

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

February 10, 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, February 3, 2011, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens, Marie Copeland, Eunice Beatty and Derek Paulsen. 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, Cheryl Gallt, Chris Taylor, Traci Wade, Barbara Rackers 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) (2/10/11)* - 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 and January 13, 2011, meetings. 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 2011-7F: DENTON FARM, INC. UNIT 1-G, BLK J, LOTS 31 & 32; BLK L, LOTS 1 & 27-30 (AMD) (3/30/11)* - located on Weston Park. (Council District 7) **(Strand Associates)**

Note: The purpose of this amendment is to create two new lots and add new easements.

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

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and required street tree information.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection plan.
 6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 7. Denote: This property shall be developed in accordance with the approved final development plan.
 8. Correct adjacent property information per the most recent plat.
 9. Correct purpose of amendment note.
 10. Addition of exaction information to the approval of the Division of Planning.
 11. Denote that no building permits will be issued on lots 29 & 32 until an easement minor plat is recorded, or document release.
 12. Document that the additional sewer taps have been installed for the new lots to the approval of the Division of Engineering.
 13. Correct plan title.
 14. Denote recordation of PLAN 2011-8F: Denton Farm, Inc., Unit 4-A prior to recording this plan.
 15. Clarify note #14 as HOA area.
 16. Delete note #15.
 17. Discuss the width of the proposed pedestrian access between lots 27 & 28 to increase from 21' to 30'.
- b. PLAN 2011-8F: DENTON FARM, INC. UNIT 4-A, BLK J, LOTS 26-30; BLK L, LOTS 31-35 (AMD) (3/30/11)* - located on Weston Park. (Council District 7) **(Strand Associates)**

Note: The purpose of this amendment is to create one new lot and add new easements.

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

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: This property shall be developed in accordance with the approved final development plan.
8. Correct adjacent property information per the most recent plat.
9. Correct purpose of amendment note.
10. Addition of exaction information to the approval of the Division of Planning.
11. Denote that no building permits will be issued on lots 29, 30, 34, 34A and 35 until an easement minor plat is recorded, or document easement release.
12. Document that the additional sewer taps have been installed for the new lot to the approval of the Division of Engineering.
13. Correct plan title.
14. Recordation of this plan prior to the recording of PLAN 2011-7F: Denton Farm, Inc., Unit 1-G.
15. Delete note #14 (references lot not part of this plat).
16. Delete note #15.

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- c. PLAN 2011-9F: SUNNY SLOPE FARM. UNIT 1-H (4/3/11)* - located at 350 Waveland Museum Lane.
(Council District 9) **(Hall-Harmon)**

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
9. Revise plan title.
10. Revise street tree notes to meet new Ordinance provisions.
11. Certification of PLAN 2010-32P prior to certification of this plan.
12. Denote status of the Conditional Letter of Map Revision (CLOMR) for the floodplain area.
13. Resolve timing of construction of new collector street and right-of-way dedication.

- d. PLAN 2011-10F: LANSLOWNE SUBDIVISION, UNIT 18-D, SEC. 7, LOT 7 (AMD) (4/3/11)* - located at 3461 Redcoach Lane. (Council District 4) **(Foster-Roland, Inc.)**

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

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: This property shall be developed in accordance with the approved final development plan.
8. Addition of maintenance note per Article 5-4(g) of the Land Subdivision Regulations.
9. Denote pedestrian access easement to the adjacent park.

- e. PLAN 2011-11F: ROMAN SOLDIER, UNIT 1-C, LOT 12 (AMD) (4/3/11)* - located at 3812-3814 Sugar Creek Drive.
(Council District 4) **(Foster-Roland, Inc.)**

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

The Subdivision Committee Recommended: **Approval**, 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 and two 1-hour firewall between townhouses.
4. Addressing Office's approval of street names and addresses.
5. Addition of utilities and easements as required by the utility companies.
6. Correct land surveyor's certification per Article 5-4(h)(2) of the Land Subdivision Regulations.
7. Resolve utility easement note and Article 6-5(c) of the Land Subdivision Regulations.

3. DEVELOPMENT PLANS

- a. DP 2011-4: KIRKLEVINGTON NORTH (AMD) (4/3/11)* - located at 3391 Tates Creek Road.
(Council District 4) **(LS Design Group)**

Note: The purpose of this amendment is to revise the site layout and add a drive-through lane.

The Subdivision Committee Recommended: **Approval**, 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 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. Denote current FEMA map information and floodplain area on plan.

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9. Denote source of contour information.
10. Denote location of trees to be planted per canopy requirement.
11. Denote construction entrance location, and revise note #12.
12. Denote Final Record Plat designation.
13. Denote building height.
14. Resolve approval of off-site improvements associated with drive-through, or remove from plan.
15. Denote reciprocal parking and access.
16. Denote that a special use permit (from Division of Engineering) will be required for site work in floodplain areas.

- b. DP 2011-5: SOUTH BROADWAY UNIVERSITY DEVELOPMENT (AMD) (4/3/11)* - located at 350 & 358 Foreman Avenue. (Council District 3) **(Midwest Engineering)**

Note: The purpose of this amendment is to revise parking for B-1 lot and add a drive-through lane.

The Subdivision Committee Recommended: **Approval**, 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 landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Denote 2' contours on plan (from previous plan).
9. Denote Board of Adjustment's approval of parking variance (V-2011-9).
10. Add satellite parking information (B-4 area) from previous plan.
11. Discuss proposed drive-through lane and required parking.

