

ORDINANCE NO. _____-2016

AN ORDINANCE CHANGING THE ZONE FROM A PLANNED SHOPPING CENTER (B-6P) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE, FOR 8.46 NET (9.02 GROSS) ACRES; AND FROM AN AGRICULTURAL URBAN (A-U) ZONE TO A PLANNED NEIGHBORHOOD RESIDENTIAL (R-3) ZONE FOR 2.90 NET (3.26 GROSS) ACRES, FOR PROPERTY LOCATED AT 1850 OLD HIGBEE MILL ROAD. (WYNNDALE DEVELOPMENT, LLC (AMD.); COUNCIL DISTRICT 9).

WHEREAS, at a Public Hearing held on April 28, 2016 a petition for a zoning ordinance map amendment for property located at 1850 Old Higbee Mill Road from a Planned Shopping Center (B-6P) zone to a Planned Neighborhood Residential (R-3) zone for 8.46 net (9.02 gross) acres; and from an Agricultural Urban (A-U) zone to a planned neighborhood residential (R-3) zone for 2.90 net (3.26 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 1850 Old Higbee Mill Road from a Planned Shopping Center (B-6P) zone to a Planned Neighborhood Residential (R-3) zone for 8.46 net (9.02 gross) acres; and from an Agricultural Urban (A-U) zone to a planned neighborhood residential (R-3) zone for 2.90 net (3.26 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:

- a. All lighting installed on the subject property shall be directed downward and away from any adjacent single-family residential zone.

- b. A 10-foot landscape buffer shall be established along the improved right-of-way for Old Higbee Mill Road. Within this landscape buffer, street trees shall be planted every 40'-45' on center nearest any new residential structures, with a maximum of ten (10) trees. Such trees may also count toward requirements of Article 18 of the Zoning Ordinance for vehicular screening.

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

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

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