

ORDINANCE NO. 119 - 2023

AN ORDINANCE CHANGING THE ZONE FROM A WHOLESALE AND WAREHOUSE BUSINESS (B-4) ZONE TO A LEXINGTON CENTER BUSINESS (B-2B) ZONE, FOR 0.1338 NET (0.1911 GROSS) ACRES, FOR PROPERTY LOCATED AT 416 AND 418 W. MAXWELL STREET. (214 WALLER AVENUE, LLC; COUNCIL DISTRICT 11).

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WHEREAS, at a Public Hearing held on October 26, 2023, a petition for a zoning ordinance map amendment for property located at 416 and 418 W. Maxwell Street from a Wholesale and Warehouse Business (B-4) zone to a Lexington Center Business (B-2B) zone, for 0.1338 net (0.1911 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 10-0; 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 416 and 418 W. Maxwell Street from a Wholesale and Warehouse Business (B-4) zone to a Lexington Center Business (B-2B) zone, for 0.1338 net (0.1911 gross) acres, being more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 – That under the provisions of Article 6-7 of the Zoning Ordinance, the following use restrictions are imposed via conditional zoning:

Prohibited Uses:

- i. Automobile service stations, and/or the sale of gasoline.
- ii. Establishments for the display, rental and sale of automobiles, motorcycles, trucks, and boats.

These restrictions are appropriate and necessary in order to protect the character of the W. Maxwell Corridor, as well as provide for pedestrian safety within the downtown core.

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: Dec. 7, 2023

*Rinda Gorton*

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MAYOR

ATTEST:

*[Signature]*

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CLERK OF URBAN COUNTY COUNCIL

PUBLISHED: Dec. 14, 2023 - 1t

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