

ORDINANCE NO. 39-2014

AN ORDINANCE CHANGING THE ZONE FROM A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE, FOR 81.22 NET AND GROSS ACRES; FROM A HIGH DENSITY APARTMENT (R-4) ZONE TO A LIGHT INDUSTRIAL (I-1) ZONE FOR 3.77 NET AND GROSS ACRES; FROM A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE TO A PROFESSIONAL OFFICE (P-1) ZONE, FOR 4.49 NET AND GROSS ACRES; AND FROM A HIGH DENSITY APARTMENT (R-4) ZONE TO A PROFESSIONAL OFFICE (P-1) ZONE, FOR 9.32 NET AND GROSS ACRES, WITH CONDITIONAL ZONING RESTRICTIONS, FOR PROPERTY LOCATED AT 2250 SPURR ROAD AND 2350, 2400 & 2550 GEORGETOWN ROAD (A PORTION OF EACH). (HAYMAKER DEVELOPMENT CO., LLC; COUNCIL DISTRICT 1).

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WHEREAS, at a Public Hearing held on February 27, 2014, a petition for a zoning ordinance map amendment for property located at 2250 Spurr Road and 2350, 2400 & 2550 Georgetown Road (a portion of each) a Planned Neighborhood Residential (R-3) zone to a Light Industrial (I-1) zone, for 81.22 net and gross acres; from a High Density Apartment (R-4) zone to a Light Industrial (I-1) zone for 3.77 net and gross acres; from a Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone, for 4.49 net and gross acres; and from a High Density Apartment (R-4) zone to a Professional Office (P-1) zone for 9.32 net and gross acres, with conditional zoning restrictions, 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 2250 Spurr Road and 2350, 2400 & 2550 Georgetown Road (a portion of each) a Planned Neighborhood Residential (R-3) zone to a Light Industrial (I-1) zone, for 81.22 net and gross acres; from a High Density Apartment (R-4) zone to a Light Industrial (I-1) zone for 3.77 net and gross acres; from a Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone, for 4.49 net and gross acres; and from a High Density

Apartment (R-4) zone to a Professional Office (P-1) zone for 9.32 net and gross acres, with conditional zoning restrictions; 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 are prohibited for the subject property via conditional zoning:

1. Underground storage tanks for materials other than petroleum products.
2. Mining of non-metallic minerals.
3. Establishments of facilities for hazardous waster transporter.
4. Any type of facility for hazardous waste storage, treatment and/or disposal.

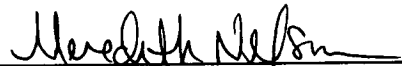
Section 3 - That the Lexington-Fayette Urban County Planning Commission is directed to show the amendment on the official zone map atlas and to make reference to the number of this Ordinance.

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

PASSED URBAN COUNTY COUNCIL: April 24, 2014

MAYOR 

ATTEST:

  
CLERK OF URBAN COUNTY COUNCIL  
Published: May 1, 2014-1t

C.M. GATTON TRUST PROPERTY  
and  
HAYMAKER DEVELOPMENT COMPANY, LLC PROPERTY  
2350, 2400, 2450 and 2550 Georgetown Road  
and 2250 Spurr Road  
Lexington, Fayette County, Kentucky  
Zone Change from R-3 to I-1

A TRACT OF LAND SITUATED EAST OF GEORGETOWN ROAD AND NORTH OF CITATION BOULEVARD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

**COMMENCING AT A POINT** in the existing southern right of way of Spurr Road, said point also lying in the northeastern most corner of lot 37 of Coventry (Belmont Farm) Unit 4-B, Section 1 as recorded in Plat Cabinet "M", Slide 700 in the Fayette County Clerk's Office; thence South 84 degrees 05 minutes 28 seconds East, 418.01 feet to **THE TRUE POINT OF BEGINNING**; thence North 40 degrees 18 minutes 17 seconds East, 556.33 feet to a point in the southwestern line of the Commonwealth of Kentucky Property; thence with said southwestern line for the following seven (7) calls: South 66 degrees 02 minutes 10 seconds East, 149.74 feet to a point; thence South 65 degrees 53 minutes 02 seconds East, 1075.88 feet to a point; thence South 19 degrees 27 minutes 27 seconds West, 412.50 feet to a point; thence South 21 degrees 47 minutes 24 seconds West, 785.94 feet to a point; thence South 20 degrees 06 minutes 11 seconds West, 483.19 feet to a point; thence South 20 degrees 56 minutes 38 seconds West, 355.44 feet to a point; thence South 20 degrees 38 minutes 20 seconds West, 145.37 feet to a point; thence leaving said southwestern line for the following fourteen (14) calls: North 69 degrees 20 minutes 19 seconds West, 42.89 feet to a point; thence 304.56 feet along a curve to the left having a radius of 500.00 feet and a chord which bears North 86 degrees 47 minutes 22 seconds West, 299.87 feet to a point; thence South 75 degrees 45 minutes 37 seconds West, 331.36 feet to a point; thence 46.09 feet along a curve to the right having a radius of 1200.00 feet and a chord which bears South 76 degrees 51 minutes 39 seconds West, 46.09 feet to a point; thence 11.85 feet along a curve to the right having a radius of 500.00 feet and a

chord which bears North 37 degrees 30 minutes 30 seconds West, 11.85 feet to a point; thence North 36 degrees 51 minutes 46 seconds West, 230.94 feet to a point; thence 528.29 feet along a curve to the left having a radius of 550.00 feet and a chord which bears North 64 degrees 22 minutes 48 seconds West, 508.22 feet to a point; thence South 88 degrees 06 minutes 11 seconds West, 33.03 feet to a point; thence North 01 degrees 53 minutes 49 seconds West, 139.69 feet to a point; thence 189.08 feet along a curve to the right having a radius of 1275.00 feet and a chord which bears North 02 degrees 21 minutes 05 seconds East, 188.91 feet to a point; thence North 86 degrees 24 minutes 30 seconds West, 146.04 feet to a point; thence North 12 degrees 20 minutes 36 seconds East, 216.41 feet to a point; thence North 27 degrees 33 minutes 19 seconds East, 737.55 feet to a point; thence North 34 degrees 59 minutes 06 seconds East, 684.79 feet to **THE POINT OF BEGINNING** and containing 81.22 acres (gross and net).

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C.M. GATTON TRUST PROPERTY  
2350, and 2400 Georgetown Road  
Lexington, Fayette County, Kentucky  
Zone Change from R-4 to I-1

A TRACT OF LAND SITUATED EAST OF GEORGETOWN ROAD AND NORTH OF CITATION BOULEVARD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

**COMMENCING AT A POINT** in the western line of the Commonwealth of Kentucky Property, said point also lying in the northeastern most corner of Lot 2 as shown on the Final Record Plat Belmont Farm (Formerly Givens Property), Lots 1 & 2 and recorded in Plat Cabinet "M", Slide 165 in the Fayette County Clerk's Office; thence North 27 degrees 25 minutes 53 seconds East, 398.66 feet to in the western line of the Commonwealth of Kentucky Property, said point being **THE TRUE POINT OF BEGINNING**; thence leaving said western line for the following six (6) calls: North 70 degrees 11 minutes 47 seconds West, 373.32 feet to a point; thence 279.04 feet along a curve to the right having a radius of 500.00 feet and a chord which bears North 54 degrees 12 minutes 31 seconds West, 275.43 feet to a point; thence 46.09 feet along a curve to the left having a radius 1200.00 feet and a chord which bears North 76 degrees 51 minutes 39 seconds East, 46.09 feet to a point; thence North 75 degrees 45 minutes 37 seconds East, 331.36 feet to a point; thence 304.56 feet along a curve to the right having a radius of 500.00 feet and a chord which bears South 86 degrees 47 minutes 22 seconds East, 299.87 feet to a point; thence South 69 degrees 20 minutes 19 seconds East, 42.89 feet to a point in the western line of the Commonwealth of Kentucky Property; thence with said western line South 20 degrees 38 minutes 20 seconds West, 371.46 feet to **THE POINT OF BEGINNING** and containing 3.77 acres (gross and net).

