

Rec'd by _____
Date: _____

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

IN RE: PLN-MAR-23-00003: BREAD AND ROSES, LLC - a petition for a zone map amendment from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 1.23 net (1.37 gross) acres, for property located at 446 E High Street. (Council District 3)

Having considered the above matter on **March 23, 2023**, at a Public Hearing, and having voted **7-0** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITONAL APPROVAL** of this matter for the following reasons

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2018 Comprehensive Plan's Goals, Objectives and Policies, for the following reasons:
 - a. The proposed development will respect the context of the surrounding area by utilizing a structure that has been at this location since 1958 (Theme A, Goal #2.b).
 - b. The proposed development will help the existing neighborhood flourish by introducing new neighborhood scaled and oriented business uses into what was previously a strictly professional office development (Theme A, Goal #3.a).
 - c. The proposed development will encourage positive and safe social interactions by retaining the pedestrian connections to surrounding uses (Theme A, Goal #3.b).
 - d. The proposed development will help attract young and culturally diverse professionals by enabling an expansion of the offerings at the adjoining Kentucky Native Cafe (Theme C, Goal #2.a).
2. 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 it utilizes the site's existing office structure, which will retain the scale and character of the current development. The request emphasizes the existing structure as a focal point of the site by locating parking to the side and rear of the site. The request allows for greater employment opportunities at this location, and provides a neighborhood-oriented use to serve the surrounding area.
 - b. The proposed rezoning meets the Transportation and Pedestrian Connectivity development criteria, as the proposal will utilize the existing pedestrian and vehicular connections that are in place for the existing office building, and is in close proximity to an existing transit stop.
 - c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as it will increase tree canopy coverage through additional vehicular use area and property perimeter screening.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are recommended via conditional zoning:
 - a. Prohibited Uses:
 - i. Automobile service stations
 - ii. Miniatures golf courses
 - iii. Carnivals and Circuses, even on a temporary basis
 - iv. Drive-through facilities
 - v. Pawn shops
 - vi. Gasoline pumps
 - vii. Mining of non-metallic minerals

- viii. Parking lots and structures, other than as an accessory use
- ix. Rental of equipment whose retail sale would otherwise be permitted in a B-1 zone
- x. Minor automobile repair

These use restrictions are appropriate and necessary for the following reasons:

1. Staff finds that these restrictions are appropriate and necessary to protect the character of the Aylesford Park Historic area as well as the character of the High Street corridor.
2. The limitations of these uses also align with the applicant's stated goals of providing a development that is oriented towards the existing neighborhood, rather than the traveling public.
3. These restrictions help ensure the site provides a safe pedestrian experience, and do not encourage auto-centric travel patterns.
4. This recommendation is made subject to approval and certification of PLN-MJDP-23-00013: Bread & Roses Development, 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 5th day of April, 2023.



 Secretary, Jim Duncan

LARRY FORESTER
 CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by June 21, 2023.

Note: A landscape variance was approved by the Planning Commission on March 23, 2023.

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

OBJECTORS

- Art Thomas, 453 E High St
- Alex Shore, 403 E High St

OBJECTIONS

- Concerned about the conditional zoning restriction changes proposed by the applicant. Desires more greenspace on the site.
- Concerned about traffic associated with the potential B-1 zone.

VOTES WERE AS FOLLOWS:

AYES:	(7)	Barksdale, Bell, Forester, Meyer, Nicol, Pohl, and Worth
NAYS:	(0)	
ABSENT:	(3)	Davis, de Movellan, and Penn
ABSTAINED:	(0)	
DISQUALIFIED:	(1)	Michler

Motion for **APPROVAL** of **PLN-MAR-23-00003** carried.

Enclosures: Application
 Justification
 Legal Description

Plat
Development Snapshot
Staff Reports
Applicable excerpts of minutes of above meeting

