

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

March 8, 2012

- 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, March 1, 2012, at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Eunice Beatty, Mike Owens, Will Berkley 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: Bill Sallee, Tom Martin, Cheryl Galt, Chris Taylor, Jimmy Emmons, Traci Wade, Barbara Rackers, Kenzie Gleason and Dave Jarman, 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. CONTINUATION OF DEVELOPMENT PLAN

- a. **DP 2011-96: CHINOE VILLAGE SHOPPING CENTER (AMD) (2/9/12)*** - located at 1050 Chinoe Road.
(Council District 5) **(The Roberts Group)**

Note: The Planning Commission continued this item from their December 8, 2011 and February 9, 2012, meetings. 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 Creekwood 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.

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

2. **DEVELOPMENT PLAN**

- a. DP 2012-1: LOCHMERE ESTATES (MAPLE RIDGE) (AMD) (3/20/12)* - located at 651 Chilesburg Road.
(Council District 7) **(Eagle Engineering)**

Note: The Planning Commission postponed this item from their February 9, 2012, meeting. This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to reconfigure the lots (adding several) and to alter the public 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 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. Division of Waste Management's approval of refuse collection.
 9. Provided the Planning Commission makes a finding that the plan complies with the provisions of the EAMP.
 10. Resolve tree protection areas to the approval of the Urban Forester.
 11. Resolve driveway impact on open space, or denote that all driveways will be limited to a maximum of 9' between curb and lots in site statistics.
- b. DP 2012-7: TATTERSALLS APARTMENT DEVELOPMENT (HALLMARK STUDENT DEVELOPMENT) (4/2/12)* -
located at 843 South Broadway and 1200 Red Mile Road (a portion of).
(Council District 11) **(Vision Engineering)**

The Technical Committee and Staff Recommended: **Postponement**. There were questions regarding the extent of the proposed tandem off-street parking.

The Subdivision Committee made no recommendation.

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. Division of Fire's approval of emergency access and fire hydrant locations.
 7. Division of Waste Management's approval of refuse collection.
 8. Clarify that existing tree canopy is to remain.
 9. Remove notes #1 and #7.
 10. Correct note #5.
 11. Provided the Board of Adjustment grants the requested variance to internal landscaping and setback.
 12. Denote maintenance responsibility of landscaping between new street and the Red Mile track.
 13. Remove tandem parking from plan.
 14. Discuss ability to meet required tree canopy.
 15. Discuss proposed parking in access throat and tree protection area for 32" Burr Oak tree.
 16. Discuss proposed lotting pattern.
 17. Discuss proposed detention location(s).
 18. Discuss cross-section "B-B" and possible need for a waiver.
 19. Discuss proposed South Broadway access and improvements per zoning development plan.
- c. DP 2012-10: ROGERS & CLARK ADDITION, (LOTS 21, 22, 23 & 24) (LEX. HEARING & SPEECH CENTER) (4/28/12)* - located at 154 – 162 North Ashland Avenue. (Council District 3) **(Mark McCain)**

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. Division of Waste Management's approval of refuse collection.

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- d. DP 2012-11: LEXINGTON MALL (AMD. #13) (SOUTHLAND CHRISTIAN CHURCH) (4/28/12)* - located at 2299, 2349 and 2401 Richmond Road. (Council District 5) **(Strand Associates)**

Note: The purpose of this amendment is to add an outlot, revise parking and drive aisles, and reduce the pond/detention basin area along Richmond Road.

The Subdivision Committee Recommended: **Postponement**, for the following reasons:

1. The new bank outlot proposed for the property seems to violate the visibility and building setback (from Richmond Road) that was in effect for the adjacent big-box store as recently as 2010.
2. The amendment will, as proposed, adversely alter the essential character of the development originally approved along Richmond Road, as a significant "water feature" approved in 2010 is to be virtually eliminated.

The staff wishes to further explore these matters prior to making a substantive recommendation on this proposed amendment.

- e. DP 2012-12: FOUNTAIN PLAZA, UNIT 2 (EAGLE CREEK OFFICE PARK) (LOTS 15 & 17) (AMD. #2) (4/28/12)* - located at 211 and 245 Fountain Court. (Council District 7) **(Midwest Engineering, Inc.)**

Note: The purpose of this amendment is to reconfigure parking and buildable areas on Lots 15 & 17 due to the additional building square footage on Lot 15.

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. 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. Dimension sidewalks.
 11. Release of easement conflict prior to certification.
 12. Correct floodplain reference.
- f. DP 2011-62: RIDDELL PLAZA, LOTS 1 & 4 (5/22/12)* - located at 301 and 313 Burley Avenue. (Council District 3) **(EA Partners)**

Note: This plan was approved by the Planning Commission at its September 8, 2011, meeting, 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. 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. 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.
11. Document compliance with Article 15-7 of the Zoning Ordinance (infill regulations).
12. Document ownership of Burley Park prior to plan certification.

Note: The applicant has now requested a continued discussion to change the development from multi-family residential to 22 townhouses.

The Subdivision Committee Recommended: **Postponement**. There were concerns related to open space and off-street parking.

Should this plan be approved, the previous 12 conditions should be considered, plus the following additional requirements:

13. Provided the Planning Commission makes a finding regarding the use of an access easement.

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14. Provided the Board of Adjustment grants a variance to parking maximum, open space and the required project exterior yard.
15. Clarify overall open space in site statistics.
16. Addition of the number of bedrooms to the site statistics.
17. Revise off-street parking statistics to indicate 1.5 spaces per unit are required.
18. Review by Technical Committee prior to plan certification.
19. Discuss note #18.

- g. DP 2011-95: NEWTOWN SPRINGS (TRILOGY LEXINGTON HEALTH CAMPUS #3) (5/22/12)* - located at 564 Asbury Lane (a portion of). (Council District 1) **(Strand Associates)**

Note: This plan was approved by the Planning Commission at its December 8, 2011, meeting, 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 significant trees, if any, on the site.

Note: The applicant has requested a continued discussion of this plan in order to add 1,182 square feet of floor area.

The Subdivision Committee Recommended: **Approval**, subject to the previous 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 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.
- A. **HOUSE BILL 55 TRAINING OPPORTUNITY** - There will be an APA audio conference on Wednesday, March 14, 2012 from 4:00 until 5:30 in the Division of Planning Conference Room on the 7th floor of the Phoenix Building. The title of this training session is "Urban Agriculture and Food Systems Planning" and will count toward 1.5 hours of training credit.
- 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	March 15, 2012
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 22, 2012
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 28, 2012
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 29, 2012
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 5, 2012
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	April 5, 2012
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	April 12, 2012

IX. **ADJOURNMENT**

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