

ORDINANCE NO. 17-05

AN ORDINANCE OF THE CITY OF RICHMOND, KENTUCKY CHANGING THE ZONE FOR RICHMOND PLACE LLC PROPERTY AT AMBERLY WAY IN THE CITY LIMITS

WHEREAS, Richmond Place LLC, Owners have filed with the Richmond Planning and Zoning Commission an Application for a Zoning Map Amendment for the properties at Richmond Place LLC on the East Side of Amberly Way and approximately 280 feet south of Brighton Avenue; and

WHEREAS, the Properties are currently zoned R-3 (Multi-Family Apartments) and the applicant requested that 4.51 acres be rezoned as B-1 (Neighborhood Business) and 17.36 acres be rezoned to P-1 (Professional Offices); and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on the zone change on February 14, 2017 in the course of which it received evidence and testimony from persons in favor of and opposed to the requested zone change; and

WHEREAS, at the conclusion of the public hearing, the Planning and Zoning Commission voted to recommend that the zone changes be granted; and

WHEREAS, the Planning and Zoning Commission, at its meeting, adopted written Findings of Fact as to the zone change, and the issue is now before the Board of Commissioners for final determination; and

WHEREAS, the Board of Commissioners believes it to be in the public interest that it adopt the recommendation of the Planning and Zoning Commission in accordance with the Findings of Fact adopted by that body;

NOW, THEREFORE, BE IT ORDAINED that:

SECTION I

The Board of Commissioners does hereby adopt the recommendation of the Richmond Planning and Zoning Commission as to the requested zone change.

The following described Tract of land consisting of **4.51 acres**, the zoning classification of the following described Property at the east side of Amberly Way shall be, and hereby is, changed from **R-3 (Multi-Family Apartments)** to **B-1 (Neighborhood Business)**. It begins approximately 280 feet south of Brighton Avenue and is immediately south of and abuts the Application College property. The property fronts approximately 560 feet on Amberly Way and is approximately 350 deep.

The following described Tract of land consisting of **17.36 acres**, the zoning classification of the following described Property at east side of Amberly Way shall be, and hereby is,

changed from **R-3 (Multi-Family Apartments) to P-1 (Professional Offices)**. It begins approximately 840 feet south of Brighton Avenue and extends in a southerly direction to Castlewood Subdivision. It extends in an easterly direction Interstate 75, and is an “L” shape that wraps behind the Appalachian College property on the east side, extending northerly to the intersection of Colby Taylor Drive and Brighton Avenue.

The Board of Commissioners does hereby adopt the written Findings of Fact adopted by the Planning and Zoning Commission as its Findings of Fact and, in accordance with the agreement of the Applicant expressed at the hearing before the Planning & Zoning Commission, does further adopt the Certificate of Land Use Restriction attached to this Ordinance and does restrict the use of the subject property as is set forth in that Certificate. That Certificate of Land Use Restriction shall be recorded in the office of the Madison County Court Clerk. Further, given that the zoning of the subject property is hereby amended, the land use restriction that was imposed when the subject property was earlier given an R-3 zoning classification, a restriction which mandated that multi-family development on the property be restricted to condominium development, shall be released and such release shall likewise be recorded in the office of the Madison County Court Clerk.

SECTION II

The Director of Planning and Zoning shall make the appropriate changes to the official map of the City of Richmond, Kentucky.

SECTION III

This Ordinance shall be effective immediately upon its enactment following second reading, and publication in accordance with the requirements of applicable Kentucky law.

DATE OF FIRST READING: March 14, 2017

MOTION BY: Commissioner Blythe

SECONDED BY: Commissioner Newby

VOTE	YES	NO
Commissioner Blythe	x	
Commissioner Eaves	x	
Commissioner Morgan	x	
Commissioner Newby	x	
Mayor Barnes	x	

DATE OF SECOND READING: March 28, 2017

MOTION BY: Commissioner Morgan

SECONDED BY: Commissioner Blythe

VOTE

Commissioner Blythe
Commissioner Eaves
Commissioner Morgan
Commissioner Newby
Mayor Barnes

YES

x
x
x
x
x

NO



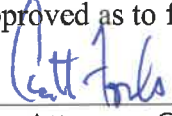
Mayor Barnes

ATTEST:



City Clerk

Approved as to form:



City Attorney, Garrett Fowles