

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

April 14, 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 none 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, April 7, 2011, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens, Marie Copeland and Eunice Beatty. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Chris Taylor, Barbara Rackers, Denice Bullock, Kenzie Gleason and Roger Daman, 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. **FINAL SUBDIVISION PLANS**

- a. **PLAN 2011-22F: DENTON FARMS, INC., UNIT 1-F (AMD) (5/1/11)*** - located at 3936-3985 Tatton Park.
(Council District 7) **(Foster-Roland, Inc.)**

Note: The Planning Commission postponed this plan at their March 10, 2011, meeting. The purpose of this amendment is to add two new lots.

The Subdivision Committee Recommended: Postponement. There were questions regarding buildable areas within existing easements.

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. Approval of street addresses as per e911 staff.
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:** This property shall be developed in accordance with the approved final development plan.
8. Addition of street tree information.
9. Addition of tree planting plan.
10. Addition of conditional zoning notes from previous plan.
11. Addition of cross-sections "D-D" and "H-H" from previous plan.
12. Addition of private street notes from previous plan.
13. Approval of exaction information to the approval of the Division of Planning.

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14. Correct building line (71') from Branham Park (from previous plan).
15. Addition of permanent overflow swale note (from previous plan).
16. Remove duplicate purpose of amendment note (on right side of plat).
17. Remove open space utility note (below duplicate purpose note).
18. Replace Land Surveyor's certification with Engineer's certification.
19. Correct Planning Commission certification.
20. Correct note #7.
21. Addition of lot development standards (from previous plan).
22. Addition of owner/developer information.
23. Addition of private utility provider information.
24. Label private streets on cross-sections.
25. Label special design area (from previous plan).
26. Correct plat cabinet information in survey notes.
27. Discuss easement conflicts on lots 6, 9 and 11 with buildable areas.

- b. PLAN 2011-38F: PARKWAY PLAZA (AMD) (5/29/11)* - located at 2361-2397 Paris Pike.
(Council District 6) **(Vantage Engineering)**

Note: The purpose of this amendment is to subdivide one lot into two lots and to create an access easement.

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. Approval of street addresses as per e911 staff.
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 Urban County Engineer's certification.
9. Addition of maintenance note per Article 5-4(g) of the Land Subdivision Regulations.
10. Addition of private utility information.
11. Addition of access note from previous plat.
12. Addition of service road cross-sections from previous plat.
13. Addition of tree protection areas along northeast and northwest property lines.
14. Provide signature area for both the property owner's certification and the access easement maintenance certification.

2. **DEVELOPMENT PLANS**

- a. DP 2011- 24: MAHAN PROPERTY, UNIT 1-B (APARTMENTS) (AMD) (5/29/11)* - located at 4161 Victoria Way.
(Council District 9) **(EA Partners)**

Note: The purpose of this amendment is to revise building types and their layout.

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. Approval of street addresses as per e911 staff.
5. Bike & Pedestrian Planner's approval of bike and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Correct garage square footage in site statistics.
8. Correct lot coverage in site statistics.
9. Resolve possible pedestrian crosswalk location(s) on Victoria Way to the approval of the Division of Traffic Engineering.

- b. DP 2011- 25: PHIL GREER PROPERTY, LOT 1 (AMD) (AKA STANDFORD CO. & PUGH CO.) (5/29/11)* - located at 3098 Richmond Road. (Council District 7) **(Midwest Engineering)**

Note: The purpose of this amendment is to revise the building and parking on Lot 1.

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, landscape buffers and compliance with the Richmond Road landscape ordinance.

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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. Correct site statistics (on Lots 2 & 3 for acreage).
8. Label access points as "existing."

- c. DP 2011-26: SHARKEY PROPERTY, UNIT 1, LOT 18 (TOWNLEY CENTER) (5/29/11)* - located at 1701 Sharkey Way. (Council District 2) **(The Roberts Group)**

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. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree protection plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Document compliance with notification requirement.

- d. DP 2011-27: TATES CREEK CENTER (AKA BELLEAU WOODS SHOPPING CENTER) (AMD) (5/29/11)* - located at 4051, 4101 & 4151 Tates Creek Road. (Council District 4) **(The Roberts Group)**

Note: The purpose of this amendment is to add 23,182 square feet of retail space. This plan also requires a review of the adopted Big-Box Design Guidelines.

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. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree protection plan.
6. Bike & 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. Provided the Planning Commission makes a finding of significant compliance with the Big-Box Design Guidelines.
10. Resolve building/easement conflicts in the rear of the development prior to the issuance of any building permits.
11. Resolve the addition of pedestrian connections and sidewalks to better address Big-Box Design Guidelines compliance.
12. Discuss the need for additional transit facilities (possible van pool lot).

