

ORDINANCE NO. \_\_\_\_\_-2019

AN ORDINANCE CHANGING THE ZONE FROM A RESTRICTED HIGH DENSITY APARTMENT (R-4) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE, FOR 4.43 NET (4.81 GROSS) ACRES, FOR PROPERTY LOCATED AT 2370 SANDERSVILLE ROAD. (CBROTHERS, LLC; COUNCIL DISTRICT 2).

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WHEREAS, at a Public Hearing held on December 13, 2018 a petition for a zoning ordinance map amendment for property located at 2370 Sandersville Road from a restricted High Density Apartment (R-4) zone to a Light Industrial (I-1) zone, for 4.43 net (4.81 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 11-0; 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 2370 Sandersville Road from a restricted High Density Apartment (R-4) zone to a Light Industrial (I-1) zone, for 4.43 net (4.81 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 use restrictions shall apply to the subject property via conditional zoning:

- a. The existing office and warehouse structures originally constructed in the 19<sup>th</sup> century are to be retained and maintained.
- b. The only I-1 uses permitted on this property are the principal permitted uses in the B-4 zone, except as prohibited below, and the manufacturing, compounding, assembling, processing, packaging, or similar treatment of auto parts and beverages, including bottling facilities limited to 5000 square feet.
- c. The following B-4 permitted uses shall be prohibited:

- i. Laundry (excluding self-service laundry), clothes cleaning or dyeing shop.
- ii. Ice Plant.
- iii. Tire re-treading and re-capping.
- iv. Kennels, animal hospitals, and clinics.
- v. Establishments and lots for the display, rental sale, and repair of farm equipment, contractor equipment, mobile homes, recreation vehicles, such as mini-bikes, motorcycles, bicycles, or boats.
- vi. Establishments and lots for the outdoor storage or display of automobiles or trucks.
- vii. Truck terminals and freight yards.
- viii. Automobile and vehicle refueling.
- ix. Establishments for the display and sale of precut, prefabricated, or shell homes.
- x. Carnivals.
- xi. Shredding, sorting and baling of paper scrap and storage of waste paper, when wholly conducted in a completely enclosed building.

These restrictions are appropriate and necessary because they have been offered by the applicant and will limit inappropriate uses and maintain the historic character of the property.

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:

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MAYOR

ATTEST:

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CLERK OF URBAN COUNTY COUNCIL

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