

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

May 10, 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** – The minutes of April 12, 2012, 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, May 3, 2012, at 8:30 a.m. The meeting was attended by Commission members: Eunice Beatty, Will Berkley, Marie Copeland, Mike Owens, Frank Penn and Carolyn Plumee. 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, Dave Jarman and Denice Bullock, 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 these hearings is as follows:~~

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the meeting. The Chair will announce its decision at the outset of the hearing.

1. PRELIMINARY SUBDIVISION PLANS

- a. **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)**

Note: The Planning Commission postponed this plan at their April 12, 2012, meeting.

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

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.

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

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 2012-30F: RIVER PARK SUBDIVISION, UNIT 3-D, SEC. 2, LOT 1-A (AMD) (6/30/12)* - located at 3701 Trent Circle. (Council District 8) **(Yuriy Radyk)**

Note: The purpose of this amendment is to subdivide one lot into two lots and to reduce the building line to 10 feet along Trent Boulevard.

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 plan 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 approved final development plan.
 9. Addition of adjacent property information (including dashed lines) (Art. 5-4(d)(1) of the Land Subdivision Regulations).
 10. Identify all boundary line bearings to indicate degrees, minutes & seconds (Art. 5-4(d)(2) of the Land Subdivision Regulations).
 11. Correctly identify all easements (Art. 5-4(d)(4) of the Land Subdivision Regulations).
 12. Identify location of permanent control monuments (Art. 6 of the Land Subdivision Regulations).
 13. Correct owner's certification.
 14. Addition of applicable engineering/surveyor's certification to the approval of the Division of Engineering.
 15. Complete Urban County Engineer's certification.
 16. Verify ability to comply with Art. 4-7(e)(4) of the Land Subdivision Regulations prior to certification (with engineer's contact information – name, address & phone #).
 17. Delete note #4.
 18. Correct notes #1 & 5.
 19. Denote driveway location to the approval of the Division Traffic Engineering.
 20. Discuss 20' building line setback on Trent Boulevard.
- b. PLAN 2012-31F: ANGLIANA AVENUE – TRINITAS HOUSING PROJECT (AMD) (6/30/12)* - located at 497 Angliana Avenue. (Council District 2) **(Endris Engineering)**

Note: The purpose of this amendment is to create 3 lots and new 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. 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. Verify lot dimensions with development plan dimensions.
 8. Complete site statistics (lot frontage).
 9. Remove deed tract line from plan.
 10. Denote release of access and utility easement along southern boundary.
 11. Denote timing of intersection improvements and information needed on plat.
- c. PLAN 2012-32F: LOCHMERE ESTATES (MAPLE RIDGE), UNIT 1-A, SEC. 1 (AMD) (6/30/12)* - located at 651 Chilesburg Road. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to increase and reconfigure the lots, realign the pedestrian trail, update the notes, indentify future lots and revise the development standards.

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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. Bike and Pedestrian's Planner's approval of bike trails and pedestrian facilities.
 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 approved final development plan.
 9. Exactions shall be to the approval of the Division of Planning.
 10. Addition of bearings, calls and acreage for lot 62.
 11. Clarify site statistics to account for all future lots proposed.
 12. Complete owner's certification.
 13. Denote flood protection elevations that apply to any lots.
 14. Correct note #8.
 15. Add standard note regarding silt control requirements.
 16. Certification of Final Development Plan prior to plan certification.
- d. PLAN 2012-33F: LOCHMERE ESTATES (MAPLE RIDGE), UNIT 1-B, SEC. 1 (AMD) (6/30/12)* - located at 651 Chilesburg Road. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to increase and reconfigure the lots, realign the pedestrian trail, update the notes, identify future lots and revise the development standards.

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. Bike and Pedestrian's Planner's approval of bike trails and pedestrian facilities.
 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 approved final development plan.
 9. Exactions shall be to the approval of the Division of Planning.
 10. Clarify site statistics to account for all future lots proposed.
 11. Addition of bearings, calls and acreage for lots 60 and 61.
 12. Clarify owner's certification.
 13. Correct note #8.
 14. Add standard note regarding silt control requirements.
 15. Certification of Final Development Plan prior to plan certification.
- e. PLAN 2012-17F: HAMBURG PLACE MALL, UNIT 1, PARCEL 2, LOT 4 (AMD) (7/24/12)* - located at 2145 Sir Barton Way. (Council District 6) **(CLS Engineers)**

Note: This plan was approved by the Planning Commission at its April 12, 2012, 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.
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. 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.

Note: The applicant is now requesting a waiver to Article 4-7 of the Land Subdivision Regulations.

The Staff will report at the meeting.

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- f. PLAN 2012-35F: NEWTOWN SPRINGS, UNIT 2A, LOT 15 (AMD) (7/17/12)* – located at 1381 Silver Springs Drive.
(Council District 1) **(Strand Associates)**

The purpose of this amendment is to create 5 acre lot and a sanitary sewer 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.
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. Correct adjoining property Cabinet and Slide information (Unit 2-B).
8. Add deed book, cabinet and slide information for Palumbo Property tract.
9. Addition of number of street tree required for Lot 16 (per Cab. M, Sl. 976).
10. Addition of conditional zoning restrictions.
11. Certification of final development plan prior to plan certification.
12. Addition of Citation Boulevard temporary easement note.
13. Clarify or denote that Lot 16 is not subject to final development plan.
14. Review by the Technical Committee prior to certification.
15. Provided the Planning Commission grants a waiver to Article 4-7(d)(1) of the Land Subdivision Regulations.

3. DEVELOPMENT PLANS

- a. 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 Planning Commission postponed this plan at their April 26, 2012, meeting. The purpose of this amendment is to revise the building and parking configurations.

