

ORDINANCE NO. _____-2017

AN ORDINANCE CHANGING THE ZONE FROM A LIGHT INDUSTRIAL (I-1) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 1.84 NET (2.74 GROSS) ACRES, FOR PROPERTY LOCATED AT 362 NEWTOWN PIKE (D & D REALTY, LLC; COUNCIL DISTRICT 2).

WHEREAS, at a Public Hearing held on December 15, 2016 a petition for a zoning ordinance map amendment for property located at 362 Newtown Pike from a Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone for 1.84 net (2.74 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 8-0; 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 362 Newtown Pike from a Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone for 1.84 net (2.74 gross) acres, being more fully described in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2 - That the granting of this zone change is made subject to the following use restrictions as conditions of granting the zone change:

Under the provisions of Article 6-7 of the Zoning Ordinance, the following uses shall be prohibited on the subject property via conditional zoning:

- a. Animal hospitals or clinics.
- b. Drive-through facilities.
- c. Automobile repair, service stations and gasoline pumps, closer than 125' from West Fourth Street.
- d. Automobile and vehicle refueling stations, closer than 125' from West Fourth Street.

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

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