

ORDINANCE NO. _____-2018

AN ORDINANCE CHANGING THE ZONE FROM A PROFESSIONAL OFFICE (P-1) ZONE TO A NEIGHBORHOOD BUSINESS (B-1) ZONE, FOR 0.14 NET (0.18 GROSS) ACRE, FOR PROPERTY LOCATED AT 521-523 S. UPPER STREET. (525 UPPER, LLC; COUNCIL DISTRICT 3).

WHEREAS, at a Public Hearing held on September 27, 2018 a petition for a zoning ordinance map amendment for property located at 521-523 S. Upper Street from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 0.14 net (0.18 gross) acre, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 8-0; 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 521-523 S. Upper Street from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 0.14 net (0.18 gross) acre, 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 restrictions shall apply to the subject property via conditional zoning:

- a. Branch banks and drive-through facilities are to be prohibited at this location.
- b. The portions of the existing structure on this property originally constructed in the 19th century are to be retained and maintained.
- c. Free-standing signage shall be limited to a maximum of 5' in height and 8 square feet in size.
- d. Wall-mounted signage shall be limited in size to a maximum of 3% of the wall area to which it is affixed.

These restrictions are appropriate and necessary because they have been offered by the applicant and will limit inappropriate uses and maintain the historic character of the property.

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: