

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

November 8, 2007

- 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** – None 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, November 1, 2007, at 8:30 a.m. The meeting was attended by Commission Members: Carolyn Richardson, Neill Day, Lyle Aten, Randall Vaughn and Mike Cravens. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Chris Taylor, Cheryl Gallt, Denice Bullock, Bill Sallee, Traci Wade and Tom Martin; as well as Rochelle Boland, Department of Law; Captain(s) Bill Woodward and Charles Bowen, Division of Fire & Emergency Services; 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 petitioner agrees with the Subdivision Committee's recommendation as listed on this agenda, and
(2) no discussion of the item or of the Committee's recommendation is desired by the Commission, and
(3) no one present at this meeting objects to the Commission acting on the matter without discussion.

- 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 Plans**

- a. **PLAN 2007-52P: TUSCANY, UNIT 5 (11/8/07)*** - located at 1970 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

Note: The Planning Commission postponed this plan at its April 12, 2007; May 10, 2007; June 14, 2007; July 12, 2007; August 9, 2007; September 13, 2007 and October 11, 2007, meetings.

The Subdivision Committee Recommended: Postponement. There were questions regarding the access and the proposed traffic signals for property located across Sir Barton Way.

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 names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Denote entrances across Sir Barton Way.
7. Addition of conditional zoning restrictions.
8. Discuss proposed access to Sir Barton Way, including the "right-in/right-out" proposed.
9. Discuss the timing of dedication of Winchester Road right-of-way per preliminary development plan note.

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

10. Discuss waiver of Article 6-4(b) regarding lot frontage on two sides.
11. Discuss turning lane on Winchester Road and Sir Barton Way.
12. Discuss tree preservation along building line on Sir Barton Way.
13. Discuss lot depth along Winchester Road and the intersection of Winchester Road and Sir Barton Way.

- b. PLAN 2007-175P: TUSCANY, UNIT 3 (AMD.) (1/14/08)* - located at 1970 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

Note: The Planning Commission postponed this plan at its September 13, 2007 and October 11, 2007, meetings. The purpose of this amendment is to revise the street and lot layout and delete a planned street connection.

The Subdivision Committee Recommended: Referral. There were questions about the plan boundaries and street connections.

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 names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Greenspace Planner's approval of the treatment of greenways.
7. Environmental Planner's approval of environmentally sensitive areas.
8. Revise plan to meet previous plan boundaries, including street connections previously approved.

- c. PLAN 2007-223P: BLUEGRASS BUSINESS PARK (PEMBERTON FARM) (AMD.) (1/10/08)* - located at 2540 Spurr Road. (Council District 2) **(EA Partners)**

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

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 required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas (Royal Spring Aquifer).
7. Addition of purpose of amendment note.
8. Addition of building lines.
9. Addition of cross-section for street between lots 14 and 15.
10. Addition of non-building line (30') to lot 12 per Final Record Plat.
11. Correct note number 5.
12. Denote: No Final Record Plat until compliance with Article 4-5(b) of the Land Subdivision Regulations is documented.
13. Addition of sanitary sewer force main line easement.
14. Resolve proposed right-of-way and 40' utility easement conflict.
15. Kentucky Transportation Cabinet's approval of access to Spurr Road.

2. **Final Subdivision Plans**

- a. PLAN 2007-201F: NDC PROPERTY, UNIT 1-A, LOT 16 (WELLINGTON) (AMD) (12/14/07)* – located at 249 Ruccio Way. (Council District 9) **(Strand Associates)**

Note: The Planning Commission postponed this plan at its October 11, 2007, meeting. The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: Disapproval.

1. Article 1-11 of the Land Subdivision Regulations requires that "plans filed pursuant to these subdivision regulations shall be required to comply with applicable zoning ordinances or other Urban County ordinances."
2. Article 6-7 of the Zoning Ordinance states: "Pursuant to KRS 100.203(8), Planning Commission or the Urban County Council may, as a condition to granting a map amendment, restrict the use of the property affected to a particular use, a particular class of use, or a specified density within those permitted in a given zoning category..."
3. The subject property is restricted in use to "a hotel or motel." The subdivision of this lot would allow separate ownership, separate operation, separate signage and a second hotel or motel at this location. Thus, the proposed subdivision of property is in conflict with the approved conditional zoning restrictions.

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

- b. PLAN 2007-220F: BEAUMONT FARM, UNIT 1, SECTION 4 (1/10/08)* - located at 3050 Beaumont Centre Circle (a portion of). (Council District 10) **(EA Partners)**

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 required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Addition of utility and street light easement(s) 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. Addition of conditional zoning restrictions.
10. Delete access to lots 2, 3 & 8.
11. Recordation of PLAN 2007-155F, prior to certification of this plan.

- c. PLAN 2007-221F: BLUEGRASS BUSINESS PARK (PEMBERTON FARM) (AMD.) (1/10/08)* - located at 2540 Spurr Road. (Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to subdivide one lot into three lots, and add an access easement.

The Subdivision Committee Recommended: Referral. There were questions regarding the type of material being used for the construction of the access easement.

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 addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas (Royal Spring Aquifer).
7. Addition of utility and street light easement(s) 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. Lot 3C shall not require a development plan if there is a public facility review by the Planning Commission.
9. Correct note number 3.
10. Addition of sanitary sewer force main easement.
11. Provided the Planning Commission makes a finding under Article 6-8(m) of the Land Subdivision Regulations regarding the use of an access easement to serve Lot 3C.
12. Discuss timing of street dedication (Innovation Drive).

- d. PLAN 2007-222F: WOODWARD-LANDER PROPERTY, UNIT 1-A, LOT 108, SECTION 1 (1/10/08)* - located at 3180 Sandersville Road. (Council District 2) **(Eagle Engineering)**

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 required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Addition of utility and street light easement(s) 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 plan title.

- e. PLAN 2007-224F: BEAUMONT FARM, UNIT 1, SECTION 5 (1/18/08)* - located at 3050 Beaumont Centre Circle (a portion of). (Council District 10) **(EA Partners)**

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 required street tree information.
4. Approval of street addressing by e911 staff.

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5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Addition of utility and street light easement(s) 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. Denote conditional zoning restrictions.

- f. PLAN 2007-203F: MAHAN PROPERTY, LOT 1 (1/23/08)* – located at 2940 Man O' War Boulevard.
(Council District 4) **(EA Partners)**

Note: The Planning Commission originally approved this plan on October 11, 2007, subject to the following 12 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 addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner'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. Correct distance on southerly survey call.
9. Addition of building lines.
10. Denote: This property shall be developed in accordance with the approved final development plan.
11. Clarify adjoining property information.
12. Denote: No building permit for the final two buildings and the club house shall be issued until an amended final record plat dedicating the Bradford Colony cul-de-sac is certified.

Note: The applicant now requests a continued discussion regarding condition number 12.

The Subdivision Committee Recommended: Approval, subject to the previous conditions, changing condition number 12 to read: "Denote: No building permit for the final two buildings ~~and the club house~~ shall be issued until an amended final record plat dedicating the Bradford Colony cul-de-sac is certified."

- g. PLAN 2005-334F: DORIS G. PHELPS PROPERTY, UNIT 2 (AMD.) (1/23/08)* - located at 4101 Athens-Boonesboro Road. (Council District 7) **(Sherman/Carter/Barnhart)**

Note: The Planning Commission originally approved this plan on December 8, 2005, subject to the following 12 conditions, and reapproved on August 9, 2007. Section 1 was recorded on October 16, 2007.

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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
5. Approval of street addresses as per e911 staff.
6. Urban Forester's approval of tree preservation plan.
7. Greenspace Planner's approval of the treatment of greenways/bike trails and pedestrian movement.
8. Record PLAN 2005-333F (Phelps Unit 2) prior to this amended plat.
9. Show all access easements and their cross-sections.
10. Denote 25' setback from floodplain.
11. Correct plan title information (addresses).
12. Addition of private access easement responsibility notes.

Note: The applicant now requests a continued discussion regarding the addition of two Home Owners' Association lots to the plat.

The Subdivision Committee Recommended: Approval for Section 2, subject to the previous 12 conditions.

- h. PLAN 2007-32F: CENTRAL BAPTIST CHURCH PROPERTY (AMD.) (1/22/08)* - located at 3614 Nicholasville Road.
(Council District 4) **(Sherman/Carter/Barnhart)**

Note: The Planning Commission originally approved this plan on March 8, 2007, subject to the following 11 conditions, granting the waiver as noted in condition number 10.

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.

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4. Approval of street addressing by e911 staff.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Greenspace Planner's approval of the 6-foot sidewalk.
7. Include addition of easement to purpose of amendment note.
8. Addition of plat cabinet and slide number from previous plan.
9. Addition of sanitary sewer easements.
10. Provided the Planning Commission grants a waiver of Article 6-8(n)(1) regarding the 6-foot sidewalk placement.
11. Remove driveway apron from Nicholasville Road.

Note: The applicant now requests a continued discussion regarding the removal of the sidewalk along Wilson Downing Road.

The Subdivision Committee Recommended: Referral. There were questions regarding the conditions of the waiver being requested.

