

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


IN RE: **PLN-MAR-21-00016: HARRODSBURG ROAD, LLC** - a petition for a zone map amendment from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 3.88 net and gross acres; and from an Agricultural Urban (A-U) zone to a Highway Service Business (B-3) zone, for 7.88 net (9.245 gross) acres, for property at 4085 Harrodsburg Road. (Council District 9)

Having considered the above matter on **January 27, 2022**, 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 **DISAPPROVAL** of this matter for the following reasons:

1. The requested rezoning to Highway Service Business (B-3) zone and the Planned Neighborhood Residential (R-3) are not in agreement with the 2018 Comprehensive Plan for the following reasons:
  - a. The requested zones are not recommended zones within the proposed Place-Type of the Comprehensive Plan and the applicant has not provided sufficient information as to how the zones fit the proposed Place-Type or Development Type.
  - b. The requested rezoning is not in agreement with the Goals, Objectives, and Policies of the 2018 Comprehensive Plan.
    1. The proposed development is not an integrated mixed-use development, it does not adaptively reuse the existing structure, nor does the proposed development seek to construct at a density or intensity that might be reflective of a major corridor in Lexington (Theme A, Goal #2, Theme A, Goal #2.a).
    2. The proposed development does not indicate the context and design features that they are seeking to promote; commercial opportunities actually represent a decrease in intensity and density of use compared to the neighboring commercial development (Theme A, Goal #2.b).
    3. The application does not indicate what forms of jobs might be created that will support and showcase local assets to create a variety of jobs (Theme C, Goal #1).
    4. The proposed development does not incorporate safe and integrated pedestrian facilities into the proposed development; nor is the proposed development pedestrian-oriented (Theme D, Goal #1.a).
    5. The proposed rezoning and associated development does not improve traffic operation strategies (Theme D, Goal 1.d).
  - c. The proposed development does not meet the intent of the Medium Density Non-Residential / Mixed Use Development Type as established on page 271 of the Comprehensive Plan.
  - d. The requested rezoning is not in agreement with the Development Criteria of the 2018 Comprehensive Plan. The following Development Criteria are not being met with the proposed rezoning.
    1. 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 in accordance with other Imagine Lexington corridor policies and Placebuilder priorities.
    2. A-DS5-3: Building orientation should maximize connections with the surrounding area and create a pedestrian-friendly atmosphere.
    3. A-DS5-4: Development should provide a pedestrian-oriented and activated ground level.
    4. A-DS7-1: Parking should be oriented to the interior or rear of the property for nonresidential or multi-family developments.
    5. A-DN3-1: Pedestrian-oriented commercial opportunities should be incorporated within residential neighborhoods.

7. C-DI1-1: Consider flexible zoning options that will allow for a wide range of jobs.
  8. C-LI6-1: Developments should incorporate multi-family housing and walkable commercial uses into development along arterials/corridors.
  9. C-LI7-1: Developments should create mixed-use neighborhoods with safe access to community facilities, greenspace, employment, businesses, shopping, and entertainment.
  10. C-PS10-3: Over-parking of new developments should be avoided. (B-SU5)
  11. D-PL9-1: Historically significant structures should be preserved.
  12. D-PL10-1: Activate the streetscape by designating public art easements in prominent locations.
  13. E-GR4-1: Developments should incorporate reuse of viable existing structures.
  14. E-GR9-4: Development should intensify underutilized properties and develop vacant and underutilized gaps within neighborhoods. (E-GR6)
  15. E-GR10-2: Developments should provide walkable service and amenity-oriented commercial spaces.
  16. A-DS1-2: Direct pedestrian linkages to transit should be provided.
  17. A-DS5-1: Adequate multi-modal infrastructure should be provided to ensure vehicular separation from other modes of transport.
  18. A-DS5-2: Roadways should provide a vertical edge, such as trees and buildings,
  19. A-DS13-1: Stub streets should be connected. (D-CO4)
  20. A-EQ3-2: Development on corridors should be transit-oriented (dense & intense, internally walkable, connected to adjacent neighborhoods, providing transit infrastructure & facilities). (B-SU3)
  21. D-CO1-1: Rights-of-way and multi-modal facilities should be designed to reflect and promote the desired place-type.
  22. D-CO2-1: Safe facilities for all users and modes of transportation should be provided.
  23. D-CO2-2: Development should create and/or expand a safe, connected multi-modal transportation network that satisfies all users' needs, including those with disabilities.
  24. D-CO4-2: Roadway capacity should be increased by providing multiple parallel streets, which alleviate traffic and provide multiple route options, in lieu of additional lanes.
2. There have been no major unanticipated changes of an economic, social or physical nature in the area of the subject property since the adoption of the 2018 Comprehensive Plan.
  3. The applicant has not provided evidence as to why the current zoning is inappropriate and the proposed zoning is the appropriate zone for this location.

ATTEST: This 18<sup>th</sup> day of February, 2022.

  
 Secretary, Jim Duncan

LARRY FORESTER  
 CHAIR

Note: The corollary development plan, PLN-MJDP-21-00016: HARRODSBURG ROAD, LLC was indefinitely postponed by the Planning Commission on January 27, 2022.

K.R.S. 100.211(7) requires that the Council take action on this request by April 27, 2022.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Bruce Simpson, attorney.**

**OBJECTORS**

- None

**OBJECTIONS**

- None

VOTES WERE AS FOLLOWS:

AYES: (8) Bell, Davis, de Movellan, Meyer, Michler, Nicol, Penn, and Worth

NAYS: (0)

ABSENT: (3) Barksdale, Forester, Pohl

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **DISAPPROVAL** of **PLN-MAR-21-00016** carried.

Enclosures: Application  
Justification  
Plat  
Development Snapshot  
Staff Report  
Supplemental Staff Report  
Traffic Impact Study Staff Report  
Applicable excerpts of minutes of above meeting

