

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

July 8, 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** – 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, July 1, 2010, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens, Carolyn Richardson, and Marie Copeland. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jim Gallimore, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Cheryl Gallt, Jimmy Emmons, Denice Bullock, and Barbara Rackers, as well as Captain Charles Bowen, Division of Fire & Emergency Services; and Bob Carpenter and Steven Harrod, 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 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** (7/8/10)* - located at 350 Henry Clay Boulevard.
(Council District 5) **(EA Partners)**

Note: The Planning Commission postponed this plan at its March 11, 2010, April 8, 2010, May 13, 2010 and June 10, 2010, meetings.

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)) of the Land Subdivision Regulations 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.

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

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).
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 2010-59F: LAKEVIEW ACRES, UNIT 3-A, TRACT 10, LOT 12 (AMD) (8/26/10)* - located at 1535 and 1545 Lakeview Drive. (Council District 5) **(Eagle Engineering)**

Note: The purpose of this amendment is to reduce the building line from 50' to 40'.

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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
5. Denote all private utility providers.
6. Denote the lot square footage.
7. Addition of private street maintenance note from the previous plat.
8. Clarify Harmony Hall Lane cross-section dimensions.
9. Addition of approved addresses from the previous plat.
10. Addition of street tree notes and information from the previous plat.
11. Addition of adjacent property zoning information.

- b. PLAN 2010-60F: MAPLELEAF SUBDIVISION, UNIT 1, LOTS 10, 11, 12 & 13 (AMD) (8/26/10)* - located at 3150 Mapleleaf Drive. (Council District 7) **(Endris Engineering)**

Note: The purpose of this amendment is to subdivide 1 lot into 4 lots, and to add sanitary sewer easements.

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 area(s).
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote reciprocal parking and access.
8. Denote private or public status of sanitary sewer easements.
9. Addition of easement maintenance note per Article 5-4(g) of the Land Subdivision Regulations.
10. Clarify the purpose of amendment note.

- c. PLAN 2010-61F: HILLENMEYER PROPERTY, UNIT 1, PHASE I (8/26/10)* - located at 2801 Sandersville Road. (Council District 2) **(Hall-Harmon Engineers)**

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

1. Urban County Engineer's acceptance of drainage, storm, 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. Urban Forester's approval of tree protection area(s).
6. Department of Environmental Quality's approval of environmentally sensitive areas and steep slopes.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.

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

8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 9. Denote 15' tree protection area, per preliminary subdivision plan.
 10. Correct lot numbers to be consistent with remainder of plat (#204-210).
 11. Certification of an amended Preliminary Subdivision Plan prior to the recordation of lots 18-21.
- d. **PLAN 2005-330F: SOUTH HILL GARDENS (9/27/10)* - located at 408 and 426 South Mill Street and 421 through 437 Lawrence Street. (Council District 3)**
(Wheat and Ladenburger)

Note: The Planning Commission originally approved this plan on December 5, 2005, and reapproved it on July 9, 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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
5. Approval of street addresses as per e911 staff.
6. Urban Forester's approval of tree preservation plan.
7. Denote: There shall be no building permits issued until Final Development Plan has been approved.
8. Demonstrate compliance of existing buildings with lot requirements.
9. Increase font size on entire plan.
10. Document the minimum lot size and the square footage requirements.
11. Addition of adjoining property information and zoning.
12. Resolve landscape and buffer area for zone-to-zone screening.
13. The Planning Commission must approve a Final Development Plan prior to recordation of this plat.
14. Revise lot layout and add easements as appropriate, such that the proposed Home Owners Association open space is an accessory rather than principal permitted use.

Note: Section 1 of this plat was recorded on 4/3/10. However, the Commission's approval of the remainder will soon expire and the applicant now requests a one-year extension of the Commission's prior approval.

The Staff Recommended: Approval of the extension (for Section 2), subject to the previous conditions.

3. **DEVELOPMENT PLANS**

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

Note: The Planning Commission postponed this plan at its April 8, 2010, May 13, 2010, and June 10, 2010 meetings. This development plan requires the posting of a sign, and an affidavit of such.

