

ORDINANCE NO. _____-2016

AN ORDINANCE CHANGING THE ZONE FROM A MIXED-USE 2: NEIGHBORHOOD CORRIDOR (MU-2) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 0.964 NET (1.235 GROSS) ACRES, FOR PROPERTY LOCATED AT 1501, 1505, 1507 AND 1509 VERSAILLES ROAD. (JAKE RIORDAN (AMD.); COUNCIL DISTRICT 11).

WHEREAS, at a Public Hearing held on February 25, 2016 a petition for a zoning ordinance map amendment for property located at 1501, 1505, 1507 and 1509 Versailles, Road from a Mixed-Use 2: Neighborhood Corridor (MU-2) zone to a Neighborhood Business (B-1) zone for 0.964 net (1.235 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 7-1; 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 1501, 1505, 1507 and 1509 Versailles, Road from a Mixed-Use 2: Neighborhood Corridor (MU-2) zone to a Neighborhood Business (B-1) zone for 0.964 net (1.235 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 and buffering restrictions are proposed for the subject property via conditional zoning:

Prohibited Uses

- a. Drive-through facilities within 100' of Delmont Drive
- b. The sale or provision of wine, beer or alcoholic beverages, other than by the drink.
- c. Live entertainment and/or dancing.
- d. Cocktail lounges, brew-pubs and nightclubs.
- e. Automobile service stations.
- f. Arcades, including pinball and electronic games.
- g. Sale of firearms other than by federally licensed manufacturers, importers or dealers.

- h. Car washing establishments.
- i. Pool tables, within an establishment, even as an accessory use.
- j. Automobile and vehicle refueling stations.
- k. Tattoo parlors

Other Use Restrictions:

- a. A landscape buffer of at least ten (10) feet in width shall be provided along the northern property boundary, with plantings as specified by Article 18-3(a)(1)2 of the Zoning Ordinance, including the retention or replacement of a 6-foot tall privacy fence.
- b. Outdoor lighting shall be shielded and directed away from any adjacent residential zone. Lighting attached to a pole or any structure shall be a maximum of twenty (20) feet in height.
- c. Any free-standing sign erected shall be a maximum of ten (10) feet in height.

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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