

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

September 10, 2009

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – None will be considered at this time.
- III. **POSTPONEMENTS OR WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, September 3, 2009, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens, Marie Copeland, Derek Paulsen and Carolyn Richardson. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jim Gallimore, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Chris Taylor, Tom Martin, Denice Bullock and Cheryl Galt, , as well as Rochelle Boland, Department of Law; Captain Charles Bowen, Division of Fire & Emergency Services; Paul Hockensmith, Street Addressing Office; and Bob Carpenter, Division of Building Inspection. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission.

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria:

- (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
- (2) the Petitioner is in agreement with the Subdivision Committee recommendation and the conditions listed on the agenda, and
- (3) no discussion of the item is desired by the Commission, and
- (4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
- (5) The matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for consideration of these remaining plans is as follows:

- Staff Report(s)
- Petitioner's Report(s)
- Citizen Comments – (a) in support of the request, and (b) in opposition to the request
- Rebuttal – (a) petitioner's comments, (b) citizen comments, and (c) staff comments
- Commission discusses and/or votes on the plan

1. Preliminary Plans

- a. **PLAN 2006-75P: PATCHEN WILKES, UNIT 2B (12/3/09)*** - located at 1811 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

Note: The Planning Commission originally approved this plan on May 11, 2006, and reapproved it May 10, 2007, and August 14, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping, arterial screening and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Greenspace Planner's approval of the treatment of greenways/bike trails.
7. Discuss the connection to Charleston Drive.
8. Show spacing from the alley to the school entrance.
9. Show the cross-section with median.
10. Show alley radius from "F-F" to "B-B" sections.
11. Identify the school connections (pedestrian access).
12. Provided the Commission grants a waiver to Article 6-8 of the Land Subdivision Regulations to allow the centerline horizontal curve radius to be 35', and to allow reduced right-of-way dimensions.

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13. The notation of a public passageway easement adjacent to the right-of-way, detailing the primacy of the LFUCG over utility easements in this area.
14. All interior curb radii are to be increased to a minimum of 40'.

The Planning Commission approved the requested waiver(s) to Article 6-8 of the Land Subdivision Regulations, except only allowing a curve radius to minimum of 40' on the inside curb line, for the following reasons:

1. A design innovation throughout the entire unit of this subdivision is possible with the requested waivers, and is consistent with the previous waivers approved by the Planning Commission for Unit 1 of this subdivision.
2. A safe and functional vehicular and pedestrian system can still be implemented with this proposal, if modified as recommended.

This approval was subject to the following conditions:

1. The notation of a public passageway easement adjacent to the right-of-way, detailing the primacy of the LFUCG over utility easements in this area.
2. All interior curb radii are to be increased to a minimum of 40'.

Note: The applicant now requests reapproval of the plan.

The Staff Recommended: Reapproval, subject to the previous conditions.

2. Final Subdivision Plans

- a. PLAN 2008-76F: BOGIE ESTATE, LOT 1 (9/10/09)* - located at 5846 Old Richmond Road.
(Council District 12) **(EA Partners)**

Note: The Planning Commission postponed this plan at its July 10, 2008; August 14, 2008; September 11, 2008; October 9, 2008; November 13, 2008; December 11, 2008; January 8, 2009; February 12, 2009; March 12, 2009; April 9, 2009; May 14, 2009; June 11, 2009; July 9, 2009, and August 13, 2009, meetings. The purpose of this plat is to subdivide one 14-acre lot into two lots, consisting of one 4-acre lot zoned B-1 and one 10-acre lot zoned A-R. This subdivision also requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: Postponement. There were questions regarding the need for a waiver of Article 6-6(a) of the Land Subdivision Regulations concerning minimum lot size for a septic tank and right-of-way dedication.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street names and/or addresses per the street addressing office.
5. Addition of utility easements, as required by the utility companies.
6. Addition of the entire A-R zoned lot on this plan.
7. Denote buildable and non-buildable areas on proposed A-R lot.
8. Correct 300-foot building line (to scale) from right-of-way of Jacks Creek Road.
9. Kentucky Transportation Cabinet's approval of right-of-way dedication.
10. Discuss waiver to Article 6-6(a) in relation to the 10-acre rule and septic system.
11. Discuss right-of-way dedication on Jacks Creek Road.

- b. PLAN 2009-72F: LANSDOWNE-MERRICK SUBDIVISION, UNIT 3-A (AMD) (10/8/09)* - located at 3119 Lansdowne Drive. (Council District 5) **(Wheat and Ladenburger)**

Note: The Planning Commission postponed this plan at its August 13, 2009, meeting. The purpose of this amendment is to revise the building line.

The Subdivision Committee Recommended: Postponement. There were questions regarding the proposed setback in relation to those on the adjacent properties along Montavesta Road.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
6. Provided the Planning Commission grants a waiver to Article 5-4(h)(2) of the Land Subdivision Regulations.
7. Correct building line setback to 30.'

* - Denotes date by which Commission must either approve or disapprove plan.

- c. PLAN 2009-74F: HAROLD R. BLACK PROPERTY (AMD) (10/8/09)* - located at 3521 & 3589 Combs Ferry Road.
(Council District 12) **(Wes Witt)**

Note: The Planning Commission postponed this plan at its August 13, 2009, meeting. The purpose of this amendment is to subdivide 2 lots into 3 lots and to remove non-building restrictions. This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of required street tree information.
 4. Addressing Office's approval of street names and addresses.
 5. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
 6. Delete consolidation information and correct plan title.
 7. Addition of name and address of property owner.
 8. Addition of north arrow.
 9. Addition of buildable and/or non-buildable areas.
 10. Addition of private utilities listing per Article 5-4(e) of the Land Subdivision Regulations.
 11. Provided the Planning Commission grants a waiver to Article 6-8(b) of the Land Subdivision Regulations.
 12. Kentucky Department of Transportation approval of access to Combs Ferry Road prior to certification.
 13. Denote: the Board of Health's approval of the use of septic tanks on the plan face.
- d. PLAN 2009-94F: WOODWARD-LANDER PROPERTY, UNIT 1A, SECTION 1, LOT 108 (AMD) (11/12/09)* - located at 3117-3125 Daly Place. (Council District 12) **(Banks Engineering, Inc.)**

Note: The purpose of this amendment is to subdivide one lot into six lots.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and required street tree information.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
 7. Correct note "I" to specify required trees on this property.
 8. Clarify vicinity map.
 9. Addition of private access easement maintenance note.
 10. Addition of private utilities listing per Article 5-4(e) of the Land Subdivision Regulations.
- e. PLAN 2009-95F: ANGLIANA SUBDIVISION & A.G. MCGREGOR SUBDIVISION (11/4/09)* - located at 520 and 534 Angliana Avenue. (Council District 2) **(EA Partners)**

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and required street tree information.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
 7. Correct Angliana Avenue cross-sections (to include medians).
 8. Complete adjacent property information.
 9. Addition of note to include street trees will be planted in the required vehicular use buffer on Curry Avenue.
- f. PLAN 2009-96F: GESS PROPERTY, UNIT 11B (11/12/09)* - located on Bulrush Trace.
(Council District 7) **(EA Partners)**

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.

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6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Addition of north arrow.
10. Exactions to the approval of Division of Planning.
11. Provide the geotechnical / grading report for all lots requiring fill.

- g. PLAN 2009-97F: BLUEGRASS EXECUTIVE PARK, LOTS 4A & 4B (AMD) (11/12/09)* - located at 2240 Executive Drive. (Council District 6) **(EA Partners)**

Note: The purpose of this amendment is to subdivide one lot into two lots and dedicate easements.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
6. Denote the 25' floodplain setback.
7. Addition of floodplain information, per current FEMA maps.

- h. PLAN 2009-69F: WRITT STATION SUBDIVISION (AMD) (10/8/09)* - located at Laclede Avenue. (Council District 6) **(Summit Engineering)**

Note: The Planning Commission originally approved this plan on August 13, 2009, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Correct Planning Commission's certification.
8. Addition of private utilities listing per Article 5-4(e) of the Land Subdivision Regulations.
9. Denote: Street trees and arterial screening are to be planted within a year of recordation of this plat.
10. Provided the Planning Commission grants a waiver to Article 5-4(h)(2) of the Land Subdivision Regulations.

The Planning Commission approved the applicant's requested waiver(s) to Article 5-4(h)(2) of the Land Subdivision Regulations, for the following reasons:

1. Granting the waiver will not adversely affect public health and safety, and will otherwise maintain compliance with the Land Subdivision Regulations.
2. Strict compliance with this requirement of the Land Subdivision Regulations would constitute a hardship for the applicant by requiring an engineer's stamp and signature to be affixed to the plat when it is not warranted by the same Land Subdivision Regulations.

This recommendation is made subject to the following additional requirement:

- a. This certification shall read as follows:
"I hereby do certify that this record plan was prepared by me or under my direction; was done in accordance with the provisions of the Land Subdivision Regulations, the Zoning Ordinance, and the requirements of the Planning Commission; that all monuments listed hereon do exist and their location, size, and materials are correctly shown; that, to the best of my knowledge and belief, the information shown hereon is accurate." (Engineer's and surveyor's signature, address, date and seal)

Note: The applicant now requests another waiver for this plan.

The Staff will report at the meeting.

- i. PLAN 2008-77F: EAST BRIDGEFORD LAND & DEV. CO., (KINGSTON HALL), PHASE 1, UNIT 2 (12/3/09)* - located at 2356 Newtown Pike. (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on July 10, 2008, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street names and/or addresses per the street addressing office.

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5. Addition of utility and streetlight easements, as required by the utility companies, the Urban County Engineer and the Urban County Traffic Engineer.
6. Identify existing access easements to remaining tract to the east.
7. Verify exaction information.
8. Denote required buffer along the Urban Service Area Boundary (conditional zoning).
9. Correct Newtown Pike cross-section.
10. Resolve the possible need for a final development plan to be approved by the Planning Commission.
11. Resolve access easement.
12. Board of Health Department's approval of septic tank system prior to certification.

Note: The applicant has now requested reapproval of this plan.

The Staff Recommended: Reapproval, subject to the previous conditions.

- j. **PLAN 2008-118F: SAND LAKE & ESTES PROPERTY (12/3/09)* - located at 3200 & 3294 Richmond Road and 101 South Eagle Creek. (Council District 7)** **(EA Partners)**

Note: The Planning Commission originally approved this plan on September 11, 2008, subject to the following conditions, provided the plan was found to be in compliance with the Richmond Road Traffic and Safety Ordinance:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers (including grease trap information).
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Correct conditional zoning restrictions.
8. Correct 20' building line along Man O' War Boulevard and adjacent to private access easement.
9. Correct cul-de-sac right-of-way detail unless Planning Commission grants a waiver to Article 6-8 of the Land Subdivision Regulations.
10. Label "pedestrian" access easement from Lake Wales Drive.
11. Include a notation of a public passageway easement adjacent to the right-of-way, detailing the primacy of the LFUCG over utility easements in this area.
12. Addition of drainage easement per note number 14 on the approved development plan.
13. Denote access allowed for fill per note number 14 on the approved development plan.
14. Addition of Private Access Easement note per the Land Subdivision Regulations.
15. Provided the Planning Commission grants a waiver to Article 4-7(d)(1) of the Land Subdivision Regulations.
16. Resolve note number 10.
17. Resolve timing of pavement removal adjacent to Beale Street and Richmond Road.
18. Resolve Richmond Road Landscaping Ordinance planting areas.
19. Addition of the following four notes to the plan.
 - a. Developer shall provide a drainage easement from the retaining wall to the 3270 and 3292 Richmond Road properties. Access to the wall shall also be provided to permit the placement of fill material on 3270 and 3292 Richmond Road, to the acceptance of the Division of Engineering.
 - b. Developer shall provide a vehicular and pedestrian easement, if necessary, for the property at 3292 Richmond Road to have access to the portion of Sand Lake Drive (aka Beale Street), which adjoins the eastern boundary of 3292 Richmond Road.
 - c. The properties located at 3292 and 3270 Richmond Road are hereby granted easements over the private access easement shown herein for vehicular and pedestrian access, and for access to utilities, sanitary sewer, storm sewers, which easements shall run with the land for the benefit of the properties located at 3292 and 3270 Richmond Road.
 - d. There shall be no Certificate of Occupancy for any lot on the plat until Sand Lake Drive is completed to Richmond Road, except for the final surface course, sidewalks, and miscellaneous punch list items which are bondable pursuant to Section 4-7 of the Subdivision Regulations.