The Subdivision Committee Recommended: Postponement, for the following reasons:

1. The plan does not comply with the provisions of Article 23A-2(u) of the Zoning Ordinance, regulating the boundaries of the Special Design Area and maintaining the total acreage of the Special Design Area on the Gess Property development.
 2. The plan does not comply with the Special Design Area requirements of 60% open space to be maintained in the SDA, per Article 23A-2(t) of the Zoning Ordinance.
 3. The plan, as proposed, does not comply with Article 16-8(b) of the Zoning Ordinance regulating the distance of fuel pumps from a residential zone.
 4. The plan does not comply with the Planning Commission approved EAMP Community Design Standards, (as per ZDP 99-83) that established development standards for landscaping and buffering; transitions between land uses; pedestrian and bike system; variable setbacks; Community Center setbacks; building and parking lot orientation; integration of the greenway and proposed development; open space; lighting and site organization.
 5. The proposed street system does not adequately address traffic movement, safety and connectivity.
 6. There are concerns that the timing of the proposed CLOMR (from FEMA) will affect the design of storm water and water quality infrastructure necessary for the appropriate development of the subject property.
- b. **DP 2006-65: BLACKFORD PROPERTY, PHASES 1 & 2 (AMD.) (7/8/10)* – located at 6600 Man O' War Boulevard (a portion of). (Council District 12)**
(EA Partners)

Note: The Planning Commission postponed this plan at its April 8, 2010, May 13, 2010 and June 10, 2010, meetings. This development plan requires the posting of a sign, and an affidavit of such.

Note: The original purpose of this amendment was to allow one additional lot, improve street connectivity, to revise plan notes and to remove a temporary access. The Planning Commission originally approved this plan on June 8, 2006, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, sanitary sewers and floodplain information.

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

2. Urban County Traffic Engineer's approval of access and street cross-sections.
3. Urban Forester's approval of tree preservation plan.
4. Environmental Planner's approval of environmentally sensitive areas.
5. Approval of street names by e911 staff.
6. Correct street cross-sections.
7. Depict the previously approved stub street to Meadow Oaks with solid lines rather than dashed.
8. Complete exaction information, including any action of the Exaction Appeals Committee, to the approval of the Division of Planning.

Note: The applicant has requested a reapproval and a continued discussion to delete a previously approved street, and to increase and revise the single family lotting layout on Phase 1, Unit 5, by 76 lots.

The Subdivision Committee Recommended: Postponement. There were questions regarding the proposed density in the EAR-1 zone and the extent of the previously identified sinkhole on the property.

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

1. Urban County Engineer's acceptance of drainage, storm & sanitary sewers and floodplain information.
 2. Urban County Traffic Engineer's approval of access and street cross-sections.
 3. Urban Forester's approval of tree ~~preservation~~ protection plan.
 4. Environmental Planner's approval of environmentally sensitive areas.
 5. Approval of street names by e911 staff.
 - ~~6. Correct street cross-sections.~~
 - ~~6. Building Inspection's approval of landscaping and landscape buffers.~~
 - ~~7. Depict the previously approved stub street to Meadow Oaks with solid lines rather than dashed.~~
 - ~~7. Division of Fire's approval of emergency access and fire hydrant locations.~~
 - ~~8. Complete exaction information, including any action of the Exaction Appeals Committee, to the approval of the Division of Planning.~~
 - ~~8. Denote construction access location.~~
 - ~~9. Clarify proposed easements.~~
 - ~~10. Clarify EAR-1 density in Phase 1 (units/gross acre).~~
 - ~~11. Revise purpose of amendment note.~~
 - ~~12. Discuss effective date of the LOMR.~~
 - ~~13. Discuss extent of sinkhole on lots 123-127.~~
 - ~~14. Discuss the proposed removal of tree protection areas, including those in the required buffer area.~~
 - ~~15. Discuss the increase in density in relation to the required landscape buffer (conditional zoning).~~
- c. DP 2010-26: GRIFFIN GATE OFFICE PARK (AMD) (8/1/10)*- located at 1460 Newtown Pike.
(Council District 2) **(Wheat and Ladenburger)**

Note: The Planning Commission postponed this plan at its June 10, 2010 meeting.

Note: The purpose of this amendment is to add 923 square feet of buildable area and a new access point.

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. Approval of street addresses as per e911 staff.
 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. Addition of Final Record Plat information for property.
 9. Addition of building, lot coverage and floor area information to site statistics.
 10. Addition of utility easements.
 11. Addition of information from the certified development plan (DP 2008-16).
 12. Denote Board of Adjustment approval of a variance to the side yard setback, or revise "Area B" to meet side yard setback requirement.
 13. Denote construction access location.
 14. Denote storm water detention area for this development.
- d. DP 2010-32: LANSBROOK PLAZA SHOPPING CENTER (AMD #7) (8/26/10)* - located at 3501 Lansdowne Drive.
(Council District 4) **(Barrett Partners)**

Note: The purpose of this amendment is to add 152 square feet to building #3.

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

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.

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

2. Building Inspection's approval of landscaping and landscape buffers.
3. Urban Forester's approval of tree protection plan.
4. Division of Fire's approval of emergency access and fire hydrant locations.
5. Improve legibility of numeric site statistics and parking related dimensions.
6. Addition of existing accessory structure to development plan.

- e. DP 2010-33: GENERAL TELEPHONE CO. OF KY, LOT 2 (AMD) (8/26/10)* - located at 3695 Nicholasville Road.
(Council District 9) **(Barrett Partners)**

Note: The purpose of this amendment is to add a "right-out" access to Rojay Drive and to delete 3 parking spaces.

The Subdivision Committee Recommended: Postponement, for the following reason:

1. The Division of Public Works and Development is reviewing the proposed right-in and right-out access to determine if it is detrimental to public safety. Additional time is necessary to complete this review, prior to a substantive recommendation on this Amended Final Development Plan.

- f. DP 2010-38: GRIFFIN GATE (MARRIOTT) (AMD #4) (9/21/10)* - located at 1800 Newtown pike.
(Council District 2) **(M2D Design Group)**

Note: The purpose of this amendment is to add 6,675 square feet of floor area and restrooms.

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. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Improve text legibility on front building line and easement.
9. Denote boundaries of property being developed (to the east) under this proposed amendment.
10. Addition of entrance, parking drive isles and spaces, and building dimensions (per previous plan).
11. Denote construction access point location.
12. Addition of record plan designation.
13. Addition of adjacent property information.
14. Addition of topography information from LFUCG base maps or other source.
15. Addition of written scale.
16. Denote proposed and existing easements.
17. Addition of all notes from the previously approved development plan.
18. Correct note #3 in tree statistics to include soil types.
19. Complete site statistics (per previous plan).
20. Correct plan title and spelling.
21. Review by Technical Committee prior to certification.

- g. DP 2008-20: THE LANDINGS (AMD) (9/27/10)* – located at 2414 Lake Park Drive.
(Council District 5) **(Foster – Roland, Inc.)**

Note: The Planning Commission originally approved this plan on March 3, 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 landscape buffers.
4. Urban Forester's approval of tree preservation area.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Waste Management's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Addition of building dimensions.
9. Addition of typical parking spaces.
10. Addition of required development notes per Article 21 of the Zoning Ordinance.
11. Addition of parking lane dimensions.
12. Addition of all easements.
13. Clarify proposed building layout.
14. Add Lake Park Drive cross-section.
15. Denote compliance with off-street parking.
16. Resolve building and lake conflict.
17. Denote existing and proposed floor area ratio and lot coverage.

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

Note: The Planning Commission reapproved this plan on May 14, 2009, subject to the previous conditions. Commission approval has since expired, and the applicant now requests a reapproval.

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

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.

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

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

VIII. **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.

IX. **NEXT MEETING DATES** -

Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	July 15, 2010
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	July 22, 2010
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	July 28, 2010
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	July 29, 2010
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	August 5, 2010
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	August 5, 2010
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	August 12, 2010

IX. **ADJOURNMENT**

SDB/CT/CG/TW//TM/WLS/BR/src