

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

March 11, 2010

- 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** – Prior Planning Commission meeting minutes of February 11, 2010, 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, March 4, 2010, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens, Carolyn Richardson, Derek Paulsen and Marie Copeland. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Chris Taylor, Cheryl Galt, Traci Wade, Denice Bullock, and Barbara Rackers, as well as Rochelle Boland, Department of Law; Captain Charles Bowen and Firefighter Allen Case, Division of Fire & Emergency Services; Bob Carpenter, Division of Building Inspection; and Paul Hockensmith, Addressing Office. 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 agrees with the Subdivision Committee recommendation and 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 SUBDIVISION PLANS

- a. **PLAN 2010-13P: FAIRWAY LANDS, UNIT 11 (5/02/10)*** - located at 350 Henry Clay Boulevard.
(Council District 5) **(EA Partners)**

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the proposed geometrics for a new cul-de-sac, the lack of Tree Protection information and potential vehicular access conflicts with an existing retaining wall.

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. Urban Forester's approval of tree protection plan.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Complete existing retaining wall information (required by Article 5-2(d)(11)) and/or denote its removal.
7. Addition of cul-de-sac detail information.
8. Correct unit number in plan title.
9. Correct cross-section "A-A" to reflect on-street parking & existing sidewalk dimension.
10. Delete note #8.
11. Complete Tree Protection Plan information.
12. Denote existing utility locations.
13. Denote: The retaining wall height relative to driveway access and sight distance (lots 1-6) shall not exceed 3'-0".
14. Denote compliance of underground utilities as required by Article 6-5(a) of the Land Subdivision Regulations (lots 1-12).

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

15. Denote the detention basin on a free standing lot.
16. Discuss "C-C" cross-section (16' median & 17' lane).
17. Discuss the reduction in sidewalk widths ("A-A" & "B-B" cross-sections).
18. Discuss the proposed cul-de-sac and the possible need for a waiver to the Subdivision Regulations.
19. Discuss the tree preservation area for the 30" Oak tree in the proposed right-of-way.
20. Discuss the detention basin conflict with the 40" Maple tree.
21. Discuss the tree preservation areas for significant trees on lot 15.
22. Discuss the possibility for pedestrian connections to Kingsway Drive.
23. Discuss the tree protection area and utility easement conflict (lots 12-18).

2. FINAL SUBDIVISION PLAN

- a. PLAN 2010-14F: MARSHALL PROPERTY, UNIT 2-K (5/02/10)* - located at 3000 Leestown Road (a portion of).
(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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Clarify the extent of the 15' sanitary sewer easement on lot 1.
9. Delete 10' building line in areas not adjacent to street right-of-way.
10. Addition of note #12 from the certified Final Development Plan.

3. DEVELOPMENT PLANS

- a. DP 2010-7: SAYRE CHRISTIAN VILLAGE, PHASES 1, 2, 3, 4 & 7 (BELLEAU WOOD SUB.) (AMD) (5/02/10)* -
located at 3816 Camelot Drive. (Council District 4) **(Banks Engineering)**

Note: The purpose of this amendment is to add off-street parking and buildable area, and to relocate an access point to Greenfield Drive.

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. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan, and/or tree canopy information.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Addition of dimensions on parking areas (typical parking space dimensions).
9. Provided the Board of Adjustment grants approval of this expanded conditional use.

- b. DP 2010-8: PROVIDENCE PLACE, TRACT 3, LOTS 4 & 5 (5/02/10)* - located at 2200 Newtown Pike.
(Council District 12) **(Vision Engineering)**

The Subdivision Committee Recommended: **Postponement**. There were questions regarding conformance with the minimum requirements of the ED zone.

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 landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan and/or tree canopy information.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Denote Final Record Plat designation for lots 4 & 5.
10. Denote the sanitary sewer temporary construction easement on lot 4.
11. Resolve the minimum off-street parking required on lot 5.
12. Resolve proposed access easement location and turning radius proposed (for trucks).

