

AN ORDINANCE CHANGING THE ZONE FROM A COMMUNITY CENTER (CC) ZONE TO AN EXPANSION AREA RESIDENTIAL (EAR-2) ZONE, FOR 16.53 NET (17.14 GROSS) ACRES, AND TO AN EXPANSION AREA RESIDENTIAL (EAR-3) ZONE FOR 8.09 NET AND GROSS ACRES FOR PROPERTY LOCATED AT 6600 MAN O' WAR BOULEVARD (A PORTION OF), AS AMENDED. (BALL HOMES, INC. (AMD.); COUNCIL DISTRICT 12.)

WHEREAS, at a Public Hearing held on August 22, 2019, a petition for a zoning ordinance map amendment for property located at 6600 Man O' War Boulevard (a portion of) from a Community Center (CC) zone to an Expansion Area Residential (EAR-2) zone for 16.53 net (17.14 gross) acres, and to an Expansion Area Residential (EAR-3) Zone for 8.09 net and gross acres, was presented to the Urban County Planning Commission; said Commission recommending approval of the zone change by a vote of 7-2; 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 6600 Man O' War Boulevard (a portion of) from a Community Center (CC) zone to an Expansion Area Residential (EAR-2) zone for 16.53 net (17.14 gross) acres, and to an Expansion Area Residential (EAR-3) Zone for 8.09 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 buffering and screening provision as a condition of granting the zone change:

Under the provisions of Article 6-7 of the Zoning Ordinance, the property shall be subject to the following buffering restrictions via conditional zoning in order to minimize the impacts of the new development on the adjacent existing residential subdivisions:

1. The developer shall install a staggered row of white pine evergreen trees behind the homes on Mahala Lane on the property currently owned by Ball Homes approximately as shown on the tree planting plan prepared by the Landscape Architect for Ball Homes. The trees will be planted on the neighborhood side of the greenway to

provide additional screening to the buffer approved by the Planning Commission.

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 3 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

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