

ORDINANCE NO. 030- 2026

AN ORDINANCE MODIFYING THE CONDITIONAL ZONING RESTRICTIONS TO ALLOW ADDITIONAL PRINCIPAL, ACCESSORY, AND CONDITIONAL USES IN THE EXISTING CORRIDOR BUSINESS (B-3) ZONE FOR 1.16 NET (1.88 GROSS) ACRES, FOR PROPERTY LOCATED AT 532 AND 550 SOUTH BROADWAY AND 659 PLUNKETT STREET. (KENNETH V. LITTRELL; COUNCIL DISTRICT 3).

---

WHEREAS, at a Public Hearing held on March 12, 2026, a petition for a zoning map amendment modifying the conditional zoning restrictions to allow additional principal, accessory, and conditional uses in the existing Corridor Business (B-3) zone for 1.16 net (1.88 gross) acres, for property located at 532 and 550 South Broadway and 659 Plunkett Street, was presented to the Urban County Planning Commission; said Commission recommending 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 modification of the conditional zoning restrictions to allow additional principal, accessory, and conditional uses in the existing Corridor Business (B-3) zone for 1.16 net (1.88 gross) acres, for property located at 532 and 550 South Broadway and 659 Plunkett Street, 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 continue to apply to the subject property:

1. The following uses shall be prohibited:
  - a. Establishments and lots for the display, rental, and sale of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
  - b. Automobile refueling stations and service stations.
  - c. Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein.
  - d. Adult entertainment establishments.
  - e. Minor automobile truck repair and service.
2. Signage shall be as permitted and regulated in the B-1 zone.

3. Outdoor speakers shall be prohibited.

These conditional zoning restrictions are appropriate and necessary in order to ensure compatibility with the adjoining residential uses, and to preserve the character of the downtown corridor.

Section 3 – That the Lexington-Fayette Urban County Planning Commission is directed to show this 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: April 30, 2026



\_\_\_\_\_  
MAYOR

ATTEST:



\_\_\_\_\_  
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: May 8, 2026-1t

Rec'd by \_\_\_\_\_

Date: \_\_\_\_\_

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

**IN RE: PLN-MAR-26-00001: KENNETH V. LITRELL** – a petition for a zone map amendment to modify conditional zoning restrictions to allow additional principal, accessory, and conditional uses in the existing Corridor Business (B-3) zone for 1.16 net (1.88 gross) acres for property located at 532 & 550 S. Broadway and 659 Plunkett Street.


Having considered the above matter on March 12, 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 applicant has demonstrated that this portion of South Broadway has undergone a shift towards higher density residential development that was not anticipated when the conditional zoning restrictions were applied in 2000.
2. This recommendation of approval is subject to the following conditional zoning restrictions:  
Under the Provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply:
  1. The following uses shall be prohibited:
    - a. Establishments and lots for the display, rental, and sale of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
    - b. Automobile refueling stations and service stations
    - c. Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein
    - d. Adult entertainment establishments
    - e. Minor automobile truck repair and service
  2. Signage shall be as permitted and regulated in the B-1 zone.
  3. Outdoor speakers shall be prohibited.

These conditions are appropriate and necessary in order to ensure compatibility with the adjoining residential uses, and to preserve the character of the downtown corridor.

1. This recommendation is made subject to approval and certification of PLN-MJDP-26-00003: CLEAN SWEEP CAR WASH (JULIUS SPEYERS PROPERTY) (AMD) 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 3<sup>rd</sup> day of April, 2026.

  
Secretary, Jim Duncan  
*by Traci Wade*

ZACH DAVIS  
CHAIR

KRS 100.211(7) requires that the Council take action on this request by June 10, 2026.

Note: The corollary development plan **PLN-MJDP-26-00003: CLEAN SWEEP CAR WASH (JULIUS SPEYERS PROPERTY) (AMD)** was approved by the Planning Commission on March 12, 2026, and certified on March 26, 2026.

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

**OBJECTORS**

- None

**OBJECTIONS**

- None

**VOTES WERE AS FOLLOWS:**

AYES: (8) M. Davis, Barksdale, J. Davis, Z. Davis, Nicol, Wilson, Michler, and Worth  
NAYS: (0)  
ABSENT: (3) Penn, Owens, Forester  
ABSTAINED: (0)  
DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-26-00001** carried.

Enclosures: Application  
Justification  
Supplemental Justification  
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.)**

<b>Applicant:</b> KENNETH LITRELL, 2356 THE WOODS LANE, LEXINGTON, KY 40502
<b>Owner(s):</b> LENARD INVESTMENTS LP, 1106 WOODRIDGE PL, MOUNT JULIET, TN 37122
<b>Attorney:</b> LAUREN NICHOLS, 300 W VINE ST, STE 1300, LEXINGTON, KY 40507

**2. ADDRESS OF APPLICANT'S PROPERTY**

532 & 550 BROADWAY, LEXINGTON, KY 40508; 659 PLUNKETT ST, LEXINGTON, KY 40508
---

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

Zoning	Existing		Zoning	Requested		Acreage	
		Use			Use	Net	Gross
B-3 W/CZ		Car Wash	B-3 W/ MODIFIED CZ		Car Wash	1.16	1.88

**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



January 5, 2026

Urban County Planning Commission  
Division of Planning – Planning Services Section  
101 E Vine Street, Floor 7

Lexington, KY 40507

Re: Justification Letter for the Conditional Zoning Use Modification for  
532 S. Broadway, 550 S. Broadway, 659 Plunkett Street, Lexington Kentucky

Dear Members of the Planning Commission:

We submit this justification letter for Kenneth Littrell's ("Applicant") application to amend and add to the current conditional uses implemented by MAR 2000-5 for the properties zoned Corridor Business (B-3) located at 352 S. Broadway, 550 S. Broadway, and 659 Plunkett Street (the "Properties"). The Properties consist of approximately 1.16 net (1.88 gross) total acres.

