

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

June 9, 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, June 2, 2011, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens 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: Tom Martin, Cheryl Gallt, Chris Taylor, Denice Bullock, Jimmy Emmons and Traci Wade, as well as Captain Charles Bowen, Division of Fire & Emergency Services and Rochelle Boland, Law Department. 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 2011-56F: KIRKLEVINGTON NORTH (AMD) (7/31/11)* - located at 858 Malabu Drive.
(Council District 4) **(Vision Engineering)**

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 arterial screening easements/buffers.
 4. Approval of street addresses as per e911 staff.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 8. Denote source of variance approval.
 9. Resolve the timing and location of the sanitary sewer easement(s).
- b. PLAN 2008-13F: DENTON FARM, INC., UNIT 3A, LOTS 31-34 (AMD.) (8/31/11)* - located at 280-288 Somersly Place.
(Council District 7) **(Strand Associates)**

Note: This plan was approved by the Planning Commission at its February 14, 2008 and February 12, 2009, meetings, subject to the following conditions:

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscape buffers and required street tree information.
4. Approval of street addressing by e911 staff.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Certification of amended final development plan prior to certification.
8. Provided utility easements are released prior to certification.
9. Correct purpose of amendment note.
10. Correct exaction information.
11. Delete all lots not affected.

Note: The applicant now requests a reapproval of this plan.

The Staff Recommends: **Reapproval**, subject to the previous conditions and one additional condition:

12. Urban Forester's approval of required street tree information.
- c. PLAN 2008-14F: DENTON FARM, INC., UNIT 3B, LOTS 27-30 (AMD.) (8/31/11)* - located at Somersly Cove and Somersly Place. (Council District 7) **(Strand Associates)**

Note: This plan was approved by the Planning Commission at its February 14, 2008 and February 14, 2009, meetings, 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 landscape buffers and required street tree information.
4. Approval of street addressing by e911 staff.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Correct purpose of amendment note.
8. Certification of amended final development plan prior to certification of plan.
9. Provided utility easements are released prior to certification.
10. Correct exaction information.
11. Delete all lots not affected.

Note: The applicant now requests a reapproval of this plan.

The Staff Recommends: **Reapproval**, subject to the previous conditions and one additional condition:

12. Urban Forester's approval of required street tree information.
- d. PLAN 2008-138F: MEADOW OAKS, UNIT 1-A (ASHFORD OAKS) (8/31/11)* - located at 3414 Feliciana Lane. (Council District 12) **(EA Partners)**

Note: This plan was approved by the Planning Commission at its November 13, 2008, February 12, 2009 and June 10, 2010, meetings, 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. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Addition of utility and streetlight 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. Clarify label of cross-section for "G-G."
9. Denote private street maintenance responsibilities.
10. Verify exaction information to the approval of Division of Planning.
11. Clarify public versus private right-of-way dedication.
12. Addition of conditional zoning notes and development standards from approved development plan.
13. Resolve possible conflicts between development standards and plan notes.

Note: The applicant now requests a one-year extension for this plan.

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

The Staff Recommends: **one-year extension**, subject to the previous conditions and one additional condition:

14. Urban Forester's approval of required street tree information.

- e. PLAN 2008-139F: MEADOW OAKS, UNIT 1-B (ASHFORD OAKS) (8/31/11)* - located at 3414 Feliciana Lane.
(Council District 12) **(EA Partners)**

Note: This plan was approved by the Planning Commission at its November 13, 2008, February 12, 2009 and June 10, 2011, meetings, 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. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Addition of utility and streetlight 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. Verify exaction information to the approval of the Division of Planning.
9. Addition of conditional zoning notes and development standards from approved development plan.
10. Denote the 25' conditional zoning setback along Greenbrier golf course (lots 17-26).
11. Resolve possible conflicts between development standards and plan notes.

Note: The applicant now requests a one-year extension for this plan.

The Staff Recommends: **one-year extension**, subject to the previous conditions and one additional condition:

12. Urban Forester's approval of required street tree information.

- f. PLAN 2008-140F: MEADOW OAKS, UNIT 1-C (ASHFORD OAKS) (8/31/11)* - located at 3414 Feliciana Lane.
(Council District 12) **(EA Partners)**

Note: This plan was approved by the Planning Commission at its November 13, 2008, February 12, 2009 and June 10, 2010, meeting, 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. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Verify exaction information to the approval of the Division of Planning.
10. Addition of conditional zoning restrictions and development standards from approved development plan.
11. Denote the sanitary sewer easement across the greenway.
12. Resolve the extent and timing of the greenway dedication.

