

ORDINANCE NO. 121-2014

AN ORDINANCE CHANGING THE ZONE FROM A HIGHWAY SERVICE BUSINESS (B-3) ZONE WITH CONDITIONAL ZONING RESTRICTIONS, TO A HIGHWAY SERVICE BUSINESS (B-3) ZONE WITH MODIFIED CONDITIONAL ZONING RESTRICTIONS, FOR 9.92 NET (13.62 GROSS) ACRES, FOR PROPERTIES LOCATED AT 950, 960, 961, 973 & 980 MIDNIGHT PASS; 3101 WALL STREET; AND 3052 & 3084 BEAUMONT CENTRE CIRCLE. (HAYMAKER DEVELOPMENT CO., LLC; COUNCIL DISTRICT 10).

WHEREAS, at a Public Hearing held on August 28, 2014, a petition for a zoning ordinance map amendment for property located at 950, 960, 961, 973 & 980 Midnight Pass; 3101 Wall Street; and 3052 & 3084 Beaumont Centre Circle from a Highway Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions for 9.92 net (13.62 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 950, 960, 961, 973 & 980 Midnight Pass; 3101 Wall Street; and 3052 & 3084 Beaumont Centre Circle from a Highway Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions for 9.92 net (13.62 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. 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.
- b. Indoor amusements, such as billiard or pool halls, dancing halls, skating rinks, miniature golf or putting courses, theatres, or bowling.
 - c. Self-service laundry.
 - d. Shoe repair, clothing alteration, tailoring services and tattoo parlors.
 - e. Carnivals, even on a temporary basis.
 - f. Taxidermy establishments.
 - g. Pawnshop.
 - h. Parking lots and structures.
 - i. Adult arcades, massage parlors, adult bookstores, adult video stores, adult cabarets, adult dancing establishments, adult entertainment establishments, and sexual entertainment centers.
 - j. Advertising signs (and billboards) as defined in Article 17-7(3)(b)(1) of the Zoning Ordinance.
 - k. Free-standing signs taller than 10' 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: September 25, 2014

MAYOR 

ATTEST:


CLERK OF URBAN COUNTY COUNCIL

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