C.M. GATTON TRUST PROPERTY  
2400 Georgetown Road  
Lexington, Fayette County, Kentucky  
Zone Change from R-3 to P-1

A TRACT OF LAND SITUATED EAST OF GEORGETOWN ROAD AND NORTH OF CITATION BOULEVARD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

**COMMENCING AT A POINT** in the northern terminus of Remington Way as shown on the Final Record Plat Belmont Farm (Formerly Givens Property), Lots 1 & 2 and recorded in Plat Cabinet "M", Slide 165 in the Fayette County Clerk's Office; thence North 09 degrees 28 minutes 31 seconds East, 171.74 feet to **THE TRUE POINT OF BRGINNING**; thence 15.29 feet along a curve to the left having a radius of 495.00 feet and a chord which bears North 01 degrees 00 minutes 44 seconds West, 15.29 feet to a point; thence North 01 degrees 53 minutes 49 seconds West, 397.37 feet to a point; thence North 88 degrees 06 minutes 11 seconds East, 33.03 feet to a point; thence 528.29 feet along a curve to the right having a radius of 550.00 feet and a chord which bears South 64 degrees 22 minutes 48 seconds East, 508.22 feet to a point; thence South 36 degrees 51 minutes 46 seconds East, 230.94 feet to a point; thence 11.85 feet along a curve to the left having a radius 500.00 feet and a chord which bears South 37 degrees 30 minutes 30 seconds East, 11.85 feet to a point; thence 351.16 feet along a curve to the right having a radius of 1200.00 feet and a chord which bears South 86 degrees 20 minutes 40 seconds West, 349.90 feet to a point; thence North 85 degrees 16 minutes 21 seconds West, 275.35 feet to **THE POINT OF BEGINNING** and containing 4.49 acres (gross and net).

C.M. GATTON TRUST PROPERTY  
2350 Georgetown Road  
Lexington, Fayette County, Kentucky  
Zone Change from R-4 to P-1

A TRACT OF LAND SITUATED EAST OF GEORGETOWN ROAD AND NORTH OF CITATION BOULEVARD IN LEXINGTON, FAYETTE COUNTY, KENTUCKY AND BEING MORE FULLY DESCRIBED AND BOUNDED AS FOLLOWS:

**BEGINNING AT A POINT** in the western line of the Commonwealth of Kentucky Property, said point also lying in the northeastern most corner of Lot 2 as shown on the Final Record Plat Belmont Farm (Formerly Givens Property), Lots 1 & 2 and recorded in Plat Cabinet "M", Slide 165 in the Fayette County Clerk's Office; thence with the northern line of Lot 2 for the following two (2) calls: North 66 degrees 04 minutes 52 seconds West, 627.07 feet to a point; thence North 65 degrees 05 minutes 11 seconds West, 517.81 feet to a point; thence leaving said northern line for the following six (6) calls: North 15 degrees 56 minutes 20 seconds East, 33.66 feet to a point; thence 138.80 feet along a curve to the left having a radius of 495.00 feet and a chord which bears North 07 degrees 54 minutes 21 seconds East, 138.35 feet to a point; thence South 85 degrees 16 minutes 21 seconds East, 275.35 feet to a point; thence 351.16 feet along a curve to the left having a radius of 1200.00 feet and a chord which bears North 86 degrees 20 minutes 40 seconds East, 349.90 feet to a point; thence 279.04 feet along a curve to the left having a radius of 500.00 feet and a chord which bears South 54 degrees 12 minutes 31 seconds East, 275.43 feet to a point; thence South 70 degrees 11 minutes 47 seconds East, 373.32 feet to a point in the western line of the Commonwealth of Kentucky Property; thence with said western line for the following two (2) calls: South 20 degrees 38 minutes 20 seconds West, 375.96 feet to a point; thence South 87 degrees 45 minutes 29 seconds West, 51.18 feet to **THE POINT OF BEGINNING** and containing 9.32 acres (gross and net).