



Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Legislation Text

File #: 0093-17, **Version:** 1

An Ordinance changing the zone from a Highway Service Business (B-3) zone, with conditions, to a Highway Service Business (B-3) zone, with modified conditions, for 1.44 net (1.85 gross) acres, for property located at 3101 Wall Street (Haymaker Development Co., LLC; Council District 10). Approval 7-1 (To Be Heard By March 15, 2017) [Div. of Planning, Duncan]

[An Ordinance changing the zone from a Highway Service Business (B-3) zone, with conditions to a Highway Service Business (B-3) zone, with modified conditions, for 1.44 net (1.85 gross) acres, for property located at 3101 Wall Street. (Haymaker Development Co, LLC; Council District 10). Approval 7-1 (To Be Heard By March 15, 2017) [Div. of Planning, Duncan]]

WHEREAS, at a Public Hearing held on December 15, 2016 a petition for a zoning Ordinance map amendment for property located at 3101 Wall Street from a Highway Service Business (B-3) zone, with conditions, to a Highway Service Business (B-3) zone, with modified conditions, for 1.44 net (1.85 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 7-1; 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 3101 Wall Street from a Highway Service Business (B-3) zone, with conditions, to a Highway Service Business (B-3) zone, with modified conditions, for 1.44 net (1.85 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 uses shall be prohibited on the subject property via conditional zoning:

- a. Establishment 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.
- b. Indoor amusement, such as billiard or pool halls, dancing halls, skating rinks, miniature golf or putting courses, theatres, or bowling alleys.
- 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. Pawnshops.
- h. Commercial parking lots and structures, pay for parking.
- 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:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL