



Lexington-Fayette Urban County Government

Legislation Details (With Text)

File #: 0341-16 Version: 2 Name: [MARV 2016-4]

Type: Ordinance Status: Approved

File created: 3/25/2016 In control: Urban County Council

 On agenda:
 5/10/2016
 Final action:
 5/10/2016

 Enactment date:
 5/10/2016
 Enactment #:
 O-063-2016

Title: An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business

(B-1) zone, for 0.95 net (1.25 gross) acres; and from Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone, for 0.25 net (0.29 gross) acre, for property located at 3600 Palomar Centre Drive and 2101 Palomar Trace Drive (a portion of), including a dimensional variance (Solar Eclipse, LLC; Council District 10). Approval 6-1 OBJECTORS (To Be Heard By May 25, 2016) [Div. of

Planning, Duncan] PUBLIC HEARING to be held on May 10, 2016 at 6:00 P.M.

Sponsors:

Indexes:

Code sections:

Attachments: 1. MARV 2016-4 rep, 2. MARV 2016-4, 3. MAR 2016-4, 4. MARV 2016-4 min, 5. 00528658.pdf, 6.

ORDINANCE - 063-2016 complete.pdf

Date	Ver.	Action By	Action	Result
5/10/2016	2	Urban County Council	Approved	Pass
5/10/2016	2	Urban County Council	Approved	Pass
4/7/2016	2	Urban County Council		

An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone, for 0.95 net (1.25 gross) acres; and from Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone, for 0.25 net (0.29 gross) acre, for property located at 3600 Palomar Centre Drive and 2101 Palomar Trace Drive (a portion of), including a dimensional variance (Solar Eclipse, LLC; Council District 10). Approval 6-1 OBJECTORS (To Be Heard By May 25, 2016) [Div. of Planning, Duncan] **PUBLIC HEARING to be held on May 10, 2016 at 6:00 P.M.**

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WHEREAS, at a Public Hearing held on February 25, 2016, a petition for a zoning ordinance map amendment for property located at 3600 Palomar Centre Drive and 2101 Palomar Trace Drive from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.95 net (1.25 gross) acres; and from a Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1)

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zone, for 0.25 net (0.29 gross) acre, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change including a dimensional variance by a vote of 6-1; 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 3600 Palomar Centre Drive and 2101 Palomar Trace Drive from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.95 net (1.25 gross) acres; and from a Planned Neighborhood Residential (R-3) zone to a Professional Office (P-1) zone, for 0.25 net (0.29 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 and buffering restrictions are proposed for the subject property via conditional zoning:

Prohibited Uses

- 1. Automobile service stations.
- 2. Retail sale of plant, nursery or greenhouse products.
- 3. Miniature golf or putting courses.
- Carnivals and circuses.
- 5. Arcades, including pinball and electronic games.
- 6. Rental of equipment whose retail sale is permitted in the B-1 zone.
- 7. Automobile and vehicle refueling stations.
- 8. Retail sale of convenience products (i.e., convenience stores).

Other Use Restrictions

1. Any free-standing sign shall be a maximum of ten (10) feet in height.

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2. Any outdoor lighting shall be shielded and directed away from any residential zone. Lighting attached to a pole or any structure shall be a maximum of twenty (20) feet 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:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL