

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

September 8, 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** – The minutes of the August 11, 2011, meeting will be considered at this time.
- III. **POSTPONEMENTS OR WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, September 1, 2011, at 8:30 a.m. The meeting was attended by Commission members: Derek Paulsen, Eunice Beatty, Mike Owens and Marie Copeland. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Chris King, Jim Duncan, Bill Sallee, Tom Martin, Cheryl Gallt, Chris Taylor, Denise Bullock, Jimmy Emmons, Barbara Rackers and Traci Wade, as well as Captain Charles Bowen, Division of Fire & Emergency Services; Debbie Barnett, Division of Water Quality 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 2011-74F: SABLE HOLDINGS II, LLC. (9/25/11)* - located at 615-617 West Short Street.
(Council District 2) **(2020 Land Surveying)**

The Subdivision Committee Recommended: **Postponement.** The proposed subdivision of property does not meet the minimum requirements of the High Density Apartment (R-4) zone.

- b. PLAN 2011-79F: MICHAEL GENTRY PROPERTY (AMD) (9/28/11)* - located at 3292 Richmond Road.
(Council District 7) **(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 landscape buffers.
4. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree protection area(s) and the required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Document right-of-way acquisition from LFUCG.
8. Add effective date to FEMA Map Information.
9. Add directional tic marks for street access easement and cross-sections.

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

10. Correct street and access easement cross-sections.
11. Add retaining wall maintenance responsibility (per PC "N," SL 419 & PC "N," SL 641).

- c. PLAN 2011-81F: RIDDELL PLAZA (AMD) (9/28/11)* - located at 301 and 313 Burley Avenue.
(Council District 11) **(EA Partners)**

Note: The Planning Commission postponed this plan at the August 11, 2011, meeting. The purpose of this amendment is to consolidate the previously recorded Lots 1 & 4, establish a 20' building line and remove the screening 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 landscape 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. 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. Denote: On June 25, 1993, the Board of Adjustment approved a variance for parking in the front yard (CV-93-52).
9. Remove the LFUCG property or document ownership of the Burley Park property.
10. Resolve extent of storm water retention easement.

- d. PLAN 2011-90F: COLDSTREAM RESEARCH CAMPUS, UNIT 3, LOTS 8, 9-A & 9-B (AMD) (10/30/11)* - located at 1676 & 1648 McGrathiana Parkway. (Council District 2) **(Strand Associates)**

Note: The purpose of this amendment is to subdivide 2 lots into 3 lots.

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.
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. Addition of note regarding maintenance of park access easement.

- e. PLAN 2011-91F: LANSDOWNE SUBDIVISION, UNIT 8-B, LOT 15 (AMD) (10/30/11)* - located at 3348 Nantucket Drive. (Council District 4) **(2020 Land Surveying)**

Note: The purpose of this amendment is to amend the recorded building line on 3348 Nantucket Drive from 45' to 40.'

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.
4. Correct building line setback on adjacent property (45').
5. Correct engineer's and surveyor's certifications per Article 5-4(h)(2) of the Land Subdivision Regulations.
6. Addition of name and address of property owner on plan.
7. Addition of radius information for right-of-way corner.
8. Addition of private utility companies.
9. Denote street frontage in site statistics.
10. Correct Nantucket cross-section dimension to 27 feet.
11. Addition of sanitary sewer easement.

- f. PLAN 2011-92F: CALUMET TERRACE SUBDIVISION, LOTS 7 & 9 (AMD) (10/30/11)* - located at 1324 Viley Road. (Council District 11) **(Endris Engineering)**

Note: The purpose of this amendment is to dedicate the public right-of-way and appropriate 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.
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. Division of Fire's approval of gate information and emergency access.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.

- g. PLAN 2011-93F: GESS PROPERTY, UNIT 6-H (10/30/11)* - located at Needlerush Drive and Larkhill Lane.
(Council District 7) **(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.
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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Addition of adjacent property information.
8. Addition of exaction information to the approval of the Division of Planning.
9. Dimension sanitary sewer easement along Needlerush Drive.
10. Denote continuation of utility easement from Gess Unit 6-F (per PC "N," SL. 730).

- h. PLAN 2011-94F: GESS PROPERTY, UNIT 11-E (10/30/11)* - located on Foxglove Point.
(Council District 7) **(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.
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. Addition of exaction information to the approval of the Division of Planning.
9. Clarify sidewalk on cross-section "F-F."

- i. PLAN 2011-95F: TUSCANY, UNIT 6, SECTION 1 (AMD) (10/30/11)* - located on Old Rosebud Road.
(Council District 6) **(EA Partners)**

Note: The purpose of this amendment is to revise the street cross-section.

The Subdivision Committee Recommended: **Postponement**. There were some questions about the requested waiver to the Land Subdivision Regulations.

