Minutes
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS

April 8, 2010

I. **CALL TO ORDER** - The meeting was called to order at 1:37 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.

Planning Commission Members Present – Frank Penn, Chair; Carolyn Richardson, Vice-Chair (arrived at 1:45 p.m.); Mike Owens; Patrick Brewer; Lynn Roche-Phillips; Joan Whitman; Marie Copeland; Derek Paulsen; Mike Cravens and Mike Owens. William Wilson and Ed Holmes were absent.

Planning Staff Present – Chris King, Director; Bill Sallee, Barbara Rackers, Tom Martin, Chris Taylor, Cheryl Gallt and Denice Bullock. Other staff members in attendance were: Steve Parker, Division of Engineering, Captain Charles Bowen, Division of Fire & Emergency Services, Tim Queary, Division of Streets, Roads and Forestry, Rochelle Boland, Department of Law and Jim Gallimore, Traffic Engineering.

II. **APPROVAL OF MINUTES** – Chairman Penn reminded the members that the prior Planning Commission meeting minutes of the February 25, 2010 and March 11, 2010 meetings had been previously distributed to the Commission, and were ready to be considered at this time.

Action - A motion was made by Mr. Owens, seconded by Mr. Cravens and carried 8-0 (Richardson, Wilson and Holmes absent) to approve the minutes of February 25, 2010 and March 11, 2010.

III. **POSTPONEMENTS OR WITHDRAWALS –** Requests for postponement and withdrawal were considered at this time.

Planning Commission Comment – Chairman Penn asked if anyone in the audience or on the staff wished to make a request for postponement or withdrawal.

a. DP 2010-13: MORNINGSIDE MARKET (ENGLE PROPERTY, FINANCE & REALTY COMPANY, PERRY LUMBER COMPANY PROPERTY) (5/30/10)* - located at National Avenue, Walton Avenue and Ashland Avenue.
(Council District 3) **(CRP & Associates, Inc.)**

Representation – Harvey Johnson, CRP & Associates, was present representing the applicant. He submitted documentation for the required posting of a sign and an affidavit to the staff, and requested postponement of DP 2010-13 to the April 22, 2010, Planning Commission meeting.

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Whitman, seconded by Mr. Owens, and carried 8-0 (Richardson, Wilson and Holmes absent) to postpone DP 2010-13 to the April 22, 2010, Planning Commission meeting.

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

Representation – Rory Kahly, EA Partners, was present representing the applicant, and requested postponement of PLAN 2010-13P to the May 13, 2010, Planning Commission meeting.

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Whitman, seconded by Mr. Owens, and carried 8-0 (Richardson, Wilson and Holmes absent) to postpone PLAN 2010-13P to the May 13, 2010, Planning Commission meeting.

c. PLAN 2008-118F: SAND LAKE & ESTES PROPERTY (SECTION 2) (6/29/10)* - located at 3200 & 3294 Richmond Road.
(Council District 7) **(EA Partners)**

Representation – Rory Kahly, EA Partners, was present representing the applicant, and requested postponement of PLAN 2008-118F to the May 13, 2010, Planning Commission meeting.

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Mr. Owens, seconded by Mr. Brewer, and carried 8-0 (Richardson, Wilson and Holmes absent) to postpone PLAN 2008-118F to the May 13, 2010, Planning Commission meeting.

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d. DP 2010-15: GESS PROPERTY, UNIT 8 (6/29/10)* - located at 840 Hays Boulevard and 4115 Sperling Drive (a portion of). (Council District 7) **(EA Partners)**

Representation – Rory Kahly, EA Partners, was present representing the applicant, and requested postponement of DP 2010-15 to the May 13, 2010, Planning Commission meeting.

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Mr. Owens, seconded by Ms. Whitman, and carried 8-0 (Richardson, Wilson and Holmes absent) to postpone DP 2010-15 to the May 13, 2010, Planning Commission meeting.

e. DP 2006-65: BLACKFORD PROPERTY, PHASES 1 & 2 (AMD.) (6/24/10)* – located at 6600 Man O' War Boulevard (a portion of). (Council District 12) **(EA Partners)**

Representation – Rory Kahly, EA Partners, was present representing the applicant, and requested postponement of DP 2006-65 to the May 13, 2010, Planning Commission meeting.

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. In response to a question from an audience member (Mr. Kareh), Mr. Sallee clarified that the Planning Commission would not take any action on this item until the May 13, 2010, Planning Commission meeting, if it were postponed today, as requested.

Action - A motion was made by Mr. Cravens, seconded by Ms. Whitman, to postpone DP 2006-65 to the May 13, 2010, Planning Commission meeting.

Discussion of Motion – Chairman Penn asked Mr. Kareh if he would like to speak to the postponement request. Mr. Kareh replied that since this item was being postponed, he would wait to make any comments.

The motion carried 8-0 (Richardson, Wilson and Holmes absent).

f. PLAN 2010-28F: HIGBEE MILL RESERVE, SECTION 2, LOT 3G (6/22/10)* - located at 4204 & 4172 Reserve Road. (Council District 9) **(Banks Engineering)**

Staff Comments – Mr. Martin said that the staff had received an email correspondence from the applicant, requesting postponement of PLAN 2010-28F to the May 13, 2010, Planning Commission meeting.

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Mr. Owens, seconded by Ms. Whitman, and carried 8-0 (Richardson, Wilson and Holmes absent) to postpone PLAN 2010-28F to the May 13, 2010, Planning Commission meeting.

Note: Ms. Richardson arrived at this time.

g. DP 2010-16: DENTON FARMS (ELLERSLIE AT DELONG) (AMD) (6/29/10)* - located at 3900 – 4070 Richmond Road. (Council District 7) **(Strand Associates)**

Staff Comments – Mr. Martin said that the staff had received an email correspondence from the applicant, requesting postponement of DP 2010-16 to the April 22, 2010, Planning Commission meeting.

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Whitman, seconded by Ms. Richardson, and carried 9-0 (Wilson and Holmes absent) to postpone DP 2010-16 to the April 22, 2010, Planning Commission meeting.

h. DP 2010-8: PROVIDENCE PLACE, TRACT 3, LOTS 4 & 5 (6/1/10)* - located at 2200 Newtown Pike. (Council District 12) **(Vision Engineering)**

Director Comments – Mr. King said that prior to start of today's meeting, the staff was approached by the applicant's counsel, who requested postponement of DP 2010-8 to the April 22, 2010, Planning Commission meeting. He said that a two-week postponement would allow the staff to meet with the applicant's lawyer to resolve the issues concerning this development plan. He said that the applicant would like it noted for the record that they (the applicant) are agreeable to the requested postponement; however, they requested that the date by which Commission must either approve or disapprove the plan not change. He noted that the date by which the Commission must take action is June 1, 2010.

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

Audience Comment – Chairman Penn asked if anyone in the audience wished to discuss this request for postponement. There was no response.

Action - A motion was made by Ms. Copeland, seconded by Ms. Whitman, and carried 9-0 (Wilson and Holmes absent) to postpone DP 2010-8 to the April 22, 2010, Planning Commission meeting.

IV. LAND SUBDIVISION ITEMS - The Subdivision Committee met on Thursday, April 1, 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: Chris King, Director; Bill Sallee, Tom Martin, Chris Taylor, Cheryl Gallt, Jimmy Emmons, Traci Wade, Denice Bullock and Barbara Rackers, as well as Captain Charles Bowen, Division of Fire & Emergency Services; Rochelle Boland, Law Department 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. CONSENT AGENDA - 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.

Requests can be made to remove items from the Consent Agenda:
(1) due to prior postponements and withdrawals,
(2) from the Planning Commission,
(3) from the audience, and
(4) from Petitioners and their representatives.

At this time, Chairman Penn requested that the Consent Agenda items be reviewed. Mr. Sallee identified the following items appearing on the Consent Agenda, and oriented the Commission to the location of these items on the regular Meeting Agenda. He noted that the Subdivision Committee had recommended conditional approval of these items. (A copy of the Consent Agenda is attached as an appendix to these minutes).

1. PLAN 2010-19F: BLUEGRASS BUSINESS PARK (PEMBERTON FARM) (LOTS 4, 6 & 7) (AMD #8) (5/30/10)* - located at 2540 Spurr Road. (Council District 2) **(EA Partners)**

   Note: The purpose of this amendment is to create 4 lots, record easements and revise notes from the previous plan.

   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 protection information.
   6. Division of Environmental Quality's approval of environmentally sensitive areas (Royal Spring Aquifer).
   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 either the approved final development or preliminary subdivision plan (and delete other similar notes).
   9. Recordation of PLAN 2008-158F prior to certification.
   10. Denote: The timing of the street connection to the Curtsinger Property shall be resolved at the time of a final development or preliminary subdivision plan of lot 7.