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. Health Department's approval of septic system prior to certification.
 9. Denote building heights.
 10. Remove pavement more than 50' from the B-3 zone per the Board of Adjustment's conditional use permit approval in 2005.
 11. Identify stormwater detention location for the development outside of the floodplain.
- b. DP 2012-25: SCOTT STREET LOFTS (AMD) (6/30/12)* - located at 341 Scott Street.
(Council District 3) **(EA Partners)**

Note: The purpose of this amendment is to revise the number residential units and the commercial floor area.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers 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. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
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 purpose of amendment note.
10. Addition of topographic information.
11. Clarify cross-sections.
12. Revise note #4.
13. Denote storm water detention location.
14. Denote number of bedrooms in site statistics.

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15. Revise note #7 to the approval of the Division of Planning.
16. Indicate bike rack location.

- c. DP 2012-26: LAKEVIEW ESTATES, UNIT 2, BLK J (AMD) (6/30/12)* - located at 515 Laketower Drive.
(Council District 5) **(Barrett Partners)**

Note: The purpose of this amendment is to add four dwelling units and revise the parking layout.

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. Denote record plat designations.
10. Denote construction access location.
11. Correct note #7 to refer to the Division of Engineering Manuals.
12. Resolve side yard setback on townhomes.
13. Resolve building envelope and sidewalk conflict.

- d. DP 2012-27: HOPE CENTER APARTMENTS (AMD) (6/30/12)* - located at 1518 Versailles Road.
(Council District 11) **(Carman & Associates)**

Note: The purpose of this amendment is to add an outdoor pavilion and an outdoor storage building.

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

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Building Inspection's approval of landscaping and landscape buffers.
3. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection plan.
5. Division of Waste Management's approval of refuse collection.
6. Complete Commission's certification.

- e. DP 2012-28: THE APIARY PROPERTY, LLC (6/30/12)* - located at 218 Jefferson Street.
(Council District 1) **(Wheat and Ladenburger)**

Note: This property requires the posting of a sign and an affidavit of such.

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 erosion control note to reference Article 16 of the Code of Ordinances.
9. Document off-site parking agreement(s) prior to certification.
10. Denote Article 18 compliance adjacent to R-3 property.
11. Denote grease trap information necessary for new restaurant use.
12. Identify existing/proposed use for "existing one-story block building."
13. Denote timing of public art and "green" features relative to the adaptive reuse activities.

- f. DP 2012-29: ELLERSLIE PLACE, LOT 2 (MIDLAND CROSSING) (AMD) (6/30/12)* - located at 225 Walton Avenue.
(Council District 3) **(Milestone Design)**

Note: The purpose of this amendment is to revise the proposed development.

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.

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5. Urban Forester's approval of tree protection plan (10% canopy).
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike and Pedestrian Planner's approval of 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. Correct plan title.
 11. Clarify zoning information along Midland Avenue.
 12. Verify ability to meet requirements of Art. 21-4(e) of the Zoning Ordinance.
 13. Complete pedestrian access from Walton Avenue to the new development.
- g. DP 2007-94: BEAUMONT FARM, UNIT 10 (B-6P AREA) (AMD.) (10/12/07)* - located at 3155-3199 Beaumont Centre Circle. (Council District 10) **(The Roberts Group)**

Note: This plan was approved by the Planning Commission at its August 9, 2007, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections (left turn into property).
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. Environmental Planner's approval of environmentally sensitive areas.
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. Correct plan title.
11. Addition of developer's name and address.
12. Document compliance with Article 12-7(b) of the Zoning Ordinance.
13. Addition of metes and bounds description and bar scale.
14. Document compliance with off-street parking requirements.
15. Correct Planning Commission certification.
16. Clarify building coverage and gross floor area.
17. Resolve easement conflict on rear property line.
18. Denote compliance with adopted Big Box Guidelines.

In addition, the following conditions were made part of the Commission's approval after reviewing the associated Staff Report on compliance with the Big-Box Design Guidelines:

- a. Increase the screening for the loading docks and trash compactor from the adjacent residential area to the northwest.
- b. Provide additional screening along the interior access drive and the perimeter of the property from the Beaumont Centre Circle entrance to the proposed screening on Majestic Drive.
- c. Expand the "new thermoplastic white stripes on concrete" to a minimum of 100' along the front, centered on each entrance.
- d. Provided the Planning Commission grants the waiver of Guidelines # 6 and #7. Staff recommends approval of this waiver with the additional screening provided along the rear property line resulting in a stronger landscape buffer over and above the existing condition.
- e. Revise the development plan to demonstrate compliance with Guideline # 1 on the left side wall of the proposed building.
- f. Provide additional bike racks near the entrances to the Kroger Store.
- g. Locate the transit shelter to the approval of LexTran.

Note: The applicant has now requested a reapproval of this plat.

The Staff Recommended: **Reapproval**, 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 ITEM** – The Chair will announce that any item a Commission member would like to present will be heard at this time.
- A. **RESOLUTION FOR FORMER PLANNING COMMISSION MEMBER** – At this time, the Commission and the staff would like to express their sincere appreciation to Dr. Derek Paulsen for his dedication and service to the Planning Commission and the citizens of Lexington-Fayette County.
- VI. **STAFF ITEMS** – The Chair will announce that any item a Staff member would like to present will be heard at this time.

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- 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	May 17, 2012
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	May 24, 2012
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	May 30, 2012
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	May 31, 2012
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building).....	June 7, 2012
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	June 7, 2012
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	June 14, 2012

IX. ADJOURNMENT

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