



# Lexington-Fayette Urban County Government

200 E. Main St  
Lexington, KY 40507

## Legislation Details (With Text)

**File #:** 0585-16      **Version:** 1      **Name:** [MAR 2016-8]  
**Type:** Ordinance      **Status:** Approved  
**File created:** 5/13/2016      **In control:** Urban County Council  
**On agenda:** 6/16/2016      **Final action:** 6/16/2016  
**Enactment date:** 6/16/2016      **Enactment #:** O-095-2016

**Title:** 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 Rd. (Wynndale Development, LLC (AMD.); Council District 9). Approval 9-1 OBJECTORS (To Be Heard By July 27, 2016) [Div. of Planning, Duncan]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. MAR 2016-8 report, 2. MAR 2016-8 app & plat, 3. MAR 2016-8 staff report, 4. MAR 2016-8 minutes, 5. 00535770.pdf, 6. ORDINANCE - 095-2016 complete.pdf

Date	Ver.	Action By	Action	Result
6/16/2016	1	Urban County Council	Approved	Pass
5/26/2016	1	Urban County Council	Received First Reading	

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 Rd. (Wynndale Development, LLC (AMD.); Council District 9). Approval 9-1 OBJECTORS (To Be Heard By July 27, 2016) [Div. of Planning, Duncan]  
 [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 (a portion of). (Wynndale Development, LLC (AMD.); Council District 9). Approval 9-1 OBJECTORS (To Be Heard By July 27, 2016) [Div. of Planning, Duncan]

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