

Rec'd by _____

Date: _____

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

IN RE: PLN-MAR-23-00009: 214 WALLER AVENUE, LLC - a petition for a zone map amendment from a Wholesale and Warehouse Business (B-4) zone to a Lexington Center Business (B-2B) zone, for 0.1338 net (0.1911 gross) acres for property located at 416 & 418 W. Maxwell Street. (Council District 11)

Having considered the above matter on **October 26, 2023**, at a Public Hearing, and having voted **10-0** 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 subject property's current Wholesale and Warehouse Business (B-4) zone is inappropriate for the following reasons:
 - a. The subject property's small size limits the ability to meaningfully utilize the property for wholesale and warehouse uses.
 - b. The B-4 zone is oriented towards providing support for industrial and larger commercial users, which are no longer present in the area.
 - c. Since 2000, the area south of W. Maxwell Street has shifted from warehouse uses to denser, pedestrian-friendly, mixed use development.
 - d. The current B-4 zone does not promote pedestrian-friendly uses, and detracts from the effectiveness of the transportation system in the area.
 - e. The current B-4 zone does not allow for many commercial, office, and residential uses that are necessary in order to ensure the ongoing vitality of the downtown core.
2. The proposed Lexington Center Business (B-2B) zone is appropriate, for the following reasons:
 - a. The proposed B-2B zone allows for higher density development, a greater variety of commercial uses, and residential development within the downtown area.
 - b. The subject properties adjoin existing properties with B-2B zoning to the north and west, and a total of seven properties along this portion of W. Maxwell Street have been rezoned since the early 1980s.
 - c. The property's proximity to other B-2B zoned properties allows for potential future consolidation and redevelopment closer in lines to the recommendations of the Downtown Place-Type within the 2018 Comprehensive Plan.
 - d. The property is located along a major Downtown corridor, which calls for zones that can accommodate future redevelopment to support future transit-oriented development.
3. Under the provision of Article 6-7 of the Zoning Ordinance, the following use restrictions are proposed for the property via conditional zoning:


Prohibited Uses

- i. Automobile service stations, and/or the sale of gasoline.
- ii. Establishments for the display, rental, and sale of automobiles, motorcycles, trucks, and boats.

These conditions are appropriate and necessary in order to protect the character of the W. Maxwell Corridor, as well as provide for pedestrian safety within the downtown core.

4. This recommendation is made subject to approval and certification of PLN-MJDP-23-00045 OT & Elizabeth Robinson 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 22nd day of November, 2023.


Secretary, Jim Duncan

LARRY FORESTER
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by January 24, 2024

Note: The corollary development plan, PLN-MJDP-23-00045 OT & Elizabeth Robinson Property, was approved by the Planning Commission on October 26, 2023 and certified on November 9, 2023.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Fred Eastridge, Engineer**.

OBJECTORS

- None

OBJECTIONS

- None

VOTES WERE AS FOLLOWS:

AYES: (10) Forester, Davis, Wilson, Barksdale, Michler, Pohl, Owens Meyer, Judy, and Nicol
NAYS: (0)
ABSENT: (0)
ABSTAINED: (0)
DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-23-00009** carried.

Enclosures: Application
Justification
Legal Description
Plat
Development Snapshot
Staff Reports
Applicable excerpts of minutes of above meeting