Note: The applicant now requests a one-year extension for this plan.

The Staff Recommends: **one-year extension**, subject to the previous conditions and one additional condition:

13. Urban Forester's approval of required street tree information.

2. DEVELOPMENT PLANS

- a. DP 2011-40: GESS PROPERTY, UNIT 1 (8/2/11)* - located at 480 Chilesburg Road.
(Council District 7) **(EA Partners)**

Note: The Planning Commission postponed this plan at the May 12, 2011, meeting. This development plan requires the posting of a sign, and an affidavit of such.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the proposed sidewalk system and access easements.

Should this plan be approved, the following 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 street cross-sections and access.

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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. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & 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. Delete note #5.
 11. Correct note #13.
 12. Denote the tree protection area (TPA).
 13. Correct graphic scale and vicinity map.
 14. Clarify the floodplain information.
 15. Clarify the proposed building envelope for type "B" units.
 16. Revise note #10 to denote no construction access from Chilesburg Road.
 17. Correct site statistics to change "allowed" to "permitted."
 18. Provided the Planning Commission makes a finding for the access easement.
 19. Provided the Planning Commission makes a finding for compliance with the EAMP.
 20. Revise the 200' setback from right-of-way (rather than from centerline).
 21. Denote trunk line sewer easement.
 22. Discuss turning radii proposed for access easements.
 23. Discuss internal pedestrian system connectivity.
 24. Discuss justification for a private access easement versus a private street.
 25. Discuss the townhouse design standards and EAMP Compliance standards.
- b. DP 2011-41: BLACKFORD PROPERTY, PHASE 1, UNIT 5 & PHASE 3 (AMD) (8/2/11)* - located on Blackford Parkway. (Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to revise the single family residential area layout and to revise the Special Design Area near Walnut Grove Lane. This development plan requires the posting of a sign, and an affidavit of such.

The Subdivision Committee Recommended: Postponement. There were questions regarding the justification for altering the Special Design Area, and questions about storm water improvements in that area.

Should this plan be approved, the following 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 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. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
 8. Greenspace Planner's approval of the treatment of greenways and greenspace.
 9. Division of Fire's approval of emergency access and fire hydrant locations.
 10. Addition of Blackford Parkway cross-section.
 11. Delete note #14.
 12. Revise the 200' building line to be from right-of-way (not centerline).
 13. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.
 14. Discuss the details for the greenway connection at Lots 394 & 395.
 15. Discuss street and lotting conflicts with the EAMP storm water plans.
 16. Discuss the justification for changes to the Special Design Area required by Article 23A-2(c) of the Zoning Ordinance.
 17. Discuss the extent of the sinkhole (closed contour area) on Lots 90 & 91.
 18. Discuss the cross-section for Blackford Parkway, or possible driveway restrictions.
- c. DP 2011-48: INGLESIDE APARTMENTS (RED MILE VILLAGE) (AMD) (7/31/11)* - located at 1035 Red Mile Road. (Council District 11) **(Vision Engineering)**

Note: The purpose of this amendment is to reduce the open space by 1,042 square feet and to add 6 parking spaces.

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.

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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 plan title.
10. Denote record plat designation (D-191).
11. Addition of dimension on walkways.
12. Correct note #1 (Chapter vs. Article).
13. Correct Planning Commission's certification.
14. Resolve conversion of 39 compact spaces to full size spaces along south side.
15. Resolve concentration of compact spaces proposed on southern property line.
16. Withdrawal of unrecorded record plat (PLAN 2009-70F: INGLESIDE APARTMENTS) prior to plan certification.

- d. DP 2011-49: MANCHESTER DEVELOPMENT (AMD) (7/31/11)* - located at 855 and 895 Manchester Street.
(Council District 2) **(Thoroughbred Engineering)**

Note: The purpose of this amendment is to add properties and adjust the right-of-way along Oliver Lewis Way.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the parking being in compliance with the Zoning Ordinance for the approved uses.