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13. Denote: Mary Fay Place shall be completed prior to the issuance of a Certificate of Occupancy.
 14. Discuss exactions due at the time of building permits (Note #14).
 15. Discuss the landscape berm's relationship with the proposed easements and parking along the northern property lines of lots 4 and 5.
 16. Discuss boundary fencing and/or screening along the northern property lines of lots 4 and 5.
- c. DP 2010-9: SHARKEY PROPERTY, UNIT 4, SECTION 2 (& RESIDENTIAL SERVICE BUILDING) (AMD#2) (5/02/10)* - located at 1700 Leestown Road (a portion of) and 148 Louie Place.
(Council District 2) **(Barrett Partners)**

Note: The purpose of this amendment is the addition of 120 apartment units.

The Subdivision Committee Recommended: Referral. There were questions regarding the new apartment buildings' setback from new drive aisles being less than required by Article 9-6(c)(2) of the Zoning Ordinance.

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 landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection plan.
 6. Division of Fire's approval of emergency access and fire hydrant locations.
 7. Division of Waste Management's approval of refuse collection.
 8. Correct plan title.
 9. Provided the Planning Commission grants a waiver to Article 6-8(b) of the Land Subdivision Regulations.
 10. Certification of easement minor plat prior to the certification of DP 2010-9.
 11. Resolve utilization of the detention basin as usable open space (as indicated in site statistics).
 12. Resolve the resolution of building conflicts with the existing detention easement.
 13. Discuss compliance with Article 9 of the Zoning Ordinance regarding the required frontage yard (setback from drive aisles).
- d. DP 2010-11: LEDERER PROPERTY (GCL PROPERTIES) (AMD) (5/25/10)* - located at 312 North Limestone Street. (Council District 1) **(Wheat and Ladenburger)**

Note: The purpose of this amendment is to revise dimensions for an addition, and add a building envelope, and floor area.

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. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan.
6. Remove proposed rain garden and denote the proposed detention areas.
7. Revise note #12 to reflect proposed detention areas and any impact on the tree protection areas.
8. Resolve building envelope conflict with existing white ash tree.
9. Review by the Technical Committee prior to certification.

- 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.

- A. COMMISSION CONSIDERATION OF A RESOLUTION REGARDING THE WORLD EQUESTRIAN GAMES** – The Commission will consider a proposed Council resolution recognizing the need for temporary land uses during the World Equestrian Games that may not be permitted by current zoning regulations; creating a temporary use designation as an "Official Temporary World Equestrian Games Related Use;" and establishing procedures and requirements for the establishment of such uses. This resolution was distributed to Commission members at their January work session.
- B. PFR 2010-1: FAYETTE COUNTY PUBLIC SCHOOLS (KEITHSHIRE ELEMENTARY SCHOOL CONSTRUCTION)** – a Public Facilities Review of construction of Keithshire Elementary School, located at 3280 Keithshire Way.

The staff will report at the meeting.

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- C. **PFR 2010-2: FAYETTE COUNTY PUBLIC SCHOOLS (LOCUST TRACE AGRISCIENCE FARM)** – a Public Facilities Review of construction of an agriscience farm learning center, located at 3591 Leestown Road.

The staff will report at the meeting.

- D. **PFR 2010-3: FAYETTE COUNTY PUBLIC SCHOOLS (TATES CREEK MIDDLE SCHOOL RENOVATION)** – a Public Facilities Review of renovation of Tates Creek Middle School, located at 1105 Centre Parkway.

The staff will report at the meeting.

- E. **CANCELLATION OF UPCOMING MEETING** – There are no pending zoning application to present to the Planning Commission at their next scheduled meeting. Therefore, the staff would request that the Commission take action to amend the Official Meeting & Filing Schedule to cancel the public hearing for the Zoning Items previously scheduled for Thursday, March 25, 2010, at 1:30.

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

- A. **HOUSE BILL 55 TRAINING OPPORTUNITY** - There will be an APA audio-conference in the Division of Planning Conference Room on Wednesday, March 17, 2010, beginning at 4:00 p.m. The title of this conference is "Redevelopment and Revitalization for a New Era" and will count toward 1.5 hours of House Bill 55 training credit for Board of Adjustment and Planning Commission members, as well as staff.

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	March 18, 2010
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 24, 2010
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 25, 2010
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 1, 2010
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	April 1, 2010
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	April 8, 2010

IX. **ADJOURNMENT**

CT/CG/TM/WLS/BR/SDB