Legislation Details (With Text)

File #:	0952-21	**Version:**	1	**Name:**	PLN-MAR-21-00009: BLUEGRASS CUSTARD, LLC
Type:	Ordinance			**Status:**	Approved
File created:	9/17/2021			**In control:**	Urban County Council
On agenda:	10/14/2021			**Final action:**	10/14/2021
Enactment date:	10/14/2021			**Enactment #:**	O-094-2021

Title: An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone, for 0.53 net (0.62 gross) acre, for property located at 355 American Ave. (Bluegrass Custard, LLC; Council District 3). (To Be Heard By November 24, 2021) [Div. of Planning, Duncan]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Final Report_Packet, 2. 00739177.pdf, 3. O-094-2021

Date	Ver.	Action By	Action	Result
10/14/2021	1	Urban County Council	Approved	Pass
9/30/2021	1	Urban County Council	Received First Reading	
9/28/2021	1	Urban County Council Work Session	Approved and Referred to Docket without Hearing	Pass

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone, for 0.53 net (0.62 gross) acre, for property located at 355 American Ave. (Bluegrass Custard, LLC; Council District 3). (To Be Heard By November 24, 2021) [Div. of Planning, Duncan]

[An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone, for 0.53 net (0.62 gross) acre, for property located at 355 American Avenue, including a request for a conditional zoning. (BLUEGRASS CUSTARD, LLC: Council District 3). Approval 9-0 OBJECTORS (To Be Heard By November 24, 2021) [Div. of Planning, Duncan]]

WHEREAS, at a Public Hearing held on August 26, 2021, a petition for a zoning Ordinance map amendment for property located at 355 American Avenue from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone for 0.53 net (0.62 gross) acre, 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

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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 355 American Avenue from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone for 0.53 net (0.62 gross) acre, more fully described in Exhibit “A” which is attached hereto and incorporated herein by reference.

Section 2 - That under the provisions of Article 6-7 of the Zoning Ordinance, the following buffering and use restrictions shall apply via conditional zoning:

a. There shall be no exterior lighting greater than 12 feet in height and all lighting be shielded and directed downward.
b. Prohibited Uses:
   1. Automobile Service Stations.
   2. Car Washes

These restrictions are appropriate and necessary to reduce the potential impact of the allowable uses on neighboring lower intensity uses, while also restricting the highest nuisance producing uses in the zone.

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

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ATTEST:

CLERK OF URBAN COUNTY COUNCIL
PUBLISHED:

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