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. Urban Forester's approval of tree protection area(s) and required street tree information.
4. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Correct note #3 to remove 1-year reference.
7. Provided the Planning Commission grants a waiver to Article 6-8(n)(1) of the Land Subdivision Regulations pertaining to sidewalks.

- j. PLAN 2010-82F: GESS PROPERTY, UNIT 7-A, SECTION 2 (AMD) (10/31/10)* - located at 4115 Sperling Drive.
(Council District 7) **(EA Partners)**

Note: The Planning Commission originally approved this plan on September 9, 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 required street tree information.

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

4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s).
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Remove Unit 4-H, Section 2 from plan.
8. Correct site statistics and plan title.
9. Complete exaction information to the approval of the Division of Planning.

Note: The applicant now requests a one-year extension of the Commission's prior approval.

The Subdivision Committee Recommended: **Approval of a one-year extension**, subject to the previous conditions, deleting condition #7.

2. **DEVELOPMENT PLANS**

- a. DP 2011-65: BAPTIST HEALTHCARE SYSTEM, INC. (CENTRAL BAPTIST) (AMD) (9/27/11)* - located at 1740 Nicholasville Road. (Council District 4) **(HDR, Inc.)**

Note: The purpose of this amendment is to add access to the adjacent property.

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. Resolve the extent of proposed improvements on the adjacent property, and owner's agreement.

- b. DP 2011-62: RIDDELL PLAZA, LOTS 1 & 4 (9/5/11)* - located at 301 and 313 Burley Avenue. (Council District 11) **(EA Partners)**

Note: The Planning Commission postponed this plan at the July 14, 2011 and August 11, 2011, meetings.

The Subdivision Committee Recommended: **Postponement**. There were questions about compliance with the minimum open space requirements.

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. 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: Signage will comply with Article 17 of the Zoning Ordinance.
 11. Denote: On June 25, 1993, the Board of Adjustment approved a variance for parking in the front yard (CV-93-52).
 12. Provide at least a 6' landscape buffer for zone-to-zone screening.
 13. Identify existing significant trees, as necessary.
 14. Revise notes #5, #7, #9 & #14.
 15. Addition of existing and proposed easements.
 16. Provided the Planning Commission approves an amended Final Record Plat that addresses the conflicts with the building line setback and the existing easements prior to certification.
 17. Discuss compliance with Article 15-7 of the Zoning Ordinance (infill regulations).
 18. Discuss the provision of useable open space.
 19. Discuss the possible need for storm water improvements in the area.
 20. Discuss LFUCG ownership of Burley Park.
- c. DP 2011-76: KIRKLEVINGTON NORTH (AMD) (10/30/11)* - located at 3391 Tates Creek Road. (Council District 4) **(LS Design Group)**

Note: The purpose of this amendment is to revise the site layout, relocate the drive-through lane and related site improvements.

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

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. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Label floodplain in southwest corner of property.
10. Resolve need for action by the Floodplain Appeals Committee.
11. Clarify floor area site statistics to match as built building.
12. Revise note #14 to indicate existing underground storm water infrastructure located in FEMA floodway.

- d. DP 2011-77: SHARKEY PROPERTY, UNIT 1, LOTS 9 & 18 (AMD) (10/30/11)* - located at 125 Louie Place.
(Council District 2) **(CMW, Inc.)**

Note: The purpose of this amendment is to add an extended-stay hotel to Lots 9 and 18.

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 construction access location.
9. Document encroachment agreement.

- e. DP 2011-78: LAKEVIEW ESTATES, UNIT 2, BLK J, LOT 7 & BLK K, LOTS 2, 2-E & 3 (AMD) (10/30/11)* -
located at 475, 503 and 519 Laketower Drive. (Council District 5) **(Barrett Partners)**

Note: The purpose of this amendment is to add buildable area for a fitness center, revise parking and circulation and to permit redevelopment of Manor Drive.

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. Correct metes & bounds (curve data) information.
9. Clarify note #11 regarding the off-site detention.
10. Resolve the gate house/easement conflicts.
11. Division of Parks and Recreation's approval of proposed off-site parking.
12. Resolve the median changes and gate house in Seton Drive right-of-way and gate house in Manor Drive.
13. Resolve timing of the development with street closure and any possible need for a waiver to the Land Subdivision Regulations.

- f. DP 2011-79: COLDSTREAM RESEARCH CAMPUS, LOTS 7 & 8 (10/30/11)* - located at 1676 McGrathiana Parkway. (Council District 2) **(Strand Associates)**

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. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Clarify floor area ratio in the site statistics.

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10. Denote: No occupancy permit shall be issued until the new public street has been constructed to the acceptance of the Division of Engineering, and dedicated.
11. Resolve stormwater detention location/information.
12. Discuss amount of parking proposed.

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	September 15, 2011
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	September 28, 2011
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	September 22, 2011
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	October 6, 2011
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	October 6, 2011
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	October 13, 2011

IX. **ADJOURNMENT**