The Planning Commission approved the requested waiver(s) to Article 4-7(d)(1) of the Land Subdivision Regulations, for the following reasons:

1. Granting the waiver would avoid a severe hardship, and proceeding with the development of Beale Street (aka Sand Lake Drive) cannot be completed as required until the utilities are relocated in that area. The pavement in place is strictly temporary for construction purposes. This approval is subject to compliance with the Richmond Road Traffic and Safety Ordinance.

Note: The applicant has requested reapproval of this plan.

The Subdivision Committee Recommended: Reapproval, subject to the previous requirements.

* - Denotes date by which Commission must either approve or disapprove plan.

- k. PLAN 2008-42F: VICTORY LUTHERAN CHURCH (12/3/09)* – located at 1420 Todds Road and 2835 Rio Dosa Drive. (Council District 7) **(Eagle Engineering)**

Note: This item was originally approved by the Planning Commission on April 10, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: This property shall be developed in accordance with the approved final development plan.
8. Improve text size on notes and cross-sections.
9. Denote dimensions of tree protection area (TPA).
10. Addition of Todds Road cross-section.
11. Denote prior date(s) of Board of Adjustment approval.

Note: The applicant has requested reapproval of this plan.

The Staff Recommended: Reapproval, subject to the previous requirements.

- l. PLAN 2005-166F: CLARK PROPERTY UNIT 1-B (12/3/09)* - located at 1551 Deer Haven Lane (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on July 14, 2005, and reapproved it on September 11, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Addition of utility and street light easements by the utility companies and the Urban County Traffic Engineer.
5. Urban Forester's approval of tree preservation plan.
6. Approval of street names and addresses by e911 staff.
7. Addition of exaction information.

Note: The applicant now requests an extension of the approval granted this plan.

The Staff Recommended: Approval of a one-year extension, subject to the previous conditions.

- m. PLAN 2005-169F: CLARK PROPERTY UNIT 1-E (12/3/09)* - located at 1551 Deer Haven Lane (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on July 14, 2005, and reapproved it on September 11, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Addition of utility and street light easements by the utility companies and the Urban County Traffic Engineer.
5. Urban Forester's approval of tree preservation plan.
6. Approval of street names and addresses by e911 staff.
7. Addition of exaction information.
8. Greenspace Planner's approval of the treatment of greenway, bike trails, and pedestrian movement, including the greenway access location.
9. Addition of street dedication and right-of-way in from of lot 262.

Note: The applicant now requests an extension of the approval granted this plan.

The Staff Recommended: Approval of a one-year extension, subject to the previous conditions.

- n. PLAN 2007-156F: CLARK PROPERTY, UNIT 1-M (12/3/08)* - located at Polo Club Boulevard and Ice House Way. (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on August 8, 2007, and reapproved it on September 11, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.

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3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: This property shall be developed in accordance with the approved final development plan.
8. Verification of exaction information by Division of Planning.

Note: The applicant now requests an extension of the approval granted this plan.

The Staff Recommended: Approval of a one-year extension, subject to the previous conditions.

- o. PLAN 2008-24F: THOMAS COMMUNICATIONS, INC., UNIT 1-C (WALNUT GROVE ESTATES) (12/3/09)* – located at 2236 Walnut Grove (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on September 11, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, floodplain, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Delete trees without corresponding Tree Protection Areas (TPA) from plan face.
10. Document water service is available to this subdivision prior to certification.
11. Document compliance with minimum (80%) open space area.

Note: The applicant now requests an extension of the approval granted this plan.

The Staff Recommended: Approval of a one-year extension, subject to the previous conditions.

