

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

April 12, 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, April 5, 2012, at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, 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, Barbara Rackers, Dave Jarman and Jim Duncan, 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. PRELIMINARY SUBDIVISION PLANS

- a. **PLAN 2012-14P: HAMBURG PLACE COMMUNITY, PHASE II (AMD) (6/2/12)*** - located at 2350 Winchester Road (a portion of). (Council District 6) **(Vision Engineering)**

Note: The purpose of this amendment is to add four residential 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. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Indicate elevation of regulatory floodplain.
9. Correct note 5.

- b. **PLAN 2003-209P: MASTERSON HILLS & MASTERSON STATION, UNIT 10 (6/2/12)*** - located at 2900-2918 and 3000 Spurr Road. (Council District 2) **(EA Partners)**

The Subdivision Committee Recommended: **Postponement**. There are concerns about compliance with cemetery protection measures.

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

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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan and required street tree information.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Denote source of contours.
8. Addition of proposed utilities and utility provider information.
9. Addition of average lot size in site statistics.
10. Denote 50' "No Disturbance" area around the cemetery.
11. Discuss compliance with Article 3-7(b)(4) of the Zoning Ordinance.

2. FINAL SUBDIVISION PLANS

- a. PLAN 2012-15F: HENRY CLAY SUBDIVISION, UNIT 11, SEC. 3, LOTS 106, 107 & 108 (AMD) (6/2/12)* - located at 737, 741 and 745 Pioneer Lane. (Council District 5) **(Carroll Engineers)**

Note: The purpose of this amendment is to subdivide two lots into three 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 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 name and address of property owner and developer.
 8. Addition of lot frontage to site statistics.
 9. Addition of right-of-way to site statistics.
 10. Remove consolidation information and references.
 11. Denote date of preparation.
 12. Denote all private utility providers.
 13. Denote proposed driveway locations.
 14. Add "Amended" to plan title.
 15. Prior to certification, document ability to comply with Article 4-7(e)(4) of the Land Subdivision Regulations.
- b. PLAN 2012-16F: SANTA BARBARA & LUCILLE CAUDILL LITTLE PROPERTY, UNIT 1A, LOT 1A (AMD) (6/2/12)* - located at 2400 Old Frankfort Pike and 2407 Mackinwood Drive. (Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to revise the public street right-of-way.

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).
 6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 7. Resolve possible need for tree preservation areas along rear of Lots 1 and 2 and riparian zone of Lots 3 and 4.
- c. PLAN 2012-17F: HAMBURG PLACE MALL, UNIT 1, PARCEL 2, LOT 4 (AMD) (6/2/12)* - located at 2145 Sir Barton Way. (Council District 6) **(CLS Engineers)**

Note: The purpose of this amendment is to subdivide one lot into two.

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.

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

6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Verify ability to meet requirements of Article 4-7(e)(4) of the Land Subdivision Regulations.
8. Add easement dimensions per subdivision plat M/746.

3. DEVELOPMENT PLANS

- a. DP 2012-7: TATTERSALLS APARTMENT DEVELOPMENT (HALLMARK STUDENT DEVELOPMENT) (4/12/12)* - located at 843 South Broadway and 1200 Red Mile Road (a portion of). (Council District 11) **(Vision Engineering)**

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

1. Provided the Urban County Council approves ZOTA 2012-3; otherwise, any Commission action of approval is null and voided.
2. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree protection plan.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Addition of proposed lotting.
10. Clarify existing tree canopy to remain.
11. Denote Board of Adjustment's approval of dimensional variances.
12. Extend sidewalk to connect to South Broadway.
13. Denote actual height of building in feet.
14. Provided the Planning Commission grants a waiver to Articles 6-8 and 6-10(b) of the Land Subdivision Regulations.
15. Kentucky Department of Transportation's approval for the proposed improvements to South Broadway.
16. Discuss proposed building envelopes.
17. Discuss ability to meet required tree canopy.
18. Discuss the proposed South Broadway access improvements, per ZDP.