While the Properties are presently zoned B-3, the Properties are subject to conditional use restrictions that were established in 2000 when it was re-zoned from B-4 (warehousing) to B-3. Contrary to customary practices that prohibit uses, these restrictions limit the Properties to certain permitted uses. These restrictions were imposed so that Applicant could establish and operate the "Clean Sweep" carwash and oil change business in a manner that ensured any other uses would not negatively impact the then-anticipated extension of Newtown Pike to Broadway (*i.e.*, the creation Oliver Lewis Way). The Newtown Pike Extension (Oliver Lewis Way) was fully completed in 2017. Thus, the Applicant now seeks to add to the list of conditional uses as it is inappropriate to so restrict the Properties in light of the completion of the roadway project and the other major economic, physical and societal changes to the South Broadway area over the past 25 years. Further, allowing for the uses traditionally found in B-3 will help ensure balanced development of the area as expected in Section 8-20 of the Zoning Ordinance and to better reflect the uses found around South Broadway today.

In 2000, Mr. Littrell re-zoned some of the Properties from B-4 (Wholesale and Warehouse Business) to B-3 (Highway Service Business) so that he could expand an historic 1959 carwash and create an oil change facility.<sup>1</sup> To provide context from the time and as noted in the Planning Commission Meeting's minutes from February 24, 2000, "much of the area was still occupied by [tobacco] warehouses, although there were some residential uses, as well." Some of the

---

<sup>1</sup> The historic carwash parcel has been zoned B-3 in 1971. The remaining parcels comprising the Properties were zoned B-4 before 2000.

warehouses were abandoned, and others were repurposed. As depicted below, these parcels were a mixture of smaller parcels that featured warehousing, an existing carwash, vacant lots, and a parking lot:



Abandoned warehouse at Plunkett Street and Bolivar Street, looking north (the Properties located on left)



Then-existing carwash on Properties, taken from S. Broadway, looking southeast



The Properties (left) and surrounding abandoned parcels, looking northeast from S. Broadway

While there was a general desire to redevelop this once-warehousing district, in 2000 the city and Kentucky Transportation Cabinet desired to extend Newtown Pike to South Broadway. Thus, at the time of the 2000 zone change there was concern regarding the “future” Newtown Pike Extension project and how its expansion would impact the Properties’ adjacent intersection of Bolivar and South Broadway (and that it potentially could require a takings from the Properties to facilitate the project).

Thus, in 2000 Applicant’s application to re-zone the Properties from B-4 to B-3 was initially recommended for postponement by planning staff “after discovering the planned road improvements” and the uncertainties accompanying the project. 2/24/2000 Minutes p. 12. Ultimately, a compromise was reached, and staff “decided to recommend approval with conditional zoning restrictions.” *Id.* Thus, while the property was ultimately re-zoned B-3 to accommodate the proposed carwash/automotive business, the property was burdened with a list of conditional use restrictions to ensure that the Properties did not interfere with the then-newly identified major roadway project. As the minutes reflect, the approval in 2000 was purposefully narrow and had been “tailor[ed] ... to allow the petitioner to do what he wants to do.” 2/24/2000 Minutes. Specifically, a carwash was not “in strict conformance” with the then operative Comprehensive Plan for a B-3 zone, but the recommendation to re-zone the property to accommodate the carwash/automotive use was approved with a list of a conditional zoning restrictions. Further, oil changing facilities were permitted under B-4, so “developing the oil change and car wash facility together would not constitute an actual change of uses currently allowed under existing zoning.” Minutes 2/24/2000 p. 14. Other potential future uses were selected to ensure that future redevelopment of the Properties did not interfere with the Newtown Pike

Extension project. Accordingly, the current list of conditional zoning restrictions were created and imposed on the Properties.

South Broadway has seen tremendous change over the past 25 years in accordance with the Comprehensive Plan. The Newtown Pike Extension project was realized, and Oliver Lewis Way (KY 922) was completed in September of 2017. Meanwhile, this area of South Broadway itself transformed from a primarily warehousing area to a thriving corridor that features numerous mixed-use developments such as retail businesses, offices, restaurants, and residential complexes. These projects include the Lex (2008), CenterCourt (2006), South Hill Station (2006), as well as the townhomes along the 500 block of S. Broadway (2015). Even more revitalization and development is anticipated with last month's announcement of the \$150 million donation to the University of Kentucky from The Bill Gatton Foundation to create a new arts district along South Broadway (immediately to the south of the Properties).

For the past 25 years, Applicant has enjoyed operating his carwash on South Broadway. But, now he has an eye on retirement. While a potential buyer may also wish to operate a carwash, there is no question that the Broadway corridor - and Lexington's zoning laws and practices - have drastically changed over the last 25 years. Most importantly, the "future Newtown Pike Extension" is fully completed, and there is no need to take this roadwork project into consideration. Thus, Applicant wishes to expand the permitted uses for the Properties to better align with Lexington's modern Zoning Ordinance (Section 8-20) and to better match the uses traditionally found in B-3 and throughout the South Broadway area. While it may have been reasonable to require the conditional zoning in 2000 to facilitate the then-uncertain and conceptual road development, there is no such need today. It is clear that loosening these restrictions to allow the Properties to develop using more of today's regulations is in keeping with the social and economic realities of today and the physical reality of the surrounding area. Further, the proposal is in keeping with the Goals and Objectives of the Comprehensive Plan. As noted in the Plan, "the overriding emphasis of Imagine Lexington is significantly overhauling the intensity of the major corridors. The future of Lexington's corridors lies in accommodating the shifting retail economic model by incorporating high density residential and *offering substantial flexibility to available land uses.*" (emphasis added).

In sum, Applicant's current conditional zoning restrictions are unnecessary and overly burdensome as they were implemented to account for a roadway project that has long-since been completed. Applicant's proposal to expand the conditional uses fits within the context of the area as a business corridor adjacent to downtown that primarily serves retail, food and beverage, residential, hospitality, and other similar uses widely recognized and permitted on B-3 parcels. This application is not meant to circumvent the Zoning Ordinance, but rather to bring the Properties more in line with it. This amendment will not negatively impact the public health, safety, or welfare of Lexington citizens, or otherwise cause a hazard or nuisance to the public. It will not alter the essential character of the general vicinity, which has changed drastically since the current restrictions' implementation in 2000 when the area was predominantly used for warehousing.

We appreciate your consideration of this matter.

Sincerely,



Lauren R. Nichols



**Lauren R. Nichols**  
Partner

lauren.nichols@dentons.com  
D +1 859 288 4677

Dentons Bingham Greenebaum LLP  
300 West Vine Street  
Suite 1300  
Lexington, KY 40507  
United States  
dentons.com

January 9, 2026

Urban County Planning Commission  
Division of Planning – Planning Services Section  
101 E Vine Street, Floor 7  
Lexington, KY 40507

Re: First Supplemental Justification Letter  
PLN-MAR-26-00001  
PLN-MJDP-26-00003  
Conditional Zoning Use Modification for 532 S. Broadway, 550 S. Broadway, 659 Plunkett  
Street, Lexington Kentucky

Dear Members of the Planning Commission:

We submit this first supplemental justification letter for Kenneth Littrell's application to amend and add to the current conditional uses implemented by DP 2000-30 for the properties zoned Corridor Business (B-3) located at 352 S. Broadway, 550 S. Broadway, and 659 Plunkett Street.

In this supplemental justification letter, we have enclosed the current conditional uses with the additional proposed uses "redlined" in Microsoft track changes for ease of review and discussion.

We appreciate your consideration of this matter.

Sincerely,

Lauren R. Nichols

**The permitted uses of the subject property shall be limited to the following:**

**Permitted Principal B-3 Uses. (Other uses substantially similar to those listed herein shall also be deemed permitted.)**

1. Car washing establishments provided that surface water from such use shall not drain onto adjacent property or over a public sidewalk, and that adequate on site storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.
2. Self service laundry, or laundry pick up station, or clothes cleaning establishments of not more than forty (40) pounds capacity and using a closed system process.
3. Garden centers.
4. Kennel, animal hospital or clinic, including office of veterinarian, providing that such structure or use, not including accessory parking areas, shall be at least one hundred (100) feet from any residential zone.
5. Minor automobile and truck repair.
6. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
7. Barber shops, beauty shops.
8. Offices, and medical clinics.
9. Quick copy services utilizing xerographic or similar processes, but not utilizing offset printing methods.
10. Business colleges, technical or trade schools or institutions.
11. Schools for academic instruction.
12. Kindergartens, nursery schools and child care centers where enrollment is limited to the children of employees and staff of an office, business or commercial establishment which is located on or abutting the same lot as the proposed childcare facility. A fenced and screened play area shall be provided in an area located a minimum of ten (10) feet from a collector or arterial street and shall contain not less than twenty-five (25) square feet per child,
13. Athletic club facilities.
- 14. Parking lots and structures.**
- 15. Principal permitted uses in the B-1 zone, except for as modified in Section 8-20; ; subject to the prohibition of outdoor speakers.**
- 16. Eating and drinking establishments and nightclubs, with entertainment, and/or sale of alcoholic beverages; subject to the prohibition of outdoor speakers.**
- 17. Hotel.**
- 18. Mobile food vendor parks.**
- 19. Multi-family dwelling, provided such uses conform to the provisions of Subsection (o)3. of Section 8-20.**
- 20. Medicinal cannabis dispensaries and safety compliance facilities.**

**Permitted Accessory B-3 Uses. (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)**

1. Storage.
2. Parking areas.

3. Drive-through facilities for sale of goods or products or provision of services otherwise permitted herein.
4. Satellite dish antennas as further related by Article 15-7.
5. Swimming pools.
- 4-6. Micro-brewery, when accessory to a restaurant permitted herein; and shall be located at least one hundred (100) feet from a residential zone and shall be soundproofed to the maximum extent feasible by using existing technology, with noise or other emissions not creating a nuisance to the surrounding neighborhood; subject to the prohibition of outdoor speakers.

Permitted Conditional B-3 Uses. (Permitted only with Board of Adjustment approval.)

~~None will be permitted.~~

1. Micro-brewery or micro-distillery; subject to the prohibition of outdoor speakers.

Signage:

Signage shall be as permitted and regulated in the B-1 zone.

Prohibited Uses:

Outdoor speakers shall be prohibited.

TRACT 1  
Legal Description  
Kenneth V. Littrell (applicant)  
Zone Change From B-3 TO B-3  
At 550 South Broadway (a portion of) and 659 Bolivar Street  
Lexington, Fayette County, Kentucky

ALL THAT TRACT OR PARCEL OF LAND SITUATED AT THE NORTHEAST CORNER OF SOUTH BROADWAY AND BOLIVAR STREET IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

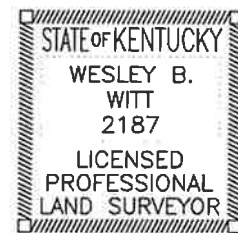
Beginning at the intersection of the centerline of South Broadway and the centerline of Bolivar Street;

thence with the centerline of South Broadway north 45 degrees 00 minutes 00 seconds east 314.28 feet to a point;

thence leaving South Broadway south 45 degrees 22 minutes 55 seconds east 207.75 feet to a point in the centerline of Plunkett Street;

thence with the centerline of Plunkett Street 45 degrees 00 minutes 00 seconds west 315.67 feet to a point at the intersection of the centerlines of Plunkett Street and Bolivar Street;

thence with the centerline of Bolivar Street north 45 degrees 00 minutes 00 seconds west 207.75 feet to the point of beginning and containing 1.50 gross acres and 0.97 net acres.



*Wesley B. Witt*

TRACT 2  
Legal Description  
Kenneth V. Littrell (applicant)  
Zone Change From B-3 TO B-3  
At 532 South Broadway,  
Lexington, Fayette County, Kentucky

ALL THAT TRACT OR PARCEL OF LAND SITUATED AT THE SOUTHEAST CORNER OF SOUTH BROADWAY AND CEDAR STREET IN LEXINGTON, FAYETTE COUNTY, KENTUCKY, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

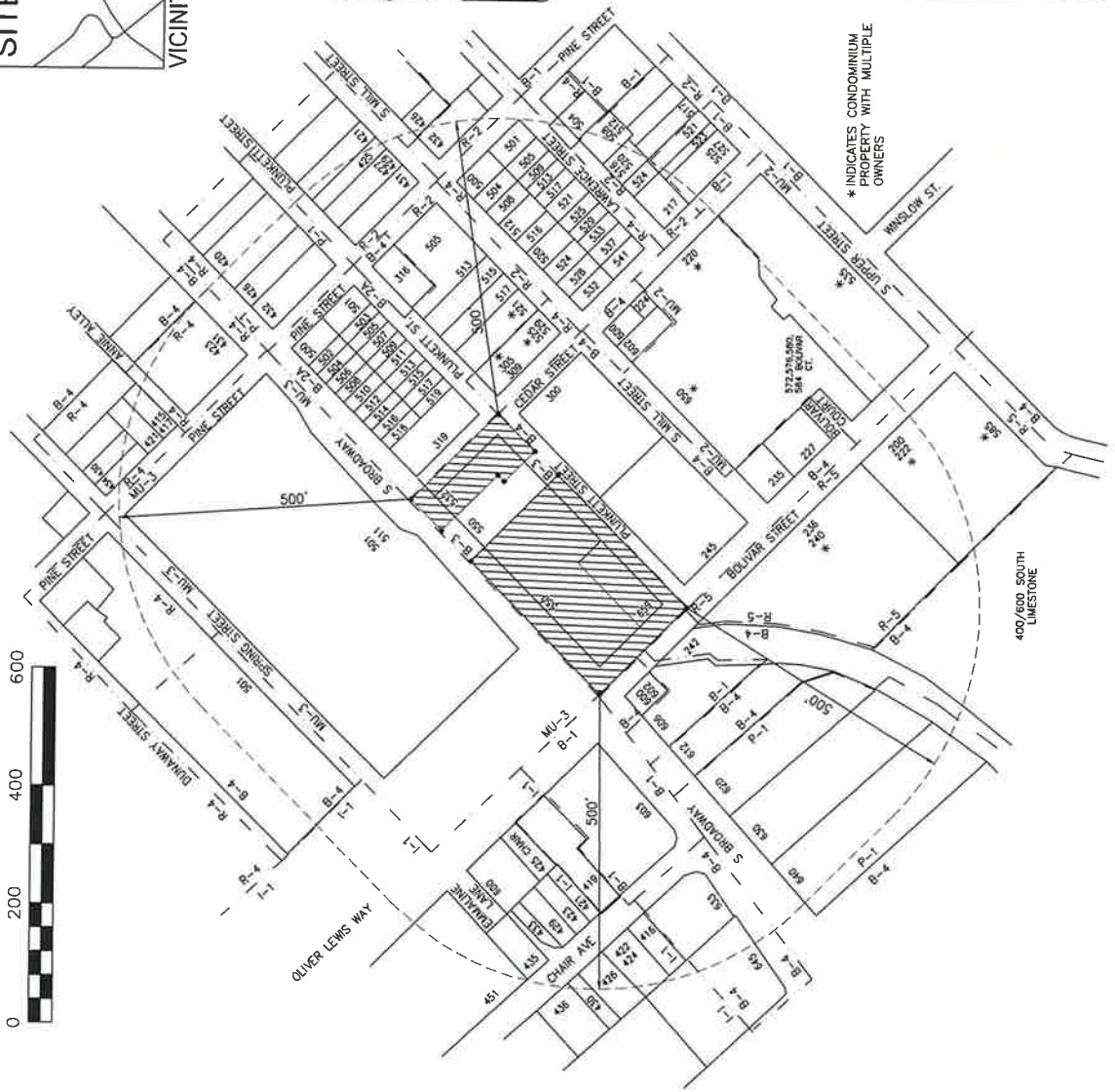
Beginning at the intersection of the centerline of South Broadway and the centerline of Cedar Street;  
thence with the centerline of Cedar Street south 45 degrees 00 minutes 00 seconds east 207.75 feet to a point at the intersection of the centerlines of Cedar Street and Plunkett Street;  
thence with the centerline of Plunkett Street south 45 degrees 00 minutes 00 seconds west 89.75 feet to a point;  
thence leaving Plunkett Street north 45 degrees 00 minutes 00 west 73.08 feet to a point;  
thence north 45 degrees 00 minutes 00 seconds east 15.00 feet to a point;  
thence north 45 degrees 00 minutes 00 seconds west 134.67 feet to a point in the centerline of South Broadway;  
thence with the centerline of South Broadway north 45 degrees 00 minutes 00 seconds east 74.75 feet to the point of beginning and containing 0.38 gross acres and 0.19 net acres.



