

AN ORDINANCE CHANGING THE ZONE FROM A PROFESSIONAL OFFICE (P-1) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE FOR 4.09 NET AND GROSS ACRES, FOR PROPERTY LOCATED AT 1060 CROSS KEYS ROAD (AU ASSOCIATE, INC.; COUNCIL DISTRICT 11).

WHEREAS, at a Public Hearing held on March 28, 2013, a petition for a zoning ordinance map amendment for property located at 1060 Cross Keys Road from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone for 4.09 net and gross acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 11-0; 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 1060 Cross Keys Road, from a Professional Office (P-1) zone to a Planned Neighborhood Residential (R-3) zone for 4.09 net and 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 use and buffering restrictions are proposed for the subject property via conditional zoning:

1. A maximum of seventy-two (72) residential dwelling units shall be permitted on the subject property. This restriction is appropriate and necessary in order to buffer the nearby professional offices.

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: May 2, 2013


MAYOR

ATTEST:


CLERK OF URBAN COUNTY COUNCIL
Published: May 9, 2013-1t

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Legal Description
FOR
Parkside Development 2 & 3
1060 Cross Keys Road, Lexington, Ky 40504
4.090 Acres

Situated in the City of Lexington, Fayette County, Kentucky, being part of a 5.99 acre parcel (as surveyed by Mike Seely & Associates) conveyed to Parkside Development Group, LLLP in D.B. 1179 Pg 716 of the Fayette County, Kentucky Recorder's Office, the boundary of which being more particularly described as follows:

Beginning at the southwest corner of said 5.99 acre tract of land;

Thence N14°29'00"W a distance of 270.20 feet;

Thence N01°25'00"W a distance of 74.76 feet;

Thence N04°09'00"E passing Point "A" at a distance of 74.13 feet, a total distance of 100.00 feet;

Thence N11°17'00"E a distance of 81.22 feet;

Thence through the lines of the aforementioned 5.99 acre tract of land, S71°51'35"E a distance of 319.98 feet;

Thence continuing, N18°08'25"E a distance of 44.63 feet;

Thence along the lines of said 5.99 acre tract of land the following five (5) courses:

1. S50°14'08"E a distance of 249.89 feet;
2. S06°04'08"E a distance of 131.22 feet;
3. S83°52'52"W a distance of 226.10 feet;
4. S31°11'52"W a distance of 109.20 feet;
5. S75°31'00"W a distance of 202.70 feet to the point of beginning.

Save and except the following:

Commencing at the aforementioned Point "A":

Thence S77°34'47"E, a distance of 17.18 feet to the Point of Beginning for this description;

Thence continuing, S77°34'47"E, a distance of 30.00 feet;

Thence S12°25'13"W a distance of 30.00 feet;

Thence N77°34'47"W a distance of 30.00 feet;

Thence N12°25'13"E a distance of 30.00 feet to the Point of Beginning.

Containing 4.090 Gross acres.

The above described legal description is for zoning purposes only and is not the result of a field survey.

Prepared By: Randy C. Wolfe, P.S. (KY #3608)