over-parking will not occur as no new parking is being proposed (A-DS7-1, C-PS10-2).
 - e. The proposed rezoning meets the Building Form criteria as it is incorporating reuse of a viable existing structure and minimizes significant contrasts in scale, massing, and design (A-DN2-2, E-GR4-1).
4. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
- a. Prohibited Uses:
 - i. Automobile service stations
 - ii. Miniature golf courses
 - iii. Carnivals and Circuses, even on a temporary basis
 - iv. Drive-through facilities
 - v. Pawn shops
 - vi. Gasoline pumps
 - vii. Mining of non-metallic minerals
 - viii. Parking lots and structures, other than as an accessory use
 - ix. Rental of equipment whose retail sale would otherwise be permitted in a B-1 zone
 - x. Minor automobile repair
 - xi. Funeral parlors

These use restrictions are appropriate and necessary for the following reasons:

- 1. Staff finds that these restrictions are appropriate and necessary to protect the character of the Aylesford Park Historic area as well as the character of the High Street corridor.
 - 2. The limitations of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public.
5. This recommendation is made subject to approval and certification of PLN-MJDP-26-00020: BREAD & ROSES PROPERTY, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.

Staff Presentation – Ms. Ruelle Browning oriented the Commission to the zone change request. She stated that the applicant was seeking to rezone the property from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone in order to lease the property to a wider range of users.

She shared a vicinity map with the Commission detailing neighboring zones. She also stated that the applicant hosted a public meeting with the neighborhood to provide information about the requested zone change and variance.

Ms. Browning outlined the revised conditional use restrictions for the Commission. She stated that the zone change and use restrictions comply with the Goals, Objectives, and Policies of the 2045 Comprehensive Plan.

Ms. Browning stated that staff recommends **Approval** of the zone change and offered to answer any questions from the Commission.

- b. **VARIANCE** – The applicant is seeking a reduction of the required property perimeter buffer from 15 feet to 4.4 feet, and to eliminate the required six-foot fencing along the rear property line.

The Zoning Committee recommended: **Approval**.

The Staff recommends **Approval** for the following reasons:

- 1. Approval of the landscape variances should not adversely affect the public health, safety, or welfare, nor should it create a hazard or nuisance to the public. The subject property has operated over 70 years without the required landscaping buffers adjacent to the adjoining residential zoning.

Furthermore, the proposed fencing would disrupt the existing trees, and the existing vegetation in this area will be sufficient to screen views of the use.

2. With the lack of on-street parking available on E. High Street, the reduction in parking that would result from incorporating a 15-foot wide landscape buffer area would unreasonably restrict the applicant's use of the property.
3. The circumstances of this variance are not a result of actions taken by the applicant subsequent to the adoption of the Zoning Ordinance.

This recommendation of Approval is made subject to the following conditions:

1. Provided the Planning Commission and Urban County Council approve the requested zone change to the B-1 zone, otherwise the requested variances shall be null and void.
2. The development shall be constructed in accordance with the approved Final Development Plan, or as amended by the Planning Commission.
3. All necessary permits shall be obtained from the Divisions of Planning, Traffic Engineering, Engineering, and Building Inspection prior to construction and occupancy.
4. Action of the Planning Commission shall be noted on the Development Plan for the subject property.

Staff Presentation – Ms. Browning oriented the Commission to the reasons for the variance request. She stated that the variance was requesting a reduction of the required property perimeter buffer from 15 feet to 4.4 feet, and to eliminate the required six-foot fencing along the rear property line. She shared images of the site of the requested variance.

She stated that staff recommended approval of the variance and offered to answer any questions from the Commission.

- c. PLN-MJDP-26-00020: BREAD & ROSES, LLC PROPERTY (6/1/26)* – located at 456 E. HIGH STREET, LEXINGTON, KY
Council District: 3
Project Contact: Gresham Smith

Note: The purpose of this plan is to support the requested zone change from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone.

Requirements Not Met:

1. Denote: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction. (ZO Art. 21(b)(1)) (Building Inspection)
2. Denote: The location of the fire hydrants, fire department or fire service features, if required, shall be approved by the Division of Fire, Water Control Office. (ZO Art. 21-6(b)(4)) (Planning)
3. Reduce or remove shading on existing building for legibility. (ZO Art. 21-6) (Planning)
4. Correct language in Commission Certification. (ZO Art. 21-6(b)) (Planning)
5. Depict internal vehicular and pedestrian connections. (ZO Art. 16-6(a)(3)(b)) (Planning)
6. Depict minimum and Maximum building lines. (ZO Art. 8-16(h)) (Planning)
7. Upload open space exhibit, and include open space requirements in site statistics as a percentage. (ZO Art. 20-3) (Open Space)

Waiver(s) Necessary:

1. Variance for landscape buffer between residential and business zones. (ZO Art 18-3(a)(1))

Design Considerations:

1. Contact SS tap-on-desk. Submit updated capacity assurance, if warranted.

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

The Subdivision Committee Recommended: Approval, subject to the following conditions:

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

Should the plan be approved, the following requirements should be considered:

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Open Space planner's approval of open space and vegetative areas.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. Provided the Planning Commission grants the requested variance for zone-to-zone screening.
13. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation – Mr. Chris Chaney shared the associated development plan with the Commission. He stated that the proposed development plan depicts minimal changes to the property.

He noted that the applicant had submitted a revised development plan, and that staff had proved a revised staff report with the following conditions:

Requirements Not Met:

1. Upload open space exhibit, and include open space requirements in site statistics as a percentage. (ZO Art. 20-3) (Open Space)
2. Denote approval of variance, if granted, prior to certification.
3. Denote conditional zoning restrictions.

Waiver(s) Necessary:

1. Variance for landscape buffer between residential and business zones. (ZO Art 18-3(a)(1))

Design Considerations:

1. Contact SS tap-on-desk. Submit updated capacity assurance, if warranted.

Plan Questions or Concerns:

1. Discuss Placebuilder criteria.

The Staff Recommends: **Approval**, subject to the following conditions:

1. Provided the Urban County Council approves the zone change to B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
101 East Vine St., Suite 700, Lexington, KY 40507 / 859.258.3160 Phone / 859.258.3163 Fax / lexingtonky.gov
4. Landscape Examiner's approval of landscaping and landscaping buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Open Space planner's approval of open space and vegetative areas.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. Provided the Planning Commission grants the requested variance for zone-to-zone screening.

13. Correct all noted deficiencies listed as "requirements not met" herein.

Commission Questions – Ms. Worth stated that she did not understand the use restriction about funeral parlors and sought clarification on the matter.

Mr. Crum clarified that the intent behind staff's position on the conditional restriction was to maintain consistency throughout the property's past three rezonings. He added that the Zoning Committee discussed having that restriction removed, and the Commission could move to finalize that amendment at today's meeting.

Ms. M. Davis brought the staff's attention to a parcel on the development plan, which was noted as owned, but also marked as useable open space.

Mr. Chaney stated that the parcel was previously owned by a neighbor, but is currently owned by the applicant.

Applicant Presentation – Attorney Dick Murphy was present to represent the applicant. He stated that the former owner of the property was the Francis Whitman Trust, and that the closing was held in January to transfer ownership of the tract to John Michler.

He added that the zone change was requested with no specific renter in mind, but to allow for more options when finding an occupying business for the space.

Mr. Murphy sought confirmation that under the revised staff report, Michler's employees would still be able to park on the property as an accessory use.

Mr. Crum clarified that the intent behind the conditional restriction was to prevent paid parking lots from occupying the property, and that Michler's employees would still be able to use the property for parking.

Action – Ms. M. Davis made a motion, seconded by Ms. Worth, and carried 8-0 (Wilson and J. Davis absent, Michler recused), to approve **PLN-MAR-26-00007: BREAD AND ROSES, LLC** based on the findings and conditional zoning restrictions provided by staff.

Action – Ms. M. Davis made a motion, seconded by Ms. Worth, and carried 8-0 (Wilson and J. Davis absent, Michler Recused), to approve **PLN-MJDP-26-00020: BREAD AND ROSES, LLC PROPERTY** subject to the conditions provided by staff.

Action – Ms. M. Davis made a motion, seconded by Mr. Penn, and carried 8-0 (Wilson and J. Davis absent, Michler recused), to approve the associated **variance request** based on the staff report, findings, and conditions provided by staff.

Note: Mr. Michler returned to the meeting at 2:51 pm.

Note: Mr. Forester left the meeting at 2:53 pm

VII. COMMISSION ITEMS

- A. PFR-26-1: HALEY PIKE SOLAR PROJECT** – A request for a Public Facilities Review for a Solar Energy System installation at the Haley Pike Landfill located at 4172 Hedger Lane.

Staff Presentation – Mr. Crum oriented the Commission to the request for a Public Facilities Review. He explained that PFR's are presented when a government entity, exempt from zoning restrictions, requests to expand a public facility. He stated that this request was to utilize a decommissioned landfill to install ground-mounted solar energy systems. Mr. Crum mentioned that the project would encompass 357 acres.