

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

**IN RE: PLN-MAR-23-00016: STAVROFF LAND & DEVELOPMENT, INC** - a petition for a zone map amendment from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone, for 2.143 net (2.633 gross) acres for property located at 201, 207, 209, 211, 215, 221, 225, 227, 231, and 235 E. Maxwell Street, and 245, 247, and 251 Stone Avenue. (Council District 3)

Having considered the above matter on **December 14, 2023**, 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 **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The proposed Downtown Business Frame (B-2A) zone is in agreement with the Imagine Lexington 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed rezoning encourages the expansion of housing choices by providing for higher density residential development (Theme A, Goal #1.b).
  - b. By varying the building height and massing along each respective roadway, the request maintains compatibility with existing development in the area (Theme A, Objective #2.b).
  - c. The request encourages positive and safe social interactions by improving the existing pedestrian system, providing new crosswalks across E. Maxwell Street, and reducing vehicular conflict points.
  - d. The request de-emphasizes single-occupancy vehicles by limiting parking on-site and providing for direct multi-modal connections to the University of Kentucky and the greater downtown area (Theme B, Goal #2.d).
2. The proposal is in agreement with the Policies of the 2018 Comprehensive Plan for the following reasons:
  - a. The request substantially complies with the Multi-Family Design Standards (Theme A, Design Policy #3).
  - b. The proposal directs increased residential density to one of the city's major corridors (Theme A, Density Policies #1, 2, and 4).
  - c. The development is designed so that the parking areas are not the primary visual component of the site (Theme A, Design Policy #7).
  - d. The request creates walkable streetscapes by incorporating street trees, townhouse units, and articulating the building facade (Theme A, Design Policy #5).
  - e. By limiting the amount of parking provided on-site, the request encourages alternative modes of transportation and promotes walking (Theme B, Sustainability Policy #5).
3. The justification and corollary development plan are in agreement with the Development Criteria of the 2018 Comprehensive Plan.
  - a. The proposed rezoning meets the criteria for Site Design, Building Form and Location as it demonstrates compliance with the requirements of the Multi-Family Design Standards, creates a defined vertical edge along the corridor and adjoining roadways, mitigates the visual impact of the parking structure, and significantly increases residential density.
  - b. The proposed rezoning meets the criteria for Transportation and Pedestrian Connectivity, as the proposal provides for an improved pedestrian network, provides a defined vertical edge along all four roadways, provides for improved connections to the University of Kentucky and adjoining

neighborhoods, widens and reroutes Hagerman Court, and reduces the number of vehicular access points and curb cuts on E. Maxwell Street.

- c. The proposed rezoning meets the criteria for Greenspace and Environmental Health as the request preserves two significant trees along the Stone Avenue, provides for clearly delineated open space, and incorporates street trees along all four frontages to create a walkable streetscape.
4. This recommendation of approval is subject to the following conditional zoning restrictions:
  1. Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses shall be prohibited:
    - i. Establishments for the display, rental, or sale of automobiles, motorcycles, trucks and boats.
    - ii. Hotels and motels.
    - iii. Wholesale establishments.
    - iv. Minor automobile and truck repair.
    - v. Establishments primarily engaged in the sale of supplies and parts for vehicles and farm equipment
    - vi. Drive-through facilities for sale of goods or products or provision of services otherwise permitted herein.
    - vii. Automobile and vehicle refueling stations, and service stations.
    - viii. Adult entertainment establishments.
    - ix. Stadium and exhibition halls.
  2. The property shall be developed with a minimum of 93 dwelling units per acre, or 200 dwelling units at this location

These restrictions are necessary and appropriate in order to maintain the character of the E. Maxwell Street corridor, protect the adjoining residential use, as well as meeting the Comprehensive Plan's goal of increasing the density of residential development in and near downtown, and along arterial corridors.

5. This recommendation is made subject to approval and certification of PLN-MJDP-23-00062: THE MAXWELL (LYNDHURST SUBDIVISION) 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 5<sup>th</sup> day of January, 2024.



Secretary, Jim Duncan

LARRY FORESTER  
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by March 13, 2024

Note: The corollary development plan, PLN-MJDP-23-00062: THE MAXWELL (LYNDHURST SUBDIVISION) was approved by the Planning Commission on December 14<sup>th</sup>, 2023 and certified on December 28<sup>th</sup>, 2023.

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



- pictures of other homes where parking was a problem.
- Stated that they supported the concerns of the Aylesford Neighborhood. She said that the area in question was different than the downtown business area.
- Felt that the development was out of scale with the existing neighborhood.
- Read a statement submitted by Kevin Benzie, who owns homes on Hagerman Court. He was opposed to the proposal.
- Stated that she was opposed to the proposal because of the historic nature of the buildings being removed. She was concerned that there hasn't been a new traffic study to cover rideshares, and deliveries. She was also concerned that the new structure would block sunlight from her home.
- Felt that the property was not a downtown development area. He said that the additional housing may not even be needed in the future. He said that the new building would have inferior materials compared to the existing homes.
- Ginny Daley, Fayette County Neighborhood Council.
- John Michler, 415 E. Maxwell Street.
- Ian Haight, 3767 Winchester Road.
- Maureen Peters, 276 Lexington Avenue.
- Jim Dickenson, 368 Transylvania Park

VOTES WERE AS FOLLOWS:

AYES: (9) Forester, Wilson, Barksdale, Michler, Meyer, Pohl, Worth, Owens and Nicol

NAYS: (0)

ABSENT: (1) Davis

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for APPROVAL of PLN-MAR-23-00016 carried.

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