- p. PLAN 2008-25F: THOMAS COMMUNICATIONS, INC., UNIT 1-D (WALNUT GROVE ESTATES) (12/3/09)* – located at 2236 Walnut Grove (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on September 11, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Document water service is available to this unit prior to certification.

Note: The applicant now requests an extension of the approval granted this plan.

The Staff Recommended: Approval of a one-year extension, subject to the previous conditions.

3. Development Plans

- a. DP 2009-34: BEAUMONT FARM, UNIT 1, SECTION 1 (A PORTION OF) (AMD) (9/10/09)* - located at 3100 Beaumont Centre Circle. (Council District 10) **(EA Partners)**

Note: The Planning Commission postponed this plan at its June 11, 2009, July 9, 2009, and August 13, 2009, meetings. The purpose of this amendment is to add a turn lane and access off Beaumont Centre Circle, and add a generator yard next to the dumpster location.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping and landscape buffers.

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4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Addressing Office's approval of street names and addresses.
8. Remove the entrance to Beaumont Centre Circle, as per the approved development plan.

- b. DP 2009-56: GESS PROPERTY, UNIT 7 (11/27/09)* - located at 950 Chilesburg Road.
(Council District 7) **(EA Partners)**

Note: This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Urban Forester's approval of tree preservation plan.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Solid Waste's approval of refuse collection.
9. Addressing Office's approval of street names and addresses.
10. Addition of private utilities listing per Article 5-4(e) of the Land Subdivision Regulations.
11. Denote source of contours.
12. Denote proposed easements.
13. Denote construction access.
14. Correct plan title.
15. Denote the construction of temporary turnarounds to the approval of Division of Fire and Division of Solid Waste.

- c. DP 2009-59: DEERFIELD, UNIT 1, LOTS 35 & 36 (11/12/09)* - located at 140 and 144 Southland Drive.
(Council District 10) **(Allen Engineering, Inc.)**

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Urban Forester's approval of tree preservation plan.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Solid Waste's approval of refuse collection.
8. Addressing Office's approval of street names and addresses.
9. Correct vicinity map.
10. Label canopy and dimension.
11. Denote construction access point.
12. Provided the Board of Adjustment approves a landscape variance.
13. Denote sidewalk improvements along Southland Drive.

- d. DP 2009-60: MILLER BIRD COMMERCIAL PARK SUBDIVISION, BLOCK A, UNIT 1, LOTS 1-6 (CURRY SHOES)
(AMD) (11/12/09)* - located at 2555 Nicholasville Road. (Council District 10) **(The Roberts Group)**

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Addressing Office's approval of street names and addresses.
8. Correct spelling in note #11.
9. Remove extraneous information from plan face (construction info & former buildings).
10. Denote: The patio seating shall be limited to 24 seats.
11. Denote: No parking along Nicholasville Road Service Road.

* - Denotes date by which Commission must either approve or disapprove plan.

- e. DP 2007-57: VICTORY LUTHERAN CHURCH PROPERTY (12/3/09)* - located at 1420 Todds Road.
(Council District 7) **(Eagle Engineering)**

Note: This item was originally approved by the Planning Commission on August 9, 2007, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Correct plan title.
9. Complete site statistics and cross-sections.
10. Clarify note number 13 (homeowners' association reference).
11. Resolve the location of off-site detention basin.
12. Denote compliance for parking, lot sizes and required private open space.

Note: The applicant has requested reapproval of this plan.

The Staff Recommended: Reapproval, subject to the previous requirements.

- C. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

- V. **COMMISSION ITEMS** - The Chairman will announce that any item a Commission member would like to present will be heard at this time.

- VI. **STAFF ITEMS** – Staff items, if any, will be considered at this time.

- VII. **AUDIENCE ITEMS** – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

VIII. **NEXT MEETING DATES** -

Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	September 17, 2009
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	September 23, 2009
Zoning Items Public Hearing , 2 nd Floor Council Chambers.....	September 24, 2009
Planning Committee/Planning Commission Joint meeting, Tuesday, 9:00 a.m., Lexington Public Library.....	September 29, 2009
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	October 1, 2009
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	October 1, 2009
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	October 8, 2009

X. **ADJOURNMENT**

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* - Denotes date by which Commission must either approve or disapprove plan.