2. PLAN 2007-177F: SHARKEY PROPERTY, UNIT 4 (6/20/10)* - located on Louie Place and Hatter Lane. (Council District 2) **(EA Partners)**

   Note: The Planning Commission originally approved this plan on September 13, 2007, and approved an extension (for Section 2) on September 11, 2008, subject to the following conditions:

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

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 by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
7. Addition of adjoining property information.
8. Denote zone-to-zone screening.
9. Denote: Property shall be developed in accordance with the approved final development plan.
10. Resolve compliance with approved preliminary development plan concerning street lotting and access.
11. Resolve compliance with Subdivision Regulations concerning street terminus (cul-de-sac).

Note: Section 1 of this plat, for the I-1 zoned portion of the property, was recorded on 4/16/08. More recently, a final development plan for this property was approved by the Planning Commission on 3/11/10, granting a waiver to the Subdivision Regulations so as not to require the construction of a cul-de-sac. The applicant has since requested reapproval of Section 2 on this plat.

The Subdivision Committee Recommended: Reapproval for Section 2, subject to the following requirements.
1. Conditions 1-9 as required by the Planning Commission on 9/11/08.
2. Denote Planning Commission's approval of Waiver to the Land Subdivision Regulations for the street terminus.
3. Revise the lot line separating Lots 2 & 3 to eliminate any conflicts with the approved final development plan.
4. Revise the drainage easement limits, to the approval of the Division of Engineering, as necessary.

3. PLAN 2008-26F: THE GLEN AT LOCHDALE, UNIT 1, BLOCK C, LOT 1 (AMD.) (6/20/10)* – located at 3652 Winthrop Drive. (Council District 9) **(EA Partners)**

Note: The Planning Commission originally approved this plan on March 13, 2008, and reapproved it on April 9, 2009, subject to the following conditions:
1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Building Inspection's approval of landscape buffers and required street tree information.
3. Approval of street names by e911 staff.
4. Denote: This property shall be developed in accordance with the approved final development plan.
5. Remove note number 5.
6. Resolve street trees and landscaping buffer along the frontage of Winthrop Drive at the time of the final development plan.

Note: The applicant has requested an extension of the Commission's prior approval of this plan.

The Subdivision Committee Recommended: Approval of the extension, subject to the previous requirements.

4. DP 2010-14: RAS PROPERTY (5/30/10)* - located at 333 South Upper Street. (Council District 3) **(Barrett 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 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. Revise note #11 regarding the Board of Architectural Review approval and denote their approval date.
9. Denote building envelope per the required Board of Architectural Review approval.
10. Denote the proposed wall enclosing the courtyard.

5. DP 2010-17: BLUEGRASS BUSINESS PARK (PEMBERTON FARM) (LOT 4) (5/30/10)* - located at 2540 Spurr Road. (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 landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan, per Article 26-4(c) of the Zoning Ordinance.
6. Division of Environmental Quality's approval of environmentally sensitive areas (Royal Spring Aquifer).
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Clarify the minimum off-street parking requirements.

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10. Denote the extent of the tree protection areas along the north and western lot lines.

6. DP 2010-18: BLUEGRASS BUSINESS PARK (PEMBERTON FARM) (LOT 6) (5/30/10)* - located at 2540 Spurr Road. (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 landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Urban Forester's approval of tree protection plan.
7. Division of Environmental Quality's approval of environmentally sensitive areas (Royal Spring Aquifer).
8. Division of Fire's approval of emergency access and fire hydrant locations.
9. Division of Waste Management's approval of refuse collection.
10. Clarify the minimum off-street parking requirements.

7. ZDP 2007-111: THE GLEN AT LOCHDALE, UNIT 4 (AMD.) (6/20/10)* - located at 3600 and 3652 Winthrop Drive. (Council District 9) **(EA Partners)**

Note: The Planning Commission indefinitely postponed this plan at its September 27, 2007, meeting, pending the outcome of the zoning decision by the Urban County Council. The Urban County Council approved the zone change request (to B-1) at its December 4, 2007, hearing. Subsequently, the Planning Commission approved this plan on March 13, 2008, and later reapproved it on April 9, 2009, (on the Commission's Consent Agenda) subject to the following conditions:

1. Provided the Urban County Council rezones the property B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscaping.
5. Urban Forester's approval of tree inventory map.
6. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
7. Addition of building dimensions.
8. Addition of zone-to-zone screening.
9. Resolve connection to R-4 property to the east at the time of the final development plan.
10. Provide notification to the adjacent property owners to the east.

