

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

December 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 revised minutes of October 27, 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, December 1, 2011, at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Derek Paulsen, Eunice Beatty, Mike Owens and Marie Copeland. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jim Gallimore, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Cheryl Gallt, Chris Taylor, Jimmy Emmons, Traci Wade and Barbara Rackers, 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 2011-128F: LOUDON PARK, BLOCK 17, LOT 11 & WESTERLY ½ OF 13 (1/29/12)* - located on Breckenridge Street. (Council District 1) **(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.
4. Addressing Office's approval of street names and addresses
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. Show dashed lines for adjacent property.
8. Correct lot numbers to match previous plat (Cabinet E, Slide 30).
9. Addition of required subdivision notes (per Article 5-4(g)).
10. Delete landscape data and tree canopy note.
11. Addition of building line (20') (per Article 8-12(o)(5) of the Zoning Ordinance).
12. Revise Urban County Engineer's Certification to the approval of the Division of Engineering.

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

- b. PLAN 2011-129F: SOUTH ELKHORN VILLAGE (1/29/12)* - located at 4379 Old Harrodsburg Road.
(Council District 10) **(EA Partners)**

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. Addressing Office's approval of street names and addresses
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: This property shall be developed in accordance with the approval final development plan.
9. Denote source of and correct floodplain information.
10. Addition of conditional zoning restrictions.
11. Delete note #5.

2. **DEVELOPMENT PLANS**

- a. DP 2011-95: NEWTOWN SPRINGS (TRILOGY LEXINGTON HEALTH CAMPUS #3) (1/29/12)* - located at 564 Asbury Lane (a portion of). (Council District 2) **(Strand Associates)**

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. Division of Waste Management's approval of refuse collection.
8. Denote significant trees, if any, on the site.

- b. DP 2011-96: CHINOE VILLAGE SHOPPING CENTER (AMD) (1/29/12)* - located at 1050 Chinoe Road.
(Council District 5) **(The Roberts Group)**

Note: The purpose of this amendment is to revise the layout of the gas station.

The Subdivision Committee Recommended: **Referral to the full Commission**.

Should this plan be approved, the following conditions 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: The existing landscaping and trees along Creekside Drive shall be retained.
9. Discuss height of proposed canopy.
10. Discuss lighting restrictions related to off hours.
11. Discuss traffic movement, need for drive aisles and canopy setback to the approval of Traffic Engineering.
12. Addition of original ZDP restrictions from DP 83-151.

- c. DP 2011-97: LIGGETT & COMPANY (1/29/12)* - located at 1211 Manchester Street.
(Council District 2) **(JE Black)**

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the phasing of the development, emergency access, stormwater management and proposed uses.

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.

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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. Correct parking lot phasing labels.
11. Correct vicinity map.
12. Complete metes and bounds.
13. Addition of signage note (per Article 17 of the Zoning Ordinance).
14. Addition of tree protection notes.
15. Modify the landscaping screening along 216 Wilton Avenue to meet Article 18-3 of the Zoning Ordinance.
16. Submit details regarding provision of public art.
17. Discuss storm water management.
18. Discuss phasing of development notes.
19. Discuss possible and proposed uses.
20. Discuss past Board of Adjustment approval (and restrictions) for emergency access to Liggett Avenue.

- d. DP 2011-98: NEWMARKET PROPERTY, PHASE 1, UNIT 9 (1/29/12)* - located at 1281 Deer Haven Lane (a portion of). (Council District 12) **(EA Partners)**

The Subdivision Committee Recommended: **Postponement**. There were questions concerning the extension of Passage Mound Lane.

Should this plan be approved, the following conditions 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. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Identify left turn lane information onto Passage Mound Lane from Polo Club Boulevard.
9. Clarify topography information.
10. Addition of existing tree canopy.
11. Addition of all proposed and existing easements, including storm water easements.
12. Correct note #4.
13. Delete note #10.
14. Discuss continuing Passage Mound Lane to the adjacent property.
15. Discuss cross-section and width proposed for Passage Mound Lane.

- e. DP 2011-101: TATES CREEK CENTER, LOT 1 (FORMERLY BELLEAU WOODS SHOPPING CENTRE) (AMD) (2/21/12)* - located at 4192 Tates Creek Center Drive. (Council District 4) **(Civil & Environmental Consultants)**

Note: The purpose of this amendment is to add 769 gross square feet to Lot 1.

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

1. Building Inspection's approval of site statistics, landscaping and landscape buffers.
2. Revise plan title.
3. Addition of name and address of Lot 1 developer in title block.
4. Addition of "TPP for B-6P Area" information from previous plan.
5. Denote: Exterior elevations were provided for Kroger store expansion on previous development plan (certified on 8/15/11), and are still applicable.

- f. DP 2011-102: INGLESIDE APTS. (AMD) (2/21/12)* - located at 1035 Red Mile Road. (Council District 11) **(Vision Engineering)**

Note: The purpose of this amendment is to add 3 dwelling units in the P-1 zone and to revise parking.

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

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Correct required parking in P-1 site statistics.
8. Revise Planning Commission certification date.
9. Revise purpose of amendment note to include parking changes proposed.

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10. Denote: This plan supersedes DP 2011-48.
 11. Withdrawal of unrecorded record plat (PLAN 2009-70F) prior to plan certification.
 12. Correct conditional zoning note.
 13. Document compliance with P-1 open space requirement (per Article 8-15(k)) for the dwelling units.
 14. Review by Technical Committee prior to certification.
- g. DP 2011-103: ANGLIANA AVENUE AND A.G. MCGREGOR SUBDIVISION (AMD) (2/21/12)* - located at 525 Angliana Avenue. (Council District 2) **(Brandstetter Carroll)**

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

The Subdivision Committee Recommended: Postponement. There were questions regarding the extent of the encroachment of this residential development into an adjacent I-2 zone.

Should this plan be approved, the following conditions 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 2' contour lines on plan.
9. Denote building dimensions.
10. Addition of typical parking spaces and aisle dimensions.
11. Denote sidewalk dimensions.
12. Denote building height in feet.
13. Correct note #3.
14. Correct purpose of amendment note to indicate Lot 1 only.
15. Denote proposed and existing easements.
16. Clarify parking to reflect number of apartment & townhome bedrooms.
17. Denote construction access location on plan.
18. Resolve ability to meet tree canopy requirements.
19. Denote storm water detention.
20. Review by Technical Committee prior to certification.
21. Discuss encroachment into adjoining I-2 zone.
22. Discuss emergency access to Hamm Alley.
23. Discuss tree protection area.

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.

A. ANNUAL REPORT FROM PURCHASE OF DEVELOPMENT RIGHTS PROGRAM – The Commission will hear from Mr. Billy Van Pelt, who will present the required Annual Report from the Rural Land Management Board.

B. ANNUAL REPORT FOR THE COURTHOUSE AREA – The Commission will hear from Mr. Billy Van Pelt, who will present the required Annual Report from the Courthouse Area Design Review Board.

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

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) December 14, 2011
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers **December 15, 2011**
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) January 5, 2012
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)..... January 5, 2012
Subdivision Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers..... **January 12, 2012**

IX. ADJOURNMENT

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