

ORDINANCE NO. ____ - 2024

AN ORDINANCE CHANGING THE ZONE 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 EAST MAXWELL STREET AND 245, 247 AND 251 STONE AVENUE. (STAVROFF LAND & DEVELOPMENT, INC.; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on December 14, 2023, a petition for a zoning ordinance map amendment for property located at 201, 207, 209, 211, 215, 221, 225, 227, 231 and 235 East Maxwell Street and 245, 247 and 251 Stone Avenue from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone, for 2.143 net (2.633 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-0; and

WHEREAS, this Council agrees with the recommendation of the Planning Commission; and

WHEREAS, the recommendation form of the Planning Commission is attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That the Zoning Ordinance of the Lexington-Fayette Urban County Government be amended to show a change in zone for property located at 201, 207, 209, 211, 215, 221, 225, 227, 231 and 235 East Maxwell Street and 245, 247 and 251 Stone Avenue from a Medium Density Residential (R-4) zone to a Downtown Frame Business (B-2A) zone, for 2.143 net (2.633 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That, under the provisions of Article 6-7 of the Zoning Ordinance, the following conditional zoning restrictions shall apply to the subject property:

1. 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.

Section 3 – That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

Section 4 – That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED

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