Should this plan be approved, the following 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 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. Addition of Willard Street and Oliver Lewis Way cross-sections.
11. Relabel Pine Street cross-section to Tarr Trace.
12. Denote the Board of Adjustment approval of conditional uses and variances.
13. Addition of all site statistics from the currently approved plan.
14. Correct note #6 to reference Chapter 16 of the Code of Ordinances.
15. Delete extra fire/water control note.
16. Denote dimensions and height of buildings at 948 Manchester Street & 219 Willard Street.
17. Remove dumpster & enclosure details.
18. Denote phasing and 2nd & 3rd floor parking details from the approved plan.

- e. DP 2011-50: SOUTH FARM MARKET PLACE (AMD #5) (7/31/11)* - located at 116 Marketplace Drive.
(Council District 9) **(Strand Associates)**

Note: The purpose of this amendment is to revise the use and parking for Lot 4.

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. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Denote the timing of construction of the parking and vehicular use area landscaping associated with the proposed triangular building.
9. Resolve the proposed access to the car wash.
10. Resolve the proposed building and canopy height and note #8 conflict.

- f. DP 2011-51: KIRKLEVINGTON NORTH (AMD) (7/31/11)* - located at 858 Malabu Drive.
(Vision Engineering)

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

1. Provided the Urban County Council rezones the property P-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 street cross-sections and access.
4. Building Inspection's approval of landscaping and landscape buffers.

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5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree protection plan.
7. Department of Environmental Quality's approval of environmentally sensitive areas.
8. Division of Fire's approval of fire hydrant locations.
9. Division of Waste Management's approval of refuse collection.
10. Denote timing of Special Use Permit (for wall construction).
11. Resolve the sanitary sewer line location prior to the certification of the development plan.
12. Resolve the retaining wall conflict with the existing easements or denote encroachment permit.
13. Denote resolution of stairway per the Zoning Development Plan.
14. Denote Board of Adjustment approval of conditional use and variances prior to certification.

- g. DP 2011-52: BEAUMONT FARM, UNIT 1 SEC. 4, LOT 4 (7/31/11)* - located at 3064 Beaumont Centre Circle.
(Council District 10) **(Midwest Engineering)**

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. Correct conditional zoning restrictions.
10. Resolve internal circulation and access to remaining lots.

- h. DP 2011-53: PROFESSIONAL PARK (FORMERLY GENERAL MILLS/SHONEY'S PROPERTY) (AMD) (7/31/11)* -
located at 2326 – 2334 Nicholasville Road. (Council District 4) **(Bluewater Civil)**

Note: The purpose of this amendment is to increase the building size and to revise the parking circulation.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the lack of information being provided for this request.

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. Clarification of existing easements.
10. Correct purpose of amendment note to delete any business reference.
11. Correct street cross-sections for Nicholasville Road, Lowry Lane and the access easements.
12. Correct plan title to match agenda.
13. Addition of tree protection plan to include all required information per Article 26 of the Zoning Ordinance.
14. Addition of site statistics.
15. Correct note # 7.
16. Document permission to utilize access easement in the rear of the property prior to certification.
17. Discuss the encroachment of the wall and dumpster into the sanitary sewer and utility easement.
18. Discuss the rear orientation of the building to Nicholasville Road.
19. Discuss the lack of parking proposed in front of the 3,000 square-foot building.

- i. DP 2011-56: LEDERER PROPERTY (AMD) (8/9/11)* - located at 312 North Limestone Street.
(Council District 1) **(Wheat and Ladenburger)**

Note: The purpose of this amendment is to add an access point, increase the building square footage, revise the parking and relocate the dumpster.

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. Urban Forester's approval of tree protection plan.

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5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Waste Management's approval of refuse collection.
7. Document encroachment permit for existing and proposed improvements on Lake Alley, prior to certification of plan.
8. Denote new access to Third Street as "exit only."
9. Remove the word "proposed" from right-of-way on Lake Alley.
10. Denote Board of Architectural Review's approval prior to certification of plan.

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	June 16, 2011
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	June 23, 2011
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	June 29, 2011
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	July 7, 2011
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	July 7, 2011
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	July 14, 2011

IX. ADJOURNMENT

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