The staff will report on the Big-Box Design Guidelines at the meeting.

- e. DP 2011-28: GENERAL TELEPHONE CO, LOT 1 (AMD) (5/29/11)* - located at 3841 Nicholasville Road. (Council District 9) **(Midwest Engineering)**

Note: The purpose of this amendment is to revise the building and parking layout on Lot 1.

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. 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. Denote location of trees on Lot 1 that are required to meet canopy calculations.

- f. DP 2011- 29: JEFFERSON & POOLE PROPERTY (PARKWAY PLAZA) (AMD) (5/29/11)* - located at 2361-2397 Paris Pike. (Council District 6) **(Vantage Engineering)**

Note: The purpose of this amendment is to add 9,100 square feet of retail space and to revise the parking and circulation.

The Subdivision Committee Recommended: **Postponement**. There are outstanding issues concerning the design of improvements on this property.

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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. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree protection plan.
6. Bike & 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. Delete private street certification.
10. Correct contour elevation information (true elevations to sea level).
11. Denote areas of tree protection and existing tree canopy.
12. Correct plan title.
13. Denote construction access location.
14. Addition of cross-section for service road from previous plan.
15. Denote building heights.
16. Addition of dimensions of existing buildings.
17. Remove signs from plan.
18. Revise purpose of amendment note.
19. Denote existing trees in existing 12' screening easement along Paris Pike.
20. Discuss dumpster location proposed.
21. Discuss access proposed off of access easement.
22. Discuss landscaping to be installed along the rear of the building.
23. Discuss drive aisle widths and lack of landscape islands.

- g. DP 2009-75: NDC PROPERTY, UNIT 5D, PH II (WELLINGTON) (5/29/11)* - located at 501 West Reynolds Road and Vincent Way. (Council District 9) **(Sherman/Carter/Barnhart)**

Note: This plan was indefinitely postponed by the applicant on January 22, 2010.

The Subdivision Committee Recommended: **Postponement.** The design and density proposed raise several issues from the staff's perspective, and may not comply with the Land Subdivision Regulations. A redesign may be in order.

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. 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. Correct title to include Preliminary Subdivision Plan.
10. Denote sidewalks from front of units to right-of-way.
11. Addition of typical townhome dimensions for Units 4 & 14.
12. Clarify extent of sanitary sewer easement along west side of property.
13. Denote utility easement along western boundary of property (per Plat L-918).
14. Document compliance with private open space requirements per R-1T zone.
15. Clarify "private street responsibilities" note.
16. Discuss extending sidewalk on Vincent Way.
17. Discuss Vincent Way improvements and termination.
18. Discuss proposed density.
19. Discuss drainage and improvements proposed on Lot 7.
20. Discuss one-way traffic movement proposed.

- h. DP 2011-35: PLAZA PROPERTY (AMD) (6/28/11)* - located at 1760 Harrodsburg Road. **(Leachman Landscape Design)**
(Council District 10)

Note: The purpose of this amendment is to revise the building and parking layout.

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.

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7. Division of Waste Management's approval of refuse collection.
8. Denote previous variances granted.
9. Provided the Board of Adjustment grants a landscape variance.
10. Revise the plan title.
11. Denote the construction access location.
12. Addition of contour information from the Zoning Development Plan (1' contours).
13. Revise note #4 to reference Chapter 16 of the Code of Ordinances.
14. Revise note #7 to the approval of the Division of Engineering.
15. Review by Technical Committee prior to certification.
16. Kentucky Department of Transportation's approval of access to Harrodsburg Road.

- i. ZDP 2007-81: VILEY HEIGHTS SUBDIVISION, UNIT 3-D (OBEY & JOELLA WALLER PROPERTY) (6/28/11)* - located at 1388 Alexandria Drive. (Council District 11) **(Justice Surveying)**

Note: The Planning Commission indefinitely postponed this plan at their July 26, 2007, meeting, pending the zoning decision by the Urban County Council. The Urban County Council approved the zone change request at their October 18, 2007, meeting. The Planning Commission approved this plan at their November 8, 2007, meeting, 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. Addition of required retail parking in site statistics.
7. Denote uses of buildings in site statistics.
8. Addition of tree protection plan.
9. Correct plan title.
10. Delete signs from plan.
11. Addition of the 1992 floodplain information and the newer DFIRM maps.

Approval of this plan has since expired. A few weeks ago, the Planning Commission ask to redocket this item for consideration.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions, changing #11 as follows:

11. Addition of the current ~~1992~~ floodplain information and the newer DFIRM maps.

- C. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

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

- VI. **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** -

Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	April 21, 2011
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 27, 2011
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	April 28 2011
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	May 5, 2011
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	May 5, 2011
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	May 12, 2011

IX. **ADJOURNMENT**

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