

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

January 13, 2011

- 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** – There are no minutes to 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, January 6, 2011, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens, Marie Copeland and Derek Paulsen. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jim Gallimore and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Cheryl Gallit, Chris Taylor, Barbara Rackers, Traci Wade and Denice Bullock, as well as Captain Charles Bowen, and Firefighter Allen Case, Division of Fire & Emergency Services; Rochelle Boland, Law Department 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 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 2010-131P: HILLENMEYER PROPERTY & DWS PROPERTY (A PORTION OF) (AMD) (1/29/11)* - located at 2801 Sandersville Road, 803 Greendale Road and 2551 Leestown Road.**
(Council District 2) **(EA Partners)**

Note: The Planning Commission postponed this plan at its December 9, 2010, meeting. The purpose of this amendment is to revise the lotting pattern and street system.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the development near an existing cemetery and environmentally sensitive areas.

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. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Denote existing easements and denote new easements as "proposed."
9. Addition of planting plan information from previous plan.
10. Kentucky Department of Transportation's approval of proposed access to Greendale Road.
11. Denote tree protection areas.
12. Denote number of buildable lots.

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

13. Addition of notes 6, 7, 10-15, 17, 18, 20-22, 24 and 25 from previous plan.
14. Addition of Area(s) A and B information from previous plan.
15. Remove proposed development from within 50' of cemetery or document approved variance from the Board of Adjustment.
16. Remove proposed development on property to the south and correct zoning information.
17. Resolve improvements to Greendale Road (section "C-C").
18. Resolve the closed contours and possible lotting restrictions.
19. Provided the Planning Commission grants a waiver to Article 6-8(a) of the Land Subdivisions Regulations.
20. Discuss additional internal vehicular connection.

2. **FINAL SUBDIVISION PLANS**

- a. **PLAN 2010-129F: SUNNY SLOPE FARM, UNIT 3-C, SECTION 2, LOTS 102 & 103 (AMD) (1/20/11)*** - located on Silverbell Trace. (Council District 9) **(EA Partners)**

Note: The Planning Commission postponed this plan at its November 11, 2010 and December 9, 2010, meetings. The purpose of this amendment is to subdivide five existing lots into 10 lots.

The Subdivision Committee Recommended: Postponement. The proposed amendment to the existing plat would be inconsistent with the certified Preliminary Subdivision Plan. Although a new PSP has also been filed for consideration by the Planning Commission, there are basic design issues with that submission. In addition, no justification has been offered, to date, for the addition of an access easement east of the existing street (Silverbell Trace) to support several of the additional dwelling units proposed.

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

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 street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Revise note #9.
7. Add the dimensions for the existing KU easement.
8. Certification of an amended preliminary subdivision plan prior to certification of this plat.
9. Addition of floodplain information and the required 25' setback line from the current Preliminary Subdivision Plan.
10. Review by the Technical Committee prior to certification.

- b. **PLAN 2011-1F: MAHAN PROPERTY, UNIT 1-D (2/27/11)*** - located at 4127 Victoria Way. (Council District 9) **(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 protection area(s).
6. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
7. Denote the location and number of trees to be planted in order to meet the tree canopy requirements.
8. Addition of existing 10' utility easement on Lot 47.
9. Delete development plan reference on adjacent property (DP 2009-65).

- c. **PLAN 2011-2F: MAHAN PROPERTY, UNIT 1-E (2/27/11)*** - located at 4127 Victoria Way. (Council District 9) **(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 protection area(s).
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
9. Denote the location and number of trees to be planted in order to meet the tree canopy requirements.

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- d. PLAN 2011-3F: MAHAN PROPERTY, UNIT 1-F (2/27/11)* - located at 4127 Victoria Way.
(Council District 9) **(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 protection area(s).
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
9. Denote the location and number of trees to be planted in order to meet the tree canopy requirements.

- e. PLAN 2011-4F: MAHAN PROPERTY, UNIT 1-G (2/27/11)* - located at 4127 Victoria Way.
(Council District 9) **(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 protection area(s).
6. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
7. Identify property lines in adjacent Pickway Subdivision (in dashed lines).
8. Denote the location and number of trees to be planted in order to meet the tree canopy requirements.
9. Delete development plan reference on adjacent property (DP 2009-65).

- f. PLAN 2011-5F: MASTERSON STATION, CITATION VILLAGE, PHASE II (2/27/11)* - located at 2601 and 2679 Leestown Road. (Council District 2) **(Hall-Harmon)**

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. Urban Forester's approval of tree protection area(s).
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Denote stormwater easement and associated benchmark per plat N-32.
10. Denote source of floodplain information (note #7).
11. Addition of maintenance note per Article 5-4(g) of the Land Subdivision Regulations.
12. Addition of note for location of stone wall.
13. Discuss Leestown Road right-of-way limits.
14. Discuss temporary construction easement(s) shown.

- g. PLAN 2011-6F: JIMMY D. & BETTY S. WILLIAMSON PROPERTY & NEAL PLUMBING & HEATING CO., INC. PROP. (2/27/11)* - located at 1220 and 1250 Higbee Mill Road. (Council District 9) **(Horne Engineering)**

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

1. Urban County Engineer's acceptance of drainage, storm sewer 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 street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote lot lines as solid lines.
7. Resolve access to Lot 1.
8. Clarify vicinity map.

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- h. PLAN 2005-277F: GESS PROPERTY UNIT 4-G (4/7/11)* - located on portions of 4040 and 4044 Todds Road (off of Jouett Creek Drive). (Council District 7) **(EA Partners)**

Note: The Planning Commission originally approved this plan on October 13, 2005, and reapproved it on February 8, 2007, March 13, 2008, and February 10, 2009, subject to the following conditions:

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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
5. Approval of street addresses by e911 staff.
6. Urban Forester's approval of tree preservation plan.
7. Greenspace Planner's approval of the treatment of greenways/bike trails.
8. Addition of exaction information.
9. Show 30' access easement as per PC "L" SLD "361".

Note: The applicant now requests another reapproval of this plat.

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

3. DEVELOPMENT PLANS

- a. DP 2006-65: BLACKFORD PROPERTY, PHASES 1 & 2 (AMD.) (1/13/11)* – 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; June 10, 2010; July 8, 2010; August 12, 2010; September 9, 2010; October 14, 2010 and November 11, 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 and 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 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 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.~~

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15. Discuss the increase in density in relation to the required landscape buffer (conditional zoning).

- b. DP 2010-69: SUNNY SLOPE FARM, UNIT 3, LOTS 102-106 (1/20/11)* - located on Silverbell Trace.
(Council District 9) **(EA Partners)**

Note: The Planning Commission postponed this plan at its November 11, 2010 and December 9, 2010, meetings. This plan is a combined Final Development Plan and a Preliminary Subdivision Plan.

The Subdivision Committee Recommended: Postponement. The plan proposes development of ten townhomes, three of which would be served by a new access easement off Silverbell Trace. No justification has been provided for the use of an access easement instead of a new public street to serve this additional residential development.

Regardless, the staff questions the design of ten townhomes in close proximity to existing single family detached homes, including several across the street, when the nearest townhomes are almost 250' away (to the north) of the subject site--all served by public streets and a series of linked, internal access drives.

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

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 landscape buffer.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree canopy information.
 6. Greenspace Planner's approval of the treatment of greenways and greenspace.
 7. Division of Fire's approval of emergency access and fire hydrant locations.
 8. Division of Waste Management's approval of refuse collections.
 9. Correct site statistics for Lot Coverage (25%) and Floor Area Ratio (0.5).
 10. Add the dimensions for the KU easement.
 11. Addition of floodplain information and the required 25' setback line from the current Preliminary Subdivision Plan.
 12. Provided the Planning Commission makes a finding authorizing sole use of an access easement to serve Lots 103B-104B.
 13. Review by the Technical Committee prior to certification.
- c. DP 2011-1: HILLENMEYER PROPERTY (AMD) (2/27/11)* - located at 2801 Sandersville Road (a portion of).
(Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to add 55 townhome units and revise the single family 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 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. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire's approval of emergency access and fire hydrant locations.
9. Division of Waste Management's approval of refuse collection.
10. Denote tree protection areas.
11. Addition of "Area B" information from previous plan.
12. Addition of planting plan information from previous plan.
13. Denote existing and proposed easements.
14. Denote the height of the townhouses.
15. Completion of metes and bounds information for townhouse area (Final Development Plan).
16. Addition of notes 6, 7, 10-15, 17, 18, 20-22, 24 & 25 from previous plan.
17. Modify the plan limits to eliminate area to the east of the Citation Boulevard right-of-way.
18. Revise the plan title (Hillmeyer Property – West).
19. Denote: 2602 Mable Lane is not part of this development.
20. Resolve the timing of access easement releases and issuance of building permits.

- 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 Chair will announce that any item a Commission member would like to present will be heard at this time.

- A. ELECTION OF OFFICERS** – The Commission's By-laws state that at the first regular meeting in January, the Commission shall elect a Chairperson, Vice-Chairperson, Secretary, and Parliamentarian. The nominating committee will present its slate for consideration by the Planning Commission. Nominations may also be made from the floor.

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The current officers are as follows:

Chairperson	-	Carlyon Richardson
Vice Chairperson	-	Mike Cravens
Secretary	-	Mike Owens
Parliamentarian	-	Ed Holmes

- B. DELEGATION OF SECRETARY'S DUTIES** – The Commission's past procedure for carrying out the Secretary's duties, except for signing minutes, has been to delegate that authority to the Director of the Division of Planning and his staff. The Chair will request the Commission consider taking action on this matter.

VII. STAFF ITEMS – The Chair will announce that any item a Staff member would like to present will be heard 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 -

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	January 26, 2011
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	January 27, 2011
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	February 3, 2011
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	February 3, 2011
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 10, 2011
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 24, 2011

IX. ADJOURNMENT

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