

**RECOMMENDATION OF THE**  
**URBAN COUNTY PLANNING COMMISSION**  
**OF LEXINGTON AND FAYETTE COUNTY, KENTUCKY**

**IN RE:** **PLN-MAR-16-00015: LEX PROPERTIES, LLC** – a petition for a zone map amendment from Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 10.14 net and gross acres, located at 3455 Saybrook Road. (Council District 9)

Having considered the above matter on **November 17, 2016**, at a Public Hearing, and having voted **8-1** that this Recommendation be submitted to the Lexington-Fayette Urban County Council, the Urban County Planning Commission does hereby recommend **CONDITIONAL APPROVAL** of this matter for the following reasons:

1. The proposed Planned Neighborhood Residential (R-3) zone is in agreement with the 2013 Comprehensive Plan for the following reasons:
  - a. The proposed development of undeveloped property inside the Urban Service Boundary will support the goals of infill and redevelopment. (Theme A, Goal #2). The proposal respects the area's context and design features by proposing single family residential use that abuts existing single family residential use (Them A, Goal#2a).
  - b. The proposed development provides for additional density in a desirable neighborhood near retail shopping and employment opportunities, which will assist in reducing Lexington-Fayette County's carbon footprint (Theme B, Goal#2).
  - c. The proposed development helps to uphold the Urban Services Area concept as it encourages compact, contiguous development to accommodate future growth needs (Theme E, Goal #1b).
2. This approval is made subject to the approval and certification of **PLN-MJDP-16-00036: Winding Creek at Monticello**, prior to forwarding a recommendation of the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the subject property shall be restricted to detached single-family residential land use only.

These restrictions are necessary and appropriate in order to protect the neighborhood from uses that are too intensive or out of character with the existing area.

ATTEST: This 12<sup>th</sup> day of December, 2016.

  
Secretary, Jim Duncan

**WILLIAM WILSON**  
CHAIR

**Note:** The corollary development plan, **PLN-MJDP-16-00036: WINDING CREEK AT MONTICELLO** was postponed by the Planning Commission on November 17, 2016, until the decision on the zone change is made.

K.R.S. 100.211(7) requires that the Council take action on this request by February 15, 2017.

At the Public Hearing before the Urban County Planning Commission, this petitioner was represented by **Jacob Walbourn, Attorney.**

**OBJECTORS**

- Evan Belt, 3439 Saybrook Road
- Janet Piechowski, 3451 Saybrook Road
- Robin Young, 3525 Berwin Court, President of the Robinwood Homeowners Association
- Amy Clark, 628 Kastle Road
  
- Paul Crosmer, 3447 Saybrook Road
  
- Otto Piechowski, 3451 Saybrook Road

**OBJECTIONS**

- Concerned about extra traffic.
- Opposed to this zone change.
- Concerned that this zone change may not have the best interest of this community.
- Concerned with the density and the parking configuration for townhouses.
- Concerned that once the soil is stirred up, that contamination will be found.
- Concerned with the waste that was once in this ground and that the ground is still contaminated.

**VOTES WERE AS FOLLOWS:**

AYES: (8) Berkley, Cravens, Drake, Mundy, Owens, Richardson, Smith, and Wilson

NAYS: (1) Plumlee

ABSENT: (2) Brewer and Penn

ABSTAINED: (0)

DISQUALIFIED: (0)

Motion for **CONDITIONAL APPROVAL** of **PLN-MAR 16-00015** carried.

Enclosures: Application  
Plat  
Staff Report  
Applicable excerpts of minutes of above meeting