Staff will report at meeting.

- i. PLAN 2006-131F: MULLIKIN PROPERTY (SHADY HILLS) (1/29/08)*– located at 2470 Liberty Hill Drive.
(Council District 6) **(Sherman/Carter/Barnhart)**

Note: The Planning Commission originally approved this plan on July 13, 2006, subject to the following 7 conditions. Section 1 of this plat was recorded on May 18, 2007.

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers, including the sanitary sewer connection to 2470 Liberty Road.
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 addresses by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Correct certifications.

Note: The applicant now requests reapproval of the plan.

The Staff Recommended: Reapproval of Section 2, subject to the previous 7 conditions.

- j. PLAN 2005-196F: SHARKEY PROPERTY, UNIT 2-B (1/30/08)* - located at 1700 Leestown Road (a portion of).
(Council District 2) **(EA Partners)**

Note: The Planning Commission originally approved this plan on August 11, 2005, and reapproved this plan on August 10, 2006, subject to the following 7 conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree inventory map/tree preservation plan.
5. Approval of street addresses by e911 staff.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Provided that all appropriate rights-of-way are dedicated, either through the recordation of Unit 2-A, or by adding the streets to this plat.

Note: The applicant now requests reapproval of the plan, subject to the previous 7 conditions.

The Staff Recommended: Reapproval, subject to the previous 7 conditions.

- k. PLAN 2005-197F: SHARKEY PROPERTY UNIT 2-C (1/30/08)* - located at 1700 Leestown Road (a portion of).
(Council District 2) **(EA Partners)**

Note: The Planning Commission originally approved this plan on August 11, 2005, and reapproved this plan on August 10, 2006, subject to the following 7 conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
3. Building Inspection's approval of landscaping.

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4. Urban Forester's approval of tree preservation plan.
5. Approval of street addresses by e911 staff.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Provided that all appropriate rights-of-way are dedicated, either through the recordation of Unit 2-A, or by adding the streets to this plat.

Note: The applicant now requests reapproval of the plan, subject to the previous 7 conditions.

The Staff Recommended: Reapproval, subject to the previous 7 conditions.

- I. PLAN 2006-240F: NEWMARKET, PHASE I, UNIT 1-E (1/30/08)* – located at 1201 Deer Haven Lane (a portion of).
(Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on November 9, 2006, subject to the following 6 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 addressing by e911 staff.
5. Urban Forester's approval of tree preservation areas.
6. Label Tree Protection Area (TPA) per conditional zoning restrictions.

Note: The applicant now requests an extension of the prior approval.

The Staff Recommended: Approval of the Extension, subject to the previous 6 conditions.

3. Development Plans

- a. ZDP 2007-81: VILEY HEIGHTS SUBDIVISION, UNIT 3-D (OBEY & JOELLA WALLER PROPERTY) (1/16/08)* -
located at 1388 Alexandria Drive. (Council District 11) **(Justice Surveying and Land Design, LLC)**

Note: The Planning Commission indefinitely postponed this plan at its July 26, 2007, meeting, pending the zoning decision by the Urban County Council. The Urban County Council approved the zone change request at its October 18, 2007, meeting.

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

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.

- b. DP 2007-100: KINGSTON HALL, UNIT 2 (EAST BRIDGEFORD LAND & DEV. CO.) (AMD.) (11/18/07)* – located at
2356 Newtown Pike (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission postponed this plan at its September 13, 2007 and October 11, 2007, meetings. The purpose of this amendment is to subdivide 1 lot into 7 lots, add a cul-de-sac and revise the temporary access easement.

The Subdivision Committee Recommended: Postponement. There were questions regarding the access into and through the property, as well as conflicts with the proposed detention basin.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.

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

6. Division of Solid Waste's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Renumber lots (1A – 1F and remaining).
9. Addition of cul-de-sac details.
10. Clarify limits of plan.
11. Addition of building lines along new street.
12. Clarify note number 14 regarding buffering.
13. Revise note number 10 (per previous plan).
14. Document written notification requirements.
15. Kentucky Transportation Cabinet's approval of access and improvements to Newtown Pike.
16. Discuss access easement versus public street.
17. Discuss need for adjacent property access (stub street).
18. Discuss access to Lot 2.
19. Discuss existing access easement conflict with detention basin.
20. Discuss timing of pump station.

- c. DP 2007-103: HIGH POINT SUBDIVISION, LOT 28 (AMD.) (11/10/07)* - located at 855 Loudon Avenue.
(Council District 1) **(Midwest Engineers)**

Note: The Planning Commission postponed this plan at its September 13, 2007 and October 11, 2007, meetings. The purpose of this amendment is to depict the building, parking and access to the property.

