

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

**IN RE: PLN-MAR-24-00013: SHADELAND INVESTMENTS, LLC** – a petition for a zone map amendment from a Planned Neighborhood Residential (R-3) zone to a Neighborhood Business (B-1) zone for 0.16 net (0.28 gross) acres for property located at 185 Eastern Avenue. (Council District 1)

Having considered the above matter on **September 26, 2024**, 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 **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Goals and Objectives, for the following reasons:
  - a. The proposed project is in a location that promotes infill, redevelopment, adaptive reuse, and mixed-use developments (Theme A, Goal #2.a).
  - b. The proposed rezoning will allow for a more substantial commercial development with neighborhood-serving business potential (Theme A, Goal 3.d).
  - c. The proposed project will remain in scale with the surrounding context through the reuse and expansion of an existing, non-conforming structure (Theme A, Goal #2.b) while re-designing vehicular use and sidewalk areas to promote safer connectivity (Theme A, Goal 3.b).
2. The requested Neighborhood Business (B-1) zone is in agreement with the 2045 Comprehensive Plan's Policies, for the following reasons:
  - a. The proposed rezoning will allow the applicant to construct their posited addition to the existing structure and create development in scale with the surrounding context (Theme A, Design Policy #4).
  - b. The proposal will maintain parking to the rear of the structure and close off the site's E. Second Street vehicular access enhancing it's walkability and bikeability (Theme A, Design Policy #7).
  - c. The proposal intends to create a mixed-use development that will serve as a community anchor for the neighborhood (Theme A, Design Policy #10).
  - d. The proposal seeks to add neighborhood-level commercial opportunities through the addition to the existing structure (Theme A, Design Policy #12).
3. The justification and corollary development plan are in agreement with the policies and development criteria of the 2045 Comprehensive Plan.
  - a. The proposed rezoning meets the recommendations for Land Use, as the proposed development will create a mixed-use structure within a neighborhood context (C-LI7-1), which will aim to provide a community-oriented service (E-ST8-2).
  - b. The proposed rezoning addresses the Transportation and Pedestrian Connectivity Development Criteria, as the proposal will create a more walkable streetscape (A-DS5-2), with limited shared parking (C-PS10-1), and promote foot and bike traffic to the site (D-CO2-1).
  - c. The proposed rezoning meets the criteria for Environmental Sustainability and Resiliency, as it does not impact any environmentally sensitive areas (B-PR2-1), reduces impervious surface through the addition (B-SU4-1), and will not overlight the site (B-PR10-1).
  - d. The request meets the requirements for Site Design, as the proposed development will activate the streetscape creating a pedestrian-oriented site (A-DS5-4) through the addition of a patio enhancing the public realm (C-LI8-1), with parking oriented to the rear of the property (A-DS7-1) and minimal spaces provided (C-PS10-2).

- e. The request meets the criteria for Building Form, as the proposal maintains appropriate scale to the surrounding neighborhood (A-DS4-2) through the reuse of a viable existing structure (E-GR4-1) while maintaining the massing and design with the new addition (A-DN2-2), which will adapt a structure built in 1890 (E-GR5-1) while creating a pedestrian-oriented atmosphere (A-DS5-3) through the activation of the first floor (D-PL2-1).
4. Under the provisions of Article 6-7, the following restriction is recommended via conditional zoning:
- a. No alcohol sales shall be permitted
- This restriction is necessary to protect the nearby neighborhood.
5. This recommendation is made subject to approval and certification of PLN-MJDP-24-00061: SHADELAND INVESTMENTS PROPERTY 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 11<sup>th</sup> day of October, 2024.

  
Secretary, Jim Duncan

LARRY FORESTER  
CHAIR

K.R.S. 100.211(7) requires that the Council take action on this request by December 25, 2024

Note: The corollary development plan, PLN-MJDP-24-00061: SHADELAND INVESTMENTS PROPERTY was approved by the Planning Commission on September 26, 2024 and certified on October 10, 2024

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

**OBJECTORS**

**OBJECTIONS**

**VOTES WERE AS FOLLOWS:**

AYES:	(8)	Barksdale, J. Davis, Z. Davis, Forester, Michler, Owens, Wilson, and Worth
NAYS:	(0)	
ABSENT:	(3)	Nicol, Penn, & Pohl
ABSTAINED:	(0)	
DISQUALIFIED:	(0)	

Motion for **APPROVAL** of **PLN-MAR-24-00013** carried.

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