

ORDINANCE NO. _____ - 2021

AN ORDINANCE CHANGING THE ZONE FROM A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE TO A HIGHWAY SERVICE BUSINESS (B-3) ZONE, FOR 0.99 NET (1.46 GROSS) ACRE, FROM A LIGHT INDUSTRIAL (I-1) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 5.72 NET (6.72 GROSS) ACRES, AND FROM A LIGHT INDUSTRIAL (I-1) ZONE TO A MIXED USE (MU-2) ZONE, FOR 3.10 NET (4.50 GROSS) ACRES, FOR PROPERTY LOCATED AT 508-619 DEROODE STREET, 564 & 568 MCKINLEY STREET, 555-565 MERINO STREET, 800 & 833 NEVILLE STREET, 565-637 PATTERSON STREET (PORTIONS OF ODD ADDRESSES ONLY), AND 813 & 816 PINE STREET. (URBAN COUNTY PLANNING COMMISSION; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on May 27, 2021, a petition for a zoning ordinance map amendment for property located at 508-619 DeRoode Street, 564 & 568 McKinley Street, 555-565 Merino Street, 800 & 833 Neville Street, 565-637 Patterson Street (portions of odd addresses only), and 813 & 816 Pine Street from a Planned Neighborhood Residential (R-3) zone to a Highway Service Business (B-3) zone, for 0.99 net (1.46 gross) acre, from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone, for 5.72 net (6.72 gross) acres, and from a Light Industrial (I-1) zone to Mixed Use (MU-2) zone, for 3.10 net (4.50 gross) acres, 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 508-619 DeRoode Street, 564 & 568 McKinley Street, 555-565 Merino Street, 800 & 833 Neville Street, 565-637 Patterson Street (portions of odd addresses only), and 813 & 816 Pine Street 804-808 from a Planned Neighborhood Residential (R-3) zone to a Highway Service Business (B-3) zone, for 0.99 net (1.46 gross) acre, from a Light Industrial (I-1) zone to a Planned Neighborhood Residential (R-3) zone, for 5.72 net (6.72 gross) acres, and from a Light Industrial (I-1) zone to Mixed Use (MU-2) zone, for 3.10 net (4.50 gross)

acres, 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 shall apply via conditional zoning:

a. Prohibited Uses:

1. Establishments and lots for the display, rental, sale, service, and minor repair of farm equipment, contractor equipment, automobiles, motorcycles, trucks, boats, travel trailers, mobile homes, or supplies for such items.
2. Automobile service stations.
3. Car washing establishments.
4. Drive in restaurants.
5. Minor automobile and truck repair.
6. Circuses and carnivals, even on a temporary basis.
7. Taxidermy establishments.
8. Pawnshops.
9. Liquor stores.
10. Parking lots and structures, as a principal use.
11. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishment, adult entertainment establishments, and sexual entertainment centers.
12. Drive through facilities for sale of goods or products or provision of services otherwise permitted herein.
13. Advertising signs and billboards, as defined by Article 17 of the Zoning Ordinance.

b. No freestanding business signs taller than eight (8) feet in height, or larger than thirty-two (32) square feet in size.

These restrictions are appropriate and necessary for land at the corner of the intersection of Oliver Lewis Way and West High Street in order to protect the gateway entrance to the Southend Park Neighborhood from the most intrusive and intensive commercial land uses, and to help implement the Comprehensive Plan's vision for Oliver Lewis Way.

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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