The Subdivision Committee Recommended: Postponement. There were questions regarding the previous final development plan and existing conditional zoning restrictions.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Addition of conditional zoning restrictions.
9. Clarify right-of-way information.
10. Addition of building dimensions (from previous plan).
11. Correct plan title.
12. Document zone-to-zone screening.
13. Addition of building lines.
14. Discuss change in one-way movement.
15. Discuss compliance with conditional zoning requirements.

- d. DP 2007-110: TUSCANY, UNIT 6 (1/14/08)* - located at 1970 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

Note: The Planning Commission postponed this plan at its September 13, 2007 and October 11, 2007, meetings.

The Subdivision Committee Recommended: Postponement. There were questions regarding building setbacks, the distance between access points, and compliance with the Uniform Fire Code.

- e. DP 2007-132: RED MILE SQUARE, INC. (AMD.) (1/10/08)* - located at 936 Red Mile Road.
(Council District 11) **(CMW)**

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

The Subdivision Committee Recommended: Postponement. There were questions regarding the conflicts between the proposed parking spaces and future dumpster locations, possibly resulting in a loss of parking below the required minimums.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.

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

6. Environmental Planner's approval of environmentally sensitive areas (sinkhole).
 7. Division of Fire's approval of emergency access and fire hydrant locations.
 8. Division of Solid Waste's approval of refuse collection.
 9. Approval of street names and addresses per e911 staff.
 10. Provided the closure of Red Mile Court is finalized, and the previously approved Final Record Plat is recorded, prior to certification of the plan.
 11. Identify or delete rectangle in "restricted building area."
 12. Denote encroachments required prior to building permits for improvements proposed within the existing 20' storm and sanitary sewer easement.
 13. Denote: All footers will have a geo-tech investigation report submitted prior to the issuance of any building permits.
 14. Certification of DP 2007-85: Red Mile Square, Inc. Tract D, Lots 4 & 5 (AMD.), prior to certification of this plan.
 15. Label all existing improvements in environmentally sensitive areas as "existing."
 16. Show all zoning information.
 17. Addition of private and public sanitary sewer easements.
- f. DP 2007-133: GREENDALE HILLS (CHESAPEAKE EQUINE) (1/10/08)* - located at 865 Greendale Road.
(Council District 2) **(EA Partners)**
- 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 parking, circulation, access and street cross-sections.
 3. Building Inspection's approval of landscaping.
 4. Urban Forester's approval of tree preservation plan.
 5. Environmental Planner's approval of environmentally sensitive areas.
 6. Division of Fire's approval of emergency access and fire hydrant locations.
 7. Approval of street names and addresses per e911 staff.
 8. Denote building lines.
 9. Denote existing easements.
 10. Addition of street cross-sections.
 11. Denote date of Cell Tower application approval, and list the conditions therein.
 12. Discuss extent of pavement to compound.
- g. DP 2007-134: SAND LAKE & ESTES PROPERTY (AMD.) (1/10/08)* - located at Richmond Road and South Eagle Creek Drive. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to revise the development and the layout of buildings, and reduce the number of lots and reduce the public streets and right-of-way.

The Subdivision Committee Recommended: Postponement.

The Technical Committee and Staff Recommended: Disapproval, for the following reason:

1. This request does not meet the Richmond Road Traffic Safety and Movement Plan Phase II, an Ordinance adopted by the Urban County Council, which sets detailed requirements for service roads approved for this property.
2. Per Article 21-7(e) of the Zoning Ordinance, the amended plan as submitted, alters the essential character of the development as originally approved. Specifically:
 - a. This amendment alters the approved internal circulation pattern by reducing the length of Sand Lake Drive by 550 linear feet and prevents its northern connection to the access road parallel to Richmond Road;
 - b. This plan proposes to remove the perimeter circulation previously approved along the west and southwest property boundaries;
 - c. This plan proposes to alter the approved access to adjoining public streets, and the parking layout and allocation;
 - d. This plan seeks to reduce the building square footage from 112, 450 to 56,514.In addition, the proposed use has changed from a retail shopping center to a large automobile dealership with a much smaller amount of retail shops.
3. The amended plan, as submitted, does not provide the required level of information for the southwest area of the property; and therefore, does not meet the requirements of Article 21-6(b) of the zoning ordinance. The current development plan does identify approved commercial development for the entirety of the subject property.
4. Retaining walls are proposed within the planned rights-of-way of public streets approved under the Richmond Road Traffic and Safety Movement Plan, Phase II. These features are not only not approved under that Ordinance, but will pose a potential safety hazard, and will result in an unnecessary maintenance responsibility for the Urban County Government, if dedicated to the public.