- b. DP 2012-17: HAMBURG PLACE MALL, UNIT 1, PARCEL 2, LOT 4 (AMD) (6/2/12)* - located at 2145 Sir Barton Way. (Council District 6) **(Barrett Partners)**

Note: The purpose of this amendment is to add a 5,100 square-foot restaurant.

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 purpose of amendment note.

- c. DP 2012-18: FAMILY CENTER, UNIT 1A, LOT 5 (AMD) (6/2/12)* - located at 1114 East New Circle Road. (Council District 5) **(GRW)**

Note: The purpose of this amendment is to replace the building, add two drive-throughs, and revise access.

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 plan title name and type.
9. Correct note #8.
10. Denote new sidewalk in street cross-section and along New Circle Road frontage, to the approval of Kentucky Department of Transportation.
11. Denote rain garden design will be to the approval of the Division of Water Quality.

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- d. DP 2012-19: BEAUMONT FOREST, UNIT 1, LOT 4E (AMD) (6/2/12)* - located at 2429 Members Way.
(Council District 10) **(Carman & Associates)**

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

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. Addition of record plan designation.
 10. Addition of all proposed and existing easements on the adjacent properties per the previous development plan and record plat.
 11. Delete 12' building line on each side of the property.
 12. Resolve significant tree (36" maple) and possible need for protection measures.
- e. DP 2012-20: LEXINGTON CLINIC (AMD) (6/2/12)* - located at 1225 South Broadway.
(Council District 11) **(Erdman Company)**

Note: The purpose of this amendment is to add square footage to the surgical center.

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 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. Addition of all information from current certified development plan.
 9. Correct note #5.
 10. Addition of required topographic contours.
 11. Demonstrate compliance with Article 21-4(e) prior to certification.
 12. Denote sanitary sewer trunk line on northern portion of property.
- f. DP 2012-23: GEORGE WEST ESTATE PROP. (HOWARD PROP.)(AMD) (7/26/12)* - located at 4538, 4568 & 4578
Georgetown Road. (Council District 12) **(Vision Engineering)**

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

The Subdivision Committee Recommended: **Postponement**. There are questions about the relocation proposed for the site's sewage septic field, and possible subdivision of the property.

Should this plan be approved, the following requirements should be considered:

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 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. Health Department's approval of septic system.
9. Correct plan title and A-R/B-3 zoning boundary.
10. Denote construction access location.
11. Denote building heights.
12. Addition of floodplain information and 25' floodplain setback.
13. Addition of 20' (B-3) building line.
14. Relocate C-store and canopy in B-3 zone per the Board of Adjustment's conditional use permit approval in 2005.
15. Addition of tree preservation information from previous development plan.
16. Addition of topographical information.
17. Denote grease trap approval by the Division of Water Quality (sanitary sewer).
18. Review by Technical Committee prior to plan certification.

19. Discuss consolidation information and number of lots proposed.
20. Discuss stormwater detention for the development.
21. Discuss proposed septic field location and possible conflict with floodplain.

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 ITEM – The Chair will announce that any item a Commission member would like to present will be heard at this time.

A. PLANNING COMMISSION BY-LAWS AMENDMENT – The Chair will announce that the Commission will consider making a few changes to their By-laws to allow for time limitations to be imposed on public input with regard to contested subdivision and development plans.

VI. STAFF ITEMS – The Chair will announce that any item a Staff member would like to present will be heard at this time.

A. DP 2012-16: WALLER PROPERTY (AMD) – located at 1528, 1532 and 1534 North Limestone.
(Council District 1)

(Midwest Engineers)

The staff will report at the meeting.

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	April 19, 2012
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 25, 2012
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	April 26, 2012
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	May 3, 2012
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	May 3, 2012
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	May 10, 2012

IX. ADJOURNMENT

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