

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


**IN RE:** **PLN-MAR-22-00001: TOWN BRANCH PARK, INC.** - a petition for a zone map amendment from a Light Industrial (I-1) zone to a Lexington Center Business (B-2B) zone, for 9.23 net (12.73 gross) acres, from a Two-Family Residential (R-2) zone to a Lexington Center Business (B-2B) zone, for 0.00 net (0.08 gross) acres, and from a Light Industrial (I-1) zone to a Two-Family Residential (R-2) zone, for 0.00 net (0.13 gross) acres, for a portion of properties at 131 and 150 Tucker Street. (Council District 11)

Having considered the above matter on **March 24, 2022**, at a Public Hearing, and having voted **9-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **APPROVAL** of this matter for the following reasons:

1. A Lexington Center Business (B-2B) zone is in agreement with the 2018 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning will protect the environment by reducing the carbon context of the area (Theme B, Goal #2) by replacing a large impervious parking lot with a park that will be primarily comprised of greenspace.
  - b. The proposed park will conserve, protect, and improve the area in an environmentally sustainable manner by preserving and enhancing the portion of Town Branch Creek located along the southwest boundary of the Park (Theme B, Goal #3).
  - c. The proposed rezoning will create jobs in the operation, maintenance, and management of the park, but will be a major asset in attracting tourists, promoting added conventions to the adjacent expanded Convention Center and enhancing the experience of the convention attendees (Theme C, Goal #1).
  - d. The proposed park will encourage and embrace activities, performances, festivals, and events of a recreational, educational, artistic, musical, theatrical and social nature for children and adults (Theme C, Goal #2).
  - e. The proposed rezoning of the property and the construction of the park will allow for the improvement of a desirable community by including facilities that are people first in design and provide a healthy and safe place for social interaction (Theme D, Goal #2). The facilities will include walking and bike trails; benches; a cafe restaurant for indoor and outdoor dining; open greenspace areas for picnics, play, gatherings; a children's play area with water and other active play features; a dog park; an entertainment stage and amphitheater accommodating up to 5,000 attendees for festivals and performances; and public restroom facilities.
  - f. The proposed development will protect and enhance the natural and cultural landscapes of Lexington by restoring a portion of the Town Branch Creek, while also enhancing the established built environment and bridging the gap in Lexington's trail system (Theme D, Goal #3).
2. A Lexington Center Business (B-2B) zone is in agreement with the 2018 Comprehensive Plan's Policies, for the following reasons:
  - a. The proposed park will serve as an important connection point of the Town Branch Commons, and is integral to the implementation of the Town Branch Commons Master Plan (Placemaking Policy #1).
  - b. The proposed development would play an important role in the growth of Lexington's regional park system (Placemaking Policy #4).

3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2018 Comprehensive Plan.
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location, as the development will provide an urban park that includes amenities, provides connectivity for bike and pedestrian mobility, and promotes the preservation and maintenance of natural features.
  - b. The proposed rezoning meets the criteria for Transportation and Pedestrian, as development will provide pedestrian and bicycle access throughout the site and connecting into the established trail system.
  - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will protect and increase tree canopy coverage, and protect the natural features, specifically the Town Branch Creek on the site.
4. Slight adjustments to the zoning categories within the right-of-way to the B-2B zone and the R-2 zone are nominal and do not have an impact on the subject property or the adjacent land uses. These changes are appropriate as they match the adjacent and surrounding zoning, whereas the current zoning is incongruent with the proposed land use.
5. This recommendation is made subject to approval and certification of PLN-MJDP-22-00007: Town Branch Park, 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 15<sup>th</sup> day of April, 2022.

  
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 Secretary, Jim Duncan

LARRY FORESTER  
 CHAIR

Note: The corollary development plan, PLN-MJDP-22-00007: Town Branch Park was approved by the Planning Commission on March 24, 2022 and certified on April 7, 2022.

K.R.S. 100.211(7) requires that the Council take action on this request by June 22, 2022.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Mike Ades, Attorney**.

**OBJECTORS**

- Helene Steene, president of the Historic Woodward Heights Neighborhood Association

**OBJECTIONS**

- Concerned about the potential impact of traffic on the adjoining neighborhood

**VOTES WERE AS FOLLOWS:**

AYES: (9) Barksdale, Davis, de Movellan, Forester, Meyer, Michler, Penn, Pohl, and Worth  
 NAYS: (0)  
 ABSENT: (2) Bell, Nicol  
 ABSTAINED: (0)  
 DISQUALIFIED: (0)

Motion for **APPROVAL** of **PLN-MAR-22-00001** carried.

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