

ORDINANCE NO. _____-2017

AN ORDINANCE CHANGING THE ZONE FROM A NEIGHBORHOOD BUSINESS (B-1) ZONE TO A PLANNED SHOPPING CENTER (B-6P) ZONE, FOR 9.45 NET (10.26 GROSS) ACRES, AND FROM A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE TO A PLANNED SHOPPING CENTER (B-6P) ZONE FOR 0.43 GROSS ACRE, FOR PROPERTY LOCATED AT 1201 GREENDALE ROAD. (GREENDALE PROPERTIES, LLC; COUNCIL DISTRICT 2).

WHEREAS, at a Public Hearing held on August 24, 2017 a petition for a zoning ordinance map amendment for property located at 1201 Greendale Road from a Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone for 9.45 net (10.26 gross) acres, and from a Planned Neighborhood Residential (R-3) zone to a Planned Shopping Center (B-6P) zone for 0.43 gross acre, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 8-2; 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 1201 Greendale Road from a Neighborhood Business (B-1) zone to a Planned Shopping Center (B-6P) zone for 9.45 net (10.26 gross) acres, and from a Planned Neighborhood Residential (R-3) zone to a Planned Shopping Center (B-6P) zone for 0.43 gross acre, 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 land use restrictions shall apply for the subject property via conditional zoning:

A. Prohibited Uses

1. "Rehabilitation Homes."
2. Arcades, including pinball and electronic games.
3. Self-service laundromats.
4. Car washes as a principal use.

5. Tattoo parlors.
6. Funeral parlors.
7. Circuses and carnivals.
8. "Day shelters."

B. Other Use Restrictions

1. All parking lot lighting shall be "shoebox" style lighting or another type that will appropriately shield that light source.
2. Limitation of eight gasoline pumps for gas stations or convenience stores.
3. Within 150 feet of Lucille Drive, no gasoline pumps or drive thru facilities for food services or packaged liquor.

These restrictions are appropriate and necessary to protect nearby residential land use from incompatible uses in the shopping center.

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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