Note: The applicant has requested an extension of this plan, prior to its expiration.

The Subdivision Committee Recommended: Approval of the extension, subject to the previous requirements.

Mr. Sallee said that these items listed on the Consent Agenda could be considered for conditional approval at this time by the Commission, unless there was a request for an item to be removed for a full discussion.

Planning Commission Comment – Chairman Penn asked if anyone in the audience or on the Commission wished to discuss any of the items listed on the Consent Agenda. There was no response.

Action - A motion was made by Mr. Owens, seconded by Mr. Paulsen and carried 9-0 (Wilson and Holmes absent) to approve the items listed on the Consent Agenda.

B. 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.

Action - A motion was made by Mr. Brewer, seconded by Mr. Owens, and carried 9-0 (Wilson and Holmes absent) to approve the release and call of bonds as detailed in the memorandum dated April 8, 2010, from Ron St. Clair, Division of Engineering.

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

A. PFR 2010-4: LFUCG RECYCLING FACILITY CAPACITY IMPROVEMENTS – a Public Facilities Review of improvements to the LFUCG regional recycling center, located at 360 Thompson Road.

STAFF RECOMMENDATION: Approval, as requested. Should the surrounding properties to the south, east and west redevelop as proposed, as part of the Distillery District project, and this property remains the municipal recycling center beyond that time, landscaping/screening should be implemented along the front of the property as it faces Manchester Street in order to comply with Goal 19, Objective N ("Enhance the visual character of all major transportation routes"). If the property remains in the

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ownership of the Urban County Government, any further development should be done in a manner that is mindful of the adjoining residential neighborhood to the north/northwest to minimize any negative impact that it might have on those residential uses.

Staff Presentation - Ms. Rackers directed the Commission's attention to PFR 2010-4, noting its location on the agenda, and stated that this is a Public Facilities Review for improvements to the LFUCG regional recycling center, located at 360 Thompson Road. She noted that there is a correction to the staff report, and said that the nearby cemetery is to the east Calvary Cemetery and not Lexington Cemetery.

Ms. Rackers oriented the Commission to the overall layout of the surrounding area, and pointed out the location of the subject site relative to the immediate street system. She said that within the general vicinity, there are industrial areas, as well as an older established single family residential (R-1C) area to the north. She then said that the subject site is split-zoned for Light and Heavy Industrial (I-1 and I-2) uses. She noted that there is mostly industrial zoning in the area, with the exception of an small area that is zoned for Neighborhood Business (B-1) and the previously mentioned R-1C zoning to the north/northwest. The subject site contains approximately 9 acres, with a little over 41/2 acres being impervious area (either building or pavement).

Ms. Rackers directed the Commission's attention to the site plan, and gave a brief description of the rendering. She noted the location of the railroad tracks to the south and east, the existing and proposed buildings, the parking area, the detention basin, and the area that is being proposed for paving. She said that the existing building is a 38,000 sq.-ft. metal structure. The proposed building will be approximately 10,900 sq.-ft. and will be similar to a carport in construction. She said that with the proposed improvements to the recycling facility, the amount of recyclables will increase from 8 tons of material per hour to 24 tons per hour.

Ms. Rackers said that there is no known opposition to the expansion of the recycling facility; however, at some point in the past there had been a complaint from a nearby resident over the noise and trash coming from this facility. She then said that between 2007 and 2009, the recycling facility tried to resolve the resident's concerns; and eventually in 2009, a privacy fence was installed along the rear of the site to help remedy the problem. There have been no complaints since that time.

Ms. Rackers then said that there are no Comprehensive Plans Goals and Objectives specifically in opposition to this proposal; however, Objective N of Goal 19 could be construed as such if no visual improvements are made to the front portion along Manchester Street. There is an existing chain link fence with very little fencerow plant material along the property line, and with the subject site being located just off a major transportation route, Objective N of Goal 19 could be seen to be in opposition to the proposed improvement on the property. She said that Thompson Road is just off of Manchester Street, which becomes Old Frankfort Pike at its intersection with South Forbes Road. Old Frankfort Pike is part of the Kentucky Scenic Byway systems, and a major transportation route between the downtown area and the rural area of western Fayette County. For this reason, Objective N, Goal 19, could be construed as being in opposition to the project.