- c. DP 2011-6: LOVELL & HART REALTY COMPANY (AMD) (4/3/11)* - at 1399 East New Circle Road. (Council District 7) **(Vision Engineering)**

Note: The purpose of this amendment is to add buildable area.

The Subdivision Committee Recommended: **Postponement**. The development plan lacks the necessary information needed to move forward.

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. Denote height of proposed building.
9. Denote stormwater detention areas or off-site location.
10. Clarify the extent of paving and gravel.
11. Document easement encroachments prior to certification.
12. Clarify the use of the concrete pad and/or building at the southern end of property.

- d. DP 2011-7: SHARKEY PROPERTY (TOWNLEY CENTRE), UNIT 11, LOTS 8 & 13 (AMD) (4/3/11)* - located at 125 Towne Center Drive & 1781 Sharkey Way. (Council District 2) **(Barrett Partners)**

Note: The purpose of this amendment is to revise the development on Lot 13 and the parking on Lot 8.

The Subdivision Committee Recommended: **Approval**, 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 landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan.
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. Clarify the tree islands and sidewalks along Towne Center Drive.
10. Correct 10' pedestrian easement notation on Lot 8.
11. Correct required parking # in site statistics.
12. Document compliance with notification requirement (note #9).

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- e. DP 2011-8: BEAUMONT CENTRE, UNIT 3-B, LOT 6 (4/3/11)* - located at 3100 Wall Street.
(Council District 10) **(Lightowler Johnson)**

The Subdivision Committee Recommended: **Approval**, 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 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. Correct zoning in site statistics.
11. Correct required parking site statistics (# of rooms).
12. Denote building dimensions.
13. Denote canopy height.
14. Revise note #4 to cite Code of Ordinances requirement.
15. Denote record plat designation.
16. Denote access entrance dimensions.
17. Denote reciprocal parking and access (with Phase I).
18. Remove extraneous parking width information.
19. Denote construction access location.
20. Correct 50' utility easement and final record plat dimensions.

- f. DP 2011-9: BLUEGRASS EXECUTIVE PARK, UNIT 1-B, BLOCK F, LOT 2 (AMD) & LOT 7 (4/3/11)* - located at 2241 Buena Vista Road. (Council District 6) **(EA Partners)**

Note: The purpose of this amendment is to revise the parking area of Lot 2A and add development of Lot 7.

The Subdivision Committee Recommended: **Approval**, 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 landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Urban Forester's approval of tree protection plan.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Delete note #8.
10. Document ability to comply with the 20% tree canopy requirements.
11. Identify the easements to be released.
12. Denote: No building permits shall be issued for Lot 7 until an easement minor plat has been recorded.
13. Delete note #10.
14. Resolve the timing of the required street tree installation on Lot 7.
15. Label as part of the adjacent Professional Office Project, if desired.

- g. DP 2011-10: TUSCANY, UNIT 6, LOT 2 (4/3/11)* - located at 2599 Old Rosebud Road.
(Council District 6) **(EA Partners)**

The Subdivision Committee Recommended: **Approval**, 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 landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan.
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 building dimensions.
10. Denote access drive width.
11. Denote construction access.
12. Denote canopy height.
13. Denote parking lot dimensions where not typical.
14. Provide pedestrian access to public right-of-way.
15. Correct note #10 to match requirement on Lot 1 development plan.

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16. Denote Board of Adjustment's approval of conditional use permit (C-2010-88).
17. Denote Board of Adjustment's requirement of 15' wide perimeter landscape buffer.
18. Denote Board of Adjustment's outdoor pole lighting restriction for the parking areas.

- h. DP 2011-11: BEAUMONT FARM, UNIT 1, LOTS 16-19 (AMD) (4/3/11)* - located at 3312 Beacon Street.
(Council District 10) **(Midwest Engineering)**

Note: The purpose of this amendment is to revise the duplexes on Lots 16-19.

The Subdivision Committee Recommended: **Approval**, subject to the following revised 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 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. Certification of consolidation plat (in open space area) prior to plan certification.
8. Addition of name for developer.
9. Addition of proposed and existing easements from record plat.
10. Addition of existing sanitary sewer easement(s).

- i. DP 2010-9: SHARKEY PROPERTY, UNIT 4, SEC. 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 Planning Commission originally approved this plan on March 10, 2010, 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 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. Provided the Board of Adjustment approves a variance to Article 9 of the Zoning Ordinance regarding the required frontage yard (setback from drive aisles).

Now, the applicant is requesting a continued discussion of this development plan to revise condition #10 to resolve an identified conflict, and allow a sequencing of development and permits while adhering to standard procedures.

The Subdivision Committee Recommended: **Approval**, subject to previous conditions 1-8, along with the following revised conditions:

9. Denote the Planning Commission's approval of the waiver to Article 6-8(b) of the Land Subdivision Regulations.
10. Certification of easement minor plat or denote encroachment permits prior to the issuance of building permits to denote the resolution of building conflicts with the existing detention easement.
11. Denote the utilization of the detention basin as usable open space (as indicated in site statistics).
12. Denote the Board of Adjustment's approval of a variance to Article 9 of the Zoning Ordinance regarding the required frontage yard (setback from drive aisles).

- 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. **CLOSED SESSION** – The Department of Law has requested that the Commission convene in closed session to discuss a matter of pending litigation.

- 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.

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VIII. NEXT MEETING DATES -

Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 17, 2011
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	February 23, 2011
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 24, 2011
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 3, 2011
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	March 3, 2011
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 10, 2011

IX. ADJOURNMENT

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