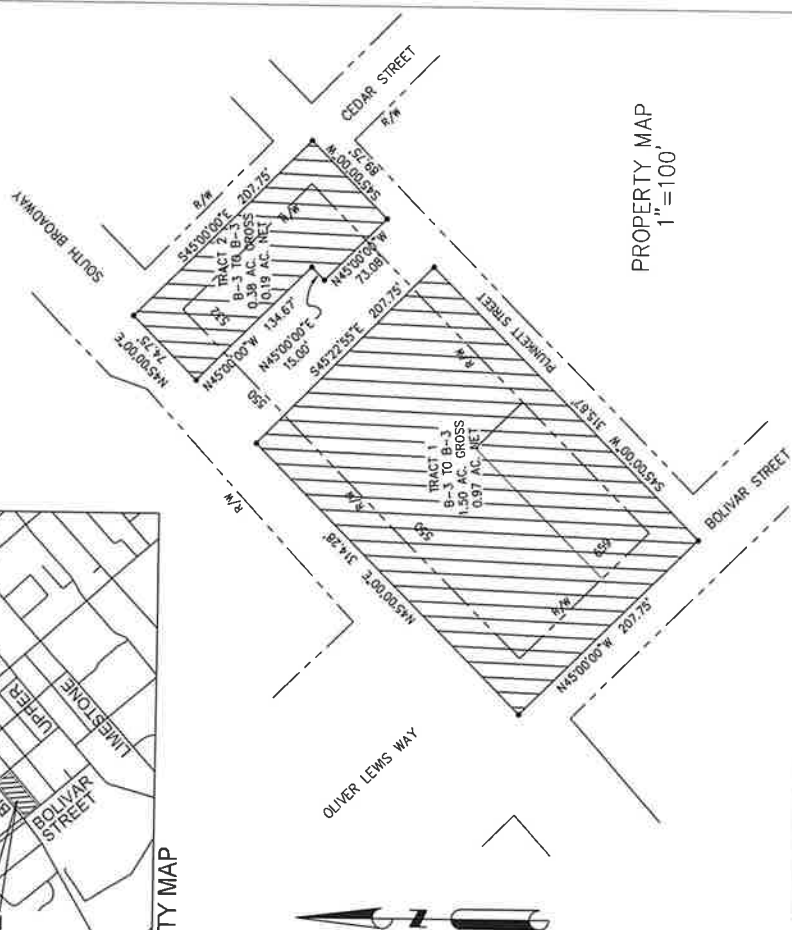
*Wesley B. Witt*



AREA NOTIFICATION MAP  
1" = 200'



\* INDICATES CONDOMINIUM  
PROPERTY WITH MULTIPLE  
OWNERS



PROPERTY MAP  
1" = 100'

ZONAR	FROM	TO	GROSS	NET
	B-3	B-3	1.50 AC.	0.97 AC.
	B-3	B-3	0.38 AC.	0.19 AC.
	TOTAL		1.88 AC.	1.16 AC.

TITLE: PLN-MAR-26-00001 PROPERTY ADDRESS: TRACT 1: 532 & 550 S BROADWAY TRACT 2: 659 PLUNKETT STREET	
OWNERS:	532 S BROADWAY: LITRELL KENNETH V & M J 2356 THE WOODS LN LEXINGTON KY 40502  659 PLUNKETT STREET: LITRELL KENNETH V & M J 2356 THE WOODS LN LEXINGTON KY 40502
APPLICANT:	LITRELL KENNETH V 2356 THE WOODS LN LEXINGTON KY 40502
PREPARED BY:	WESLEY B WITT, INC.
DATE PREPARED:	JANUARY 5, 2026

STATE OF KENTUCKY WESLEY B. WITT 2187 LICENSED PROFESSIONAL LAND SURVEYOR
--





# STAFF REPORT ON PETITION FOR ZONE MAP AMENDMENT PLN-MAR-26-00001: KENNETH V. LITTRELL

## DESCRIPTION OF ZONE CHANGE

Zone Change:	From: A Corridor Business (B-3) zone with conditional zoning restrictions To: A Corridor Business (B-3) zone with modified conditional zoning restrictions
Acreage:	1.16 net (1.88 gross) acres
Location:	532 S. Broadway, 550 S. Broadway (a portion of) & 659 Plunkett St.



## EXISTING ZONING & LAND USE

PROPERTIES	ZONING	EXISTING LAND USE
Subject Properties	B-3 w/ conditions	Car Wash
To North	MU-3/B-2A	Residential & Retail
To East	R-4/R-2	Residential
To South	R-5/B-4	Residential/Parking
To West	B-1/B-4	Commercial/ Institutional

## URBAN SERVICE REPORT

**Roads** - The subject properties are located at the intersection of South Broadway (US 68/27) and Oliver Lewis Way (KY 922)/Bolivar Street. The three properties encompass an entire block and also have frontage along Plunkett Street and Cedar Street. South Broadway and Oliver Lewis Way/Bolivar Street Forest Avenue are classified as principal arterials while Plunkett Street and Cedar Street are two lane local roads. Access to the site is from an entrance on South Broadway and two entrances along Plunkett Street.

**Curb/Gutter/Sidewalks** - Curb, gutter, and sidewalk facilities are present at the site.

**Storm Sewers** - The properties are located within the Town Branch watershed. Storm sewers are available to serve the property. There are no FEMA Special Flood Hazard Areas or environmentally sensitive areas on the subject property, or in the immediate vicinity.

**Sanitary Sewers** - The subject properties are 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, northwest of the subject properties.

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

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

**Police** - The subject properties are located within the Central Sector, and is served by the Central Sector Roll Call Center, which is located on Industry Road, approximately 3 miles to the east of the subject properties. The downtown Police Headquarters is approximately one mile east of the subject property, on East Main Street.

**Fire/Ambulance** - The nearest fire station (#3) is located about 1/2 mile north of the subject properties, at the intersection of Merino Street and W. Maxwell Street.

**Transit** - LexTran services are relatively abundant in this area, with Routes #13, 15, 24 and 58 utilizing South Broadway or Oliver Lewis Way. There are stops along South Broadway near Cedar Street and Plunkett Street as well as a nearby stop along Oliver Lewis Way.

Parks - The subject properties are located 1/2 mile south of Davis Park.

## SUMMARY OF REQUEST

The applicant is seeking to remove conditional zoning restrictions to allow additional principal, accessory and conditional uses in the existing Corridor Business (B-3) zone.

## PROPOSED ZONING

**B-3**

The intent of the Corridor Business zone is to provide for retail and commercial uses, which are necessary to the economic vitality of the community but may be inappropriate in the more neighborhood oriented zones. Development in this zone should front on an arterial or major collector roadway and should serve the needs of the broader Lexington community. Consideration should be given to the relationship of the uses in the zone to the surrounding land uses and to the adequacy of the street system to serve the traffic needs. Developments should avoid nuisance impacts of light, air, and sound that may be caused on adjacent neighborhoods. Where necessary, developments should include service roads to reduce the impact on highway movement, while also providing appropriate frontage to meet the needs of businesses. This zone should be established in accordance with the Goals, Objectives, Policies, and Development Criteria of the Comprehensive Plan.

## PROPOSED USE



The applicant is seeking to remove some of the existing conditional zoning restrictions on the subject properties prior to marketing it for sale. The applicant is not proposing any modifications to the existing structure at this time and intends to continue operating the car wash until the property is sold.

## APPLICANT & COMMUNITY ENGAGEMENT



The applicant has indicated that they have reached out to the South Hill Neighborhood Association, no additional information about community engagement was available at the time this staff report was created.

## PROPERTY & ZONING HISTORY



The subject properties were zoned B-4 prior to the comprehensive rezoning of the City and County in 1969. This area of South Broadway was a prime location for warehousing and industrial uses due to the close proximity to multiple rail lines. As rail transport and warehousing fell out of favor, the properties in this area became underutilized and ready for redevelopment. A portion of the property at 550 S Broadway was rezoned to the B-3 zone in 1971 (MAR-71-23). The remainder of the subject parcels retained their B-4 zoning classification until the 2000, when the zone was changed to B-3 and the current conditional zoning restrictions were introduced (2000-05 CZ). Shortly after the rezoning, a new car wash facility was constructed and continues to be operated at this location.

At the time of the previous rezoning, the site was home to a warehouse, a wholesale/retail fruit and vegetable distributor and a car wash which was located on the portion of 550 South Broadway that is not included in this request. During the time of the rezoning, planning staff noted that both the 1990 South Broadway Corridor Plan and the 1996 Comprehensive Plan called for "professional services" as the appropriate future use on this site. The previous staff report also noted the significance of the project to extend Newtown Pike, which would come to be known as Oliver Lewis Way, and the drastic impact it would have on traffic flow and redevelopment in this area. Ultimately, staff recommended approval noting that while the B-3 zone might not be the recommended zone for these properties, it is a less intense zone than B-4 and the impact to the surrounding area could be mitigated by the following conditional zoning restrictions:

## PROPERTY & ZONING HISTORY



The permitted uses of the subject property shall be limited to the following:

Permitted Principal B-3 Uses:

- a. Car washing establishments provided that surface water from such use shall not drain onto adjacent property or over a public sidewalk, and that adequate on site storage lanes and parking facilities shall be provided so that no public way shall be used for such purposes.
- b. Self service laundry, or laundry pick up station, or clothes cleaning establishments of not more than forty (40) pounds capacity and using a closed system process.
- c. Garden centers.
- d. Kennel, animal hospital or clinic, including office of veterinarian, provided that such structure or use, not including accessory parking areas, shall be at least one hundred (100) feet from any residential zone.
- e. Minor automobile and truck repair.
- f. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
- g. Barber shops, beauty shops.
- h. Offices, and medical clinics.
- i. Quick copy services utilizing xerographic or similar processes, but not utilizing offset printing methods.
- j. Business colleges, technical or trade schools or institutions.
- k. Schools for academic instruction.
- l. Kindergartens, nursery schools and child care centers where enrollment is limited to the children of employees and staff of an office, business or commercial establishment which is located on or abutting the same lot as the proposed childcare facility. A fenced and screened play area shall be provided in an area located a minimum of ten (10) feet from a collector or arterial street and shall contain not less than twenty-five (25) square feet per child.
- m. Athletic club facilities.
- n. Parking lots and structures.

Permitted Accessory B-3 Uses:

1. Storage
2. Parking areas
3. Drive-through facilities for sale of goods or products or provision of services otherwise permitted herein.
4. Satellite dish antennas as further related by Article 15-7.

Permitted Conditional B-3 Uses:

None will be permitted.

Signage:

Signage shall be as permitted and regulated in the B-1 zone.

Prohibited Uses:

Outdoor speakers shall be prohibited.

The format of these restrictions is unusual in that these restrictions list the specific uses allowed on the property instead of the typical practice of only listing prohibited uses.

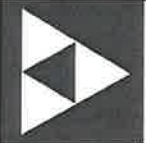
## CONDITIONAL ZONING RESTRICTION PROCESS



Article 6-7(c) Amendment. Modification, removal or amendment of conditions or restrictions shall be as follows:

1. Restrictions or Conditions Designated by the Urban County Council. The Urban County Council shall have final authority to consider and act upon requests for modification, removal or other amendment of a duly imposed binding restriction or condition so designated by the Council at the time of their adoption.
  - a. Findings Required. The request may be granted by the Council only if it is found that there has been a major change of an economic, physical or social nature on the subject property or within the area in which the subject property is located, which was not anticipated at the time the binding restriction or condition was imposed, and which has substantially altered the basic character of such area making the restriction or condition inappropriate or improper. The burden shall be on the applicant to establish said finding by a clear preponderance of the evidence.
  - b. Procedure. The procedure for review, notice and action on requests to modify, remove or amend an imposed restriction or condition shall be the same as for a zone map amendment, except that a full public hearing by the Urban County Council shall be required in all cases. The Council's decision to modify, remove or amend a duly imposed binding restriction or condition shall be final action; and any person or entity claiming to be injured or aggrieved by that action may appeal to Fayette Circuit Court within thirty (30) days after such final action pursuant to KRS 100.347.

## ZONING ORDINANCE COMPLIANCE



The applicant opines that the zoning restrictions at this location are no longer appropriate due to economic, physical and societal changes that have occurred in this area over the last 25 years. The applicant describes many of the changes to the South Broadway Corridor since the rezoning of the property, citing the shift from warehousing and industrial uses toward residential and retail. Additionally, the applicant postulates that uncertainty surrounding the exact location of the extension of Newtown Pike was the impetus for the conditional zoning restrictions.

This area of South Broadway has undoubtedly experienced significant economic, physical and social changes in the 25 years since the conditional zoning restrictions were applied, many of which were anticipated at the time. While the redevelopment was certainly expected, the shift was more toward residential than professional office than anticipated. The ongoing expansion of the University of Kentucky enrollment has placed an emphasis on developing more housing in areas with convenient access to campus. This unanticipated pivot toward dense, student-focused housing has also increased the need for walkable infrastructure and pedestrian-friendly urban designs which renders some of the conditional zoning restrictions obsolete while others become more appropriate as a result. More neighborhood business uses such as restaurants, retail, and personal services would be appropriate in this new, more residential context, while uses such as drive-through are now less appropriate for this area than they were at the zone's inception due to that same residential proximity.

Instead of adding uses to the current, unconventionally formatted list of permitted uses, staff chose to reconfigure the conditional zoning restriction to the more common practice of listing prohibited uses. This represents a significant expansion of the allowable uses on-site, as the change results in the ability to accommodate any permitted B-1 use, as well as any B-3 use that is currently permitted but was not indicated in the initial ordinance. Balancing this expansion of uses is a staff recommendation to further restrict several uses which conflict with the site's current context. In the interest of not creating a new non-conforming use, the property's current use as a car wash establishment has been retained as an allowable use.

Based on these conditions, staff recommends the following conditional zoning restrictions apply to this request:

Under the Provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply:

1. *The following uses shall be prohibited:*
  - a. *Establishments and lots for the display, rental, and sale of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.*
  - b. *Automobile refueling stations and service stations*
  - c. *Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein*
  - d. *Adult entertainment establishments*
  - e. *Minor automobile truck repair and service*
2. *Signage shall be as permitted and regulated in the B-1 zone.*
3. *Outdoor speakers shall be prohibited.*

These conditions are appropriate and necessary in order to ensure compatibility with the adjoining residential uses, and to preserve the character of the downtown corridor.

### STAFF RECOMMENDS: **APPROVAL**, FOR THE FOLLOWING REASONS:



1. The applicant has demonstrated that this portion of South Broadway has undergone a shift towards higher density residential development that was not anticipated when the conditional zoning restrictions were applied in 2000.
2. This recommendation of approval is subject to the following conditional zoning restrictions:

Under the Provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply:

1. *The following uses shall be prohibited:*
  - a. *Establishments and lots for the display, rental, and sale of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.*
  - b. *Automobile refueling stations and service stations*
  - c. *Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein*
  - d. *Adult entertainment establishments*
  - e. *Minor automobile truck repair and service*
2. *Signage shall be as permitted and regulated in the B-1 zone.*
3. *Outdoor speakers shall be prohibited.*

These conditions are appropriate and necessary in order to ensure compatibility with the adjoining residential uses, and to preserve the character of the downtown corridor.

JY/DAC/TLW  
2/20/2026

Planning Services/Staff Reports/MAR/2023/PLN-MAR-26-00001

**1. KENNETH V LITRELL ZONING MAP AMENDMENT AND CLEAN SWEEP CAR WASH (JULIAS SPEYERS PROPERTY) (AMD) DEVELOPMENT PLAN**

- a. **PLN-MAR-26-00001: KENNETH V. LITRELL** – a petition for a zone map amendment to modify conditional zoning restrictions to allow additional principal, accessory, and conditional uses in the existing Corridor Business (B-3) zone, for 1.16 net (1.88 gross) acres for property located at 532 & 550 S. Broadway and 659 Plunkett Street.

**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.

The applicant is seeking to modify the existing conditional zoning restrictions on the subject properties prior to marketing it for sale. The applicant is not proposing any modifications to the existing structure at this time and intends to continue operating the car wash until the property is sold.

**The Zoning Committee Recommended: Approval.**

**The Staff Recommends: Approval, for the following reasons:**

- 1. The applicant has demonstrated that this portion of South Broadway has undergone a shift towards higher density residential development that was not anticipated when the conditional zoning restrictions were applied in 2000.
- 2. This recommendation of approval is subject to the following conditional zoning restrictions:

**Under the Provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply:**

- 1. The following uses shall be prohibited:
  - a. Establishments and lots for the display, rental, and sale of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
  - b. Automobile refueling stations and service stations
  - c. Drive-through facilities for the sale of goods or products or provision of services otherwise permitted herein
  - d. Adult entertainment establishments
  - e. Minor automobile truck repair and service
- 2. Signage shall be as permitted and regulated in the B-1 zone.
- 3. Outdoor speakers shall be prohibited.

**b. PLN-MJDP-26-00003: CLEAN SWEEP CAR WASH (JULIUS SPEYERS PROPERTY) (AMD) (4/5/26)\***

– located at 532 & 550 S. BROADWAY and 659 PLUNKETT STREET, LEXINGTON, KY

Council District: 3

Project Contact: Barrett Partners, Inc.

**Note:** The purpose of this plan is to depict the existing car wash in support of the requested modification of the conditional zoning.

**Requirements Not Met:**

- 1. What is the proposal for stormwater management? (ZO 21-6(a)(9)) (Engineering)

**Waiver(s) Necessary:** None at this time.

**Design Considerations:**

- 1. See all Accela comments provided by the Division of Engineering.

---

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

Plan Questions or Concerns:

1. Discuss changing proposed conditional zoning to B-3 with prohibited uses. (Planning)
2. Is a sanitary sewer tap available for each proposed lot? (LSR 6-6(d)) (Engineering)
3. A consolidation plat will be required prior to certification of an amended Final Development Plan. (Planning)

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

1. Provided the Urban County Council approves the modification of the conditional zoning; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Urban Forester's approval of tree inventory map.
5. Open Space planner's approval of the treatment of greenways and greenspace.
6. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation - Mr. Young oriented the Commission to the request for an amendment to the conditional zoning restrictions. He described the zoning in the vicinity and the history of the subject property. He detailed several changes to the surrounding area in the past 25 years, and stated that these changes were significant and met the criteria that would allow a change in conditional zoning. Mr. Young briefly described the applicants desire to allow more uses on the property, and stated that staff recommended approval of the request. He also said that staff recommended changing the list of allowable uses to a more conventional list of prohibited uses.

Mr. Chaney presented the associated development plan that did not depict any physical changes. He noted that there were several property lines that cut through the block, and the applicant would have to file a consolidation plat to correct that. He said that staff recommended approval of the development plan.

Commission Question - Ms. M. Davis asked if there was a tree inventory map and open space exhibit to see. Ms. Wade replied that the plan itself noted the trees that had been planted as well as the small amount of open space.

Applicant Representation - Attorney Lauren Nichols was present to represent the applicant. She reiterated that they were not proposing any alterations to the site, but they desired to make it more consistent with traditional B-3 zoning.

Action - Mr. Michler made a motion, seconded by Mr. J. Davis, and carried 8-0 (Owens, Penn, and Forester absent), to approve PLN-MAR-26-00001: KENNETH V. LITTRELL as presented by staff.

Mr. Michler made a motion, seconded by Mr. J. Davis, and carried 8-0 (Owens, Penn, and Forester absent), to approve PLN-MJDP-26-00003: CLEAN SWEEP CAR WASH (JULIUS SPEYERS PROPERTY) (AMD) with the six conditions listed, and ensuring that the building marked "oil change" would be changed to "proposed retail".