

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

November 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, November 1, 2012, at 8:30 a.m. The meeting was attended by Commission members: Will Berkley, Frank Penn, Mike Owens, Carolyn Plumlee and Karen Mundy. 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, Chris Taylor, Dave Jarman, Denice Bullock, Barbara Rackers, Cheryl Gallt, Cindy Deitz and Kenzie Gleason, as well as Captain Charles Bowen, Division of Fire & Emergency Services; and Tracy Jones, Department of Law. 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 his/her decision at the outset of the hearing.

1. **PRELIMINARY SUBDIVISION PLANS**

- a. **PLAN 2012-101P: TUSCANY, UNIT 8 (12/3/12)*** - located at 1970 Winchester Road.
(Council District 6) **(EA Partners)**

Note: The Planning Commission postponed this plan at their October 11, 2012 meeting.

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. Denote construction access location.
7. Addition of street right-of-way acreage to site statistics.
8. Resolve addition of tree protection areas and possible utility easement conflict.

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

9. Discuss existing and proposed "A-A" cross-section on Battery Street, and Comprehensive Plan recommendation for a collector street.

- b. PLAN 2012-113P: TUSCANY, UNIT 9 (12/30/12)* - located at 1970 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

The Subdivision Committee Recommended: **Postponement**. There are several internal street issues that need to be addressed concerning street connectivity, patterns and stub streets to undeveloped residential areas.

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 preservation plan and required street tree information.
6. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Discuss connections to future development areas to the northeast and southwest.
8. Discuss timing of street connectivity to Battery Street.
9. Discuss proposed street pattern and the number of lots served by only one access.
10. Discuss plan boundaries.
11. Discuss electric utility crossing of existing gas easement.

- c. PLAN 2012-114P: HOUGHAM PROPERTY (12/30/12)* - located at 1100 Alexandria Drive.
(Council District 12) **(Eagle Engineering)**

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 preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Correct plan title.
8. Correct date of preparation.
9. Denote record plan information for property on plan.
10. Denote name and address of property owner and developer.
11. Denote private utility providers.
12. Darken topographic lines shown.
13. Denote right-of-way acreage and lineal feet of right-of-way.
14. Resolve emergency access to Alexandria Drive to the approval of the Divisions of Fire and Traffic Engineering.
15. Denote tree protection areas proposed along site periphery.
16. Correct notes #5 and #9.

2. FINAL SUBDIVISION PLAN

- a. PLAN 2012-103F: FULLER ET AL. & MEADOWTHORPE COMMUNITY BUSINESS CENTER, UNIT 1 (AMD)
(12/3/12)* - located at 1315 and 1317 West Main Street. (Council District 2) **(2020 Land Surveying)**

Note: The Planning Commission postponed this plan at their October 11, 2012 meeting. The purpose of this amendment is to subdivide 1315 and 1317 West Main Street 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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Addition of north arrow.
7. Correct owner's certification (misspelled word).
8. Addition of utility easement to 10' building line.

- b. PLAN 2012-115F: MAHAN PROPERTY, UNIT 1-B, SECTION 2 (12/30/12)* - located at 441 - 449 Madison Point Drive.
(Council District 9) **(EA Partners)**

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.

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2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas (steep slopes).
7. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.

- c. PLAN 2012-116F: SHARKEY PROPERTY, UNIT 3, SECTION 4 (12/30/12)* - located at 1700 Leestown Road.
(Council District 2) **(EA Partners)**

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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Add tree canopy square footage calculations to existing note and identify planting required on Lots 43-50.

3. **FINAL DEVELOPMENT PLANS**

- a. DP 2012-83: LEXINGTON MEDICAL ARTS PROFESSIONAL, INC., LOT 3 (AMD) (12/3/12)* - located at 2368 Professional Heights Drive. (Council District 4) **(Wheat & Ladenburger)**

Note: The Planning Commission continued this item from their October 11, 2012, meeting. The purpose of this amendment is to delete office space and add an extended-stay hotel.

The Subdivision Committee Recommended: **Postponement**. There are remaining questions about storm water drainage improvements that may be needed on the northeast ½ of the subject property, due to the increase in impervious surfaces that are proposed.

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. Department of Environmental Quality's approval of environmentally sensitive areas.
7. 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 Waste Management's approval of refuse collection.
8. Denote construction access locations.
9. Remove sign from plan.
10. Remove hatching on building to improve legibility.
11. Complete existing access drive to Trader Joe's parking lot as per the approved development plan.
12. Relocate dumpster location to be further away from adjacent single family homes.
13. Denote Board of Adjustment approval of conditional use permit prior to plan certification.
14. Discuss stormwater detention concept and/or basin location on the northeast corner of the extended-stay hotel lot.

- b. DP 2012-88: CLARK PROPERTY, UNIT 3 (1/29/13)* - located at 1551 Deer Haven Lane (a portion of).
(Council District 12) **(EA Partners)**

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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Delete note #13.
8. Denote location of cross-section for Polo Club Boulevard on plan.
9. Denote TPA area(s), if any.

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10. Provided the Planning Commission makes a finding that the plan complies with the EAMP.
 11. Dimension proposed easements.
 12. Denote that exaction fee amounts shall be determined at the time of Final Record Plat, to the approval of the Division of Planning.
 13. Resolve parking restrictions or the need for a wider cross-section on Sweet Clover along Lots 6, 7, 43 and 42.
- c. DP 2012-89: NEWMARKET PROPERTY, PH 1, UNIT 10 (1/29/13)* - located at 1501 Deer Haven Lane (a portion of).
(Council District 12) **(EA Partners)**

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.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation 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. Dash all adjacent property lines.
 9. Provided the Planning Commission makes a finding that the plan complies with the provisions of the EAMP.
 10. Denote that exaction fee amounts shall be determined at the time of Final Record Plat, to the approval of the Division of Planning.
 11. Discuss the continuation of storm water management improvements proposed for the adjacent property.
 12. Discuss status of constructed wetlands per the EAMP.
 13. Discuss possible need for tree protection areas on lots 20-25 & 30-34, and possible easement conflicts.
 14. Discuss proposed KU sewer line easement conflict with proposed lotting.
- d. DP 2012-90: PRESTON ADDITION SUBDIVISION/ERIKA L. STRECKER PROPERTY (12/30/12)* - located at 609 –
613 W. Third Street and 256 Newtown Pike. (Council District 2) **(Perkins Landscape)**

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 preservation plan.
 6. Bike & 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. Remove extraneous notes #8 and #10.
 10. Remove "Land Surveyor's Certification" from "origin of bearings" note title.
 11. Resolve landscape buffering for R-2 use to the east.
 12. Denote sanitary sewer easement to the approval of the Division of Engineering.
 13. Add required engineering manual note.
 14. Resolve the need and possible location for pedestrian crosswalk on W. Third Street.
 15. Denote replacement of sidewalks to the approval of Traffic Engineering.
- e. DP 2012-91: MICHAEL GENTRY, DVM PROPERTY, LOT 2 (AMD) (12/30/12)* - located at 101 Sand Lake Drive.
(Council District 7) **(Midwest Engineering)**

Note: The purpose of this amendment is to add a one-story building and parking on Lot 2.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the sight distance for the proposed access at the rear of Lot 2.

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 preservation plan.
6. Bike & 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.

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9. Denote adjacent property information.
10. Addition of Lot 1 information to development plan.
11. Addition of access information from adjacent lot to Sand Lake Drive.
12. Extend sidewalk along Richmond Road frontage.
13. Addition of grease trap note to the approval of the Division of Water Quality.
14. Correct note #8.
15. Addition of entrance detail note per previous plan.
16. Discuss need for connection to Lot 1.
17. Discuss Sand Lake Drive access alignment with Zaxby's property.
18. Discuss access agreement to 50' access easement.
19. Discuss note #9.
20. Discuss note #15 (relative to note #12 on the approved plan).

- f. DP 2012-92: BELLEAUWOOD SHOPPING CENTER (TATES CREEK SHOPPING CENTER) (AMD) (12/30/12)* - located at 4191 Tate's Creek Centre Drive. (Council District 4) **(The Roberts Group)**

Note: The purpose of this amendment is to increase the square footage and buildable area on Lot 2.

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 preservation plan.
6. Bike & 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. Denote pedestrian access connection from sidewalk to building entrance on Lot 2.
10. Addition of building dimensions on Lot 8 from recent amendments.

- g. DP 2012-96: HARRODS HILL ESTATES, UNIT 2H, SEC. 1, #76 (1/12/13)* - located at 3475 Lyon Drive. (Council District 10) **(Stidham Commercial Partners, Inc.)**

Note: The purpose of this amendment is to increase the building floor area by 143 square foot on Unit 76.

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 preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Clarify that addition will be 15' from sidewalk (ROW).

- h. DP 2012-97: CHESAPEAKE EQUINE (1/12/13)* - located at 1024 Greendale Road. (Council District 2) **(EA Partners)**

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 preservation 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. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Division of Fire's approval of property access details and fire hydrant locations.
10. Division of Waste Management's approval of refuse collection.
11. Denote record plat designation Cabinet "N" Slide "326."
12. Addition of street and access easement cross-section.
13. Addition of conditional zoning restrictions from previous plan.
14. Denote access point on the other side of Greendale Road.
15. Dimension clubhouse building.
16. Adjust 20' setback on southern boundary to meet Article 9 requirements.
17. Delete proposed right-of-way for cul-de-sac into property or label as a private street.
18. Resolve access connection to Greendale Road.
19. Eliminate building envelope conflict with 100' KU transmission easement.

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

20. Delineate pond/detention basin limits on plan.
21. Review by Technical Committee prior to plan certification.

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.

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

A. PFR 2012-3: FAYETTE COUNTY PUBLIC SCHOOLS BRYAN STATION HIGH SCHOOL BAND TOWER – located at 1866 Edgeworth Drive.

STAFF RECOMMENDATION: Approval, as requested, with the following recommendation:

1. Even though the Fayette County Public School System is exempt from Zoning Ordinance requirements, it must still comply with State Building Code requirements. It is therefore recommended that any applicable permits be obtained from the Division of Building Inspection prior to commencing construction and prior to use of the band tower.

B. CT 2012-1 – An application for construction of a 199' cellular tower monopole in the Agricultural Rural (A-R) zone, at 1811 Iron Works Pike.

STAFF RECOMMENDATION: The staff recommends postponement. While the application clearly meets many of the requirements of Article 25 there are a number of questions that must still be assessed before providing a definitive recommendation with regard to the proposed tower.

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

VIII. 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.

IX. NEXT MEETING DATES

Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers	November 15, 2012
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	November 29, 2012
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	November 28, 2012
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	December 6, 2012
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	December 6, 2012
Subdivision Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers.....	December 13, 2012

X. ADJOURNMENT