

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.¹ 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

¹ 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