Ms. Rackers directed the Commission's attention to the rendering of the Distillery District West District Concept Plan, noting that the recycling center is within the Distillery District area. She said that according to the concept plan, the recycling facility portion is noted as possible loft housing; however, as long as the Urban County Government owns the property, that cannot be done. She said that this recycling facility is the only one owned and operated by the Lexington-Fayette Urban County Government. She then said that since this facility is a regional operation, it accepts recyclables from several of the surrounding counties. Waste Management wants to increase the capacity to make it a true regional facility, which would give them the ability to accept more recyclable items. She noted that in mid 2009, a study was conducted, determined that the existing recycling center was inadequate for their needs; therefore, the LFUCG had purchased a 33-acre parcel for construction of a new recycling facility. This facility will be located near the Division of Waste Management offices, near New Circle Road, off Old Frankfort Pike. She said that until the new construction is completed, the existing facility on Thompson Road will need to make the appropriate improvements to continue their operations, adding that the proposed building will be a cost effective way to address the increased capacity issues.

Ms. Rackers said that there are two basic principles endorsed by the Comprehensive Plan that are applicable here: 1) is the need to provide adequate public facilities and to ensure their equitable distribution (such as public streets, trash pickup and emergency services); and 2) environmental stewardship and protection of the environment. She then said that one of statements contained in the Comprehensive Plan is that the planning process for a metropolitan area "shall provide for consideration of projects and strategies that will, among other things, include: 1) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and Local planned growth and economic development patterns; 2) promote efficient system management and operations." She said that the increase in the recycling facility supports these principles, system management and the operations of the recycling facility will be enhanced, and energy conservation and stewardship will be provided.

Ms. Rackers said that the staff is recommending approval of this Public Facilities Review based upon its compliance with the Goals and Objectives of the Comprehensive Plan, with the exception of Objective N of Goal 19. She said that should the Distillery District develop before the recycling facility is completed, landscaping and screening should be provided along the front portion along Manchester Street If the property remains under the ownership of the Lexington-Fayette Urban County Government, should there be any further development of the property, it should be done in a manner that is mindful of the adjoining residential neighborhood to the north.

<u>Planning Commission Questions</u> – Ms. Copeland asked who will provide the landscaping buffer if the Distillery District development is completed before the completion of the new recycling facility. Ms. Rackers said that the LFUCG currently has ownership of this site; and if landscaping were to be provided, which is recommended should the Distillery District develop around the recycling center, it would be LFUCG's responsibility to do so.

Mr. Owens clarified that the landscaping recommendation is being made should the Distillery District develop. Ms. Rackers said that if the Distillery District develops around the recycling facility, staff is recommending that the LFUCG provide landscaping along the front portion facing Manchester Street. Mr. Owens asked what is directly across from the recycling facility. Ms. Rackers said that the area in front of the recycling facility is part of the Distillery District TIF application, and the Pepper Distillery building is on the other side of Manchester Street. Mr. Owens agreed that some type of landscaping needs to be provided, and asked if the staff recommendation could be changed to read: "Enhance the visual character of all major transportation routes, to include landscaping, whether or not the Distillery District develops." Ms. Rackers said that this property has been functioning as LFUCG's recycling center since the early 90s, and there has never been any landscaping provided; therefore, it is difficult to require landscaping at this time, particularly since the new construction will likely begin in the year 2013. Mr. Owens asked if the new building would be completed in the year 2013. Ms. Rackers clarified that the construction phase of the new facility will begin in the year 2013. Mr. Owens suggested that the wording in the staff's recommendation include improving the appearance of the major transportation route. Ms. Rackers said that the Planning Commission could make that recommendation.

Ms. Copeland said that she is familiar with this area, and the appearance of the property is unpleasant to both a tenant and a motorist. She said that this site is a deterrent for the development of the Distillery District if there is no landscape buffer provided, and the Commission should be aware of this issue. Ms. Rackers said that this property is owned by the LFUCG and they are exempt from any zoning requirements. She said that there is no way to require landscaping as part of this request, whether the carport develops or not. She said that the Commission could make a strong statement as to their concerns with this Public Facilities Review, as well as to their desire for landscaping. Ms. Copeland said that the Commission serves as the conscience of the public. Ms. Rackers agreed.

Ms. Richardson asked if there is a master plan for this section of the Distillery District. Mr. King said that the West District is Phase 2, possibly even Phase 3. Mr. Martin added that the property to the east (the East District) is split into two different phases. Ms. Richardson asked if these phases would begin after 2013. Ms. Rackers replied that that was likely the case.

Ms. Roche-Phillips asked if the Distillery District TIF has been approved by the KY legislature. Mr. King replied affirmatively.

Mr. Penn commented that this is not the only piece of property that needs improvement within this area. He asked for clarification as to how the Commission should make their recommendation. Ms. Rackers said that the Commission should state whether or not this request is in compliance with the Comprehensive Plan Goals and Objectives, including any other statement to clarify the Commission's concerns.

Ms. Copeland asked if there is a cost analysis or a potential landscape plan that could be reviewed rather than taking action at this time. Mr. King said that there is no requirement established for the Planning Commission to review a site or landscape plan. He said that should the Commission believe a landscape plan is needed, that suggestion can be noted in the Planning Commission recommendations. The recommendation can then be forward to the Administration and Council for possible consideration as they move forward with the proposal for the recycling center

<u>Action</u>: A motion was made by Mr. Owens, with regard to <u>PFR 2010-4: LFUCG RECYCLING FACILITY CAPACITY IMPROVEMENTS</u>: the Commission finds this request to be in compliance with the 2007 Comprehensive Plan; and in order to comply with Goal 19, Objective N: "Enhance the visual character of all major transportation routes" that landscaping be installed, and with a site plan be submitted to the Commission.

<u>Discussion of Motion</u> – Mr. Penn pointed out that the Commission has no authority is requesting a site plan. Mr. King confirmed that that request is out of the Commission's scope.

<u>Action</u>: An amended motion was made by Mr. Owens, stating that the Commission finds this request to be in compliance with the 2007 Comprehensive Plan; and in order to comply with Goal 19, Objective N: "Enhance the visual character of all major transportation routes" that landscaping be installed.

<u>Discussion of Amended Motion</u> – Ms. Roche-Philips confirmed that the Planning Commission does not have the authority to have this item brought back for review, but a request could be made. Mr. King said that the Commission could respectively request that a site plan be brought back to the Commission, and could be reviewed during a Work Session.

<u>Action</u>: A second amended motion was made by Mr. Owens, stating that the Commission finds this request to be in compliance with the 2007 Comprehensive Plan; and in order to comply with Goal 19, Objective N: "Enhance the visual character of all major transportation routes, that landscaping be installed, and the Commission respectively requests that a site plan be brought to the Commission for review during a Work Session.

The motion was seconded by Mr. Paulsen, and carried 9-0 (Holmes and Wilson absent).

Mr. King said that the staff will contact the appropriate personnel in writing; and if it is agreed upon, the staff will schedule the presentation at an upcoming Work Session.

VI. <u>STAFF ITEMS</u> - Staff items, if any, will be considered at this time.

A. <u>CORRECTION TO THE PLANNING COMMISSION AGENDA</u> – Mr. King noted that the following change to the "Next Meeting Dates" portion of the agenda should be noted:

Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... April 15, 2010
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers.................................. **April 22, 2010**
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) .... April 28, 2010
Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... April 29, 2010
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) .... May 6, 2010
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building) .... May 6, 2010
Subdivision Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... **May ~~11~~ <u>13</u>, 2010**

B. <u>UPCOMING WORK SESSION</u> – Mr. King reminded the Commission of the upcoming work session scheduled for April 15, 2010. He said that there will be a full presentation on the upcoming text amendments concerning the single family housing density. He noted that these text amendments will also be presented at the April 22, 2010, hearing. Mr. Penn encouraged the Commission members to attend the Work Session in order to better comprehend the issues involved.

VII. <u>AUDIENCE ITEMS</u> – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will <u>NOT</u> 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. <u>NEXT MEETING DATES</u> -

Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... April 15, 2010
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers... **April 22, 2010**
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) .... April 28, 2010
Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... April 29, 2010
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) .... May 6, 2010
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building) .... May 6, 2010
Subdivision Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... **May 13, 2010**

IX. <u>ADJOURNMENT</u> - There being no further business, a motion was made to adjourn the meeting at 2:16 p.m.

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Frank Penn, Chair

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Mike Owens, Secretary

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