

AN ORDINANCE CHANGING THE ZONE FROM A HIGH DENSITY APARTMENT (R-4) ZONE TO A LEXINGTON CENTER BUSINESS (B-2B) ZONE, FOR 1.86 NET (2.46 GROSS) ACRES, FOR PROPERTY LOCATED AT 410 PATTERSON STREET AND 522 AND 540 WEST MAXWELL STREET (PLEASANT GREEN BAPTIST CHURCH OF LEXINGTON, INC.; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on August 23, 2012, a petition for a zoning ordinance map amendment for property located at 410 Patterson Street, and 522 and 540 West Maxwell Street from a High Density Apartment (R-4) zone to a Lexington Center Business (B-2B) zone for 1.86 net (2.46 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 410 Patterson Street and 522 and 540 West Maxwell Street, from a High Density Apartment (R-4) zone to a Lexington Center Business (B-2B) zone for 1.86 net (2.46 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:

1. Cocktail lounges and nightclubs.
2. Automobile service stations.
3. Establishments for the display, rental, and sale of automobiles, motorcycles, trucks and boats.

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
TWJ:X:\Cases\PLANNING\12-LE0001\LEG\00361933.DOC