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

- h. DP 2007-136: HAMBURG PLACE FARM, PLAUDIT PLACE COMMUNITY DEVELOPMENT, LOT 3 (AMD.) (1/10/08)* - located at 1863 Plaudit Place. (Council District 6) **(GRW)**

Note: The purpose of this amendment is to revise the parking layout and drive-through.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Addition of survey information for lots 1 through 4.
9. Correct Lot 5A information.

- i. DP 2007-137: PIERSON TRAPP - DAWAHARE ASSOCIATION, TRACT 1 (1/10/08)* - located at 1805-1865 Alexandria Drive. (Council District 11) **(Jerry Herndon)**

Note: The purpose of this amendment is to add a 1,500 square-foot building.

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 parking, circulation and drive-through circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Addition of purpose of amendment note, and standard development plan notes.
9. Place site statistics within a box.
10. Addition of contour lines.
11. Addition of dimensions of a typical parking space, entrances, sidewalks and calculations.
12. Addition of dimensions for proposed and existing buildings (size, height, and sq. ft.).
13. Denote 20' setback from Darien Drive.
14. Clarify drive-through lane information.
15. Denote correct sanitary sewer easement location.
16. Recordation of easement minor amended plan to provide utilities, prior to certification of this plan.

- j. DP 2007-138: COVEY RIDGE DEVELOPMENT COMPANY, LOT 1 (AMD.) (1/10/08)* - located at 5527-5531 Athens-Boonesboro Road. (Council District 12) **(John Kingston)**

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

The Subdivision Committee Recommended: Postponement. There were questions regarding the current moratorium with the Blue Sky treatment plant for new development with additional flows.

- k. DP 2007-139: LANSLOWNE SHADELAND EAST, UNIT 3 (SHADELAND CRESCENT) (AMD.) (1/10/08)* - located at 1143-1153 Turkey Foot Road. (Council District 5) **(Wheat and Ladenburger)**

Note: The purpose of this amendment is to add buildable area, and modify parking.

The Subdivision Committee Recommended Postponement.

The Technical Committee and Staff Recommended: Disapproval, for the following reasons:

1. This request does not meet the requirements of Article 19 of the Zoning Ordinance regarding floodplain conservation and protection, nor the required 25' building setback from the identified floodplain required by Article 19-7(g)(4)(b).
2. This development plan amendment does not provide adequate access to the proposed new building for Fire and Emergency Services vehicles and first responders. An existing 10' driveway is not proposed to be upgraded significantly to service the new construction. This driveway is of an insufficient width to allow proper access to emergency response vehicles to the proposed building.

- I. DP 2007-142: WATTS FARM, TRACT 4, LOT 2 (THORNTON'S REDDING ROAD) (AMD.) (1/23/08)* - located at 441 Redding Road. (Council District 4) **(EA Partners)**

Note: The purpose of this amendment is to add a 213 square-foot addition and canopy over the new gas pumps.

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 parking, circulation and drive-through circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Approval of street names and addresses per e911 staff.
6. Review by Technical Committee, prior to certification.

- m. DP 2007-143: SOUTH HILL CROSSING (CENTER COURT) PHASE II (1/23/08)* - located at 614 South Mill Street. (Council District 3) **(EA Partners)**

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 parking, circulation and drive-through circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Bike & 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 Solid Waste's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Denote zoning in site statistics.
10. Review by Technical Committee, prior to certification.

- n. DP 2006-70: KIRKLEVINGTON NORTH (AMD.) (1/10/08)* – located at 857 & 858 Malabu Drive. (Council District 4) **(Eagle Engineering)**

Note: The Planning Commission originally approved this plan on September 14, 2006, subject to the following 4 conditions:

1. Division of Fire's approval of emergency access and fire hydrant locations.
2. Division of Solid Waste's approval of refuse collection.
3. Addition of sanitary sewer location.
4. All utility companies' approval of either an encroachment into the easement or relocation of existing utilities.

Note: The applicant now requests reapproval of the plan, subject to the previous 4 conditions.

The Staff Recommended: Reapproval, subject to the previous 4 conditions.

- 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 Chairman will announce that any item the staff would like to present will be heard at this time.

- VI. **STAFF ITEMS** – Any staff items will be considered 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., 2nd Floor Council Chambers November 15, 2007
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) November 28 2007

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

Zoning Items Public Hearing, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	November 29, 2007
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	December 6, 2007
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	December 6, 2007
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	December 13, 2007

X. ADJOURNMENT

CT/CG/TM/JE/BR/BS/DB

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