

AN ORDINANCE CHANGING THE ZONE FROM AN AGRICULTURAL URBAN (A-U), NEIGHBORHOOD BUSINESS (B-1), AND PLANNED SHOPPING CENTER (B-6P) ZONE WITH CONDITIONAL ZONING RESTRICTIONS, TO AN AGRICULTURAL URBAN (A-U), NEIGHBORHOOD BUSINESS (B-1), AND PLANNED SHOPPING CENTER (B-6P) ZONE WITH MODIFIED CONDITIONAL ZONING RESTRICTIONS, FOR 29.96 NET (30.77 GROSS) ACRES, FOR PROPERTY LOCATED AT 760 & 789 NEWTOWN SPRINGS DRIVE, AND 1443 & 1445 NEWTOWN CENTER WAY; (URBAN COUNTY PLANNING COMMISSION, COUNCIL DISTRICT 1).

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WHEREAS, at a Public Hearing held on November 21, 2013, a petition for a zoning ordinance map amendment for property located at 760 & 789 Newtown Springs Drive and 1443 & 1445 Newtown Center Way an Agricultural Urban (A-U), Neighborhood Business (B-1), and Planned Shopping Center (B-6p) zone with conditional zoning restrictions to an Agricultural Urban (A-U), Neighborhood Business (B-1), and Planned Shopping Center (B-6p) zone with modified conditional zoning restrictions, for 29.96 net (30.77 gross) acres, was presented to the Urban County Planning Commission; said Commission recommending conditional approval of the zone change by a vote of 9-1; 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 760 & 789 Newtown Springs Drive and 1443 & 1445 Newtown Center Way an Agricultural Urban (A-U), Neighborhood Business (B-1), and Planned Shopping Center (B-6p) zone with conditional zoning restrictions to an Agricultural Urban (A-U), Neighborhood Business (B-1), and Planned Shopping Center (B-6P) zone with modified conditional zoning restrictions, for 29.96 net (30.77 gross); 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:

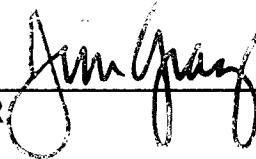
1. The developer shall construct a three-plank horse farm fence, generally parallel to the Legacy Trail (shared use path) along Newtown Pike. .

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.

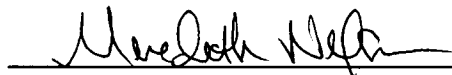
Section 4 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: January 16, 2014

MAYOR



ATTEST:



CLERK OF URBAN COUNTY COUNCIL

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