

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

January 17, 2013

- 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 the November 8, 2012 and November 15, 2012, meetings 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, January 10, 2013, at 8:30 a.m. The meeting was attended by Commission members: Will Berkley, Eunice Beatty, 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, Cheryl Galt, Chris Taylor, Barbara Rackers, David Jarman and Denice Bullock, as well as Captain Charles Bowen, Division of Fire & Emergency Services and Tracy Jones, 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. FINAL SUBDIVISION PLANS

- a. **PLAN 2013-1F: MAHAN PROPERTY, UNIT 2A (2/24/13)*** - located at 2980 Man O' War Boulevard.
(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 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 area(s) and required street tree information.
6. Bike & Pedestrian 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. Complete 25' floodplain setback on Lot 75.

- b. **PLAN 2013-2F: RIDDELL PLAZA, LOTS 1-22 (AMD) (2/24/13)*** - located at 301-343 Burley Avenue.
(Council District 3) **(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.

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

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. Addition of access easement maintenance note.
8. Addition of access easement locations and dimensions.
9. Delete or clarify note #5.
10. Denote reciprocal access and parking on plan.
11. Provided the Planning Commission makes a finding on the use of an access easement.

- c. PLAN 2013-3F: COLDSTREAM RESEARCH CAMPUS, UNIT 6 (2/24/13)* - located at 1350 Bull Lea Road (a portion of). (Council District 2) **(Strand & Associates)**

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 area(s) and required street tree information.
6. Bike & Pedestrian 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. Addition of building line on Lot 5.
9. Label all areas of zoning on the property and on adjacent property.
10. Correct zoning in site statistics.
11. Denote waiver approved by the Planning Commission and street maintenance agreement.
12. Resolve access across Lot 1 to L.T. Ruth Property.

- d. PLAN 2013-4F: GLEN AT LOCHDALE, UNIT 4-F (2/24/13)* - located on Golden Trophy Trail east of Winthrop Drive. (Council District 9) **(Eagle Engineering)**

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the difference in utility easements between the record plat and the approved development plan.

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.
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 & Pedestrian 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. Addition of Man O' War Boulevard cross-section.
9. **Denote:** This property shall be developed in accordance with the approved final development plan.
10. Addition of "Record" to the plan title.
11. Dash boundary lines of adjacent property (to clarify extent of plat).
12. Label access cross-sections on plan face.
13. Addition of a list of private utilities.
14. Correct numbering in the general notes (note #7).
15. Discuss status of approved Development Plan/Preliminary Subdivision Plan.

- e. PLAN 2013-5F: PRATT ADDITION, LOTS 11A & 11B (2/24/13)* - located at 633 and 635 Bellaire Avenue. (Council District 1) **(Endris Engineering)**

Note: The purpose of this amendment is to subdivide one lot into two 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 tree protection area(s) and required street tree information.

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6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Complete adjoining property information (deed reference) for Lots 11 & 12.

2. DEVELOPMENT PLANS

- a. 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: The Planning Commission postponed this plan at their November 8, 2012 and December 13, 2012, meetings. 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 easement conflict with proposed lotting.
- b. DP 2012-104: LAKEVIEW ESTATES, UNIT 2B, BLKS J & K, UNIT 2E (AMD) (2/13/13)* - located at 475, 503, 517 & 519 Laketower Circle. (Council District 5) **(Barrett Partners)**

Note: The Planning Commission postponed this plan at their December 13, 2012, meeting. The purpose of this amendment is to add a six-story apartment building.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding compliance with the height-to-yard ratio and conflict with proposed lotting.

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 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. Division of Fire's approval of emergency access and fire hydrant locations.
 9. Division of Waste Management's approval of refuse collection locations.
 10. Addition of zoning information for duck pond area.
 11. Clarify square footage used in floor area calculation.
 12. Discuss proposed lotting conflict with building location.
 13. Discuss compliance with required building height-to-yard ratio.
- c. DP 2013-1: HIGBEE MILL RESERVE (AMD) (2/24/13)* - located at 4250 and 4290 Harrodsburg Road (a portion of). (Council District 10) **(EA Partners)**

Note: The purpose of this amendment is to construct 168 units and associated off-street 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 preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.

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7. Division of Fire Water Control Office's approval of fire hydrants, fire department connections and fire service features locations.
 8. Division of Waste Management's approval of refuse collection.
 9. Revise purpose of amendment note.
 10. Correct Planning Commission certification.
 11. Denote adjoining zoning information.
 12. Denote "farm gate" information on plan, to the approval of the Division of Fire.
 13. Resolve development of proposed duplex lot.
 14. Resolve timing of Stedman Lane dedication.
 15. Resolve building encroachment into drainage easement.
 16. Resolve pool deck encroachment into storm sewer easement.
- d. DP 2013-2: WATTS FARM, TRACT 4 (AMD #5) (2/24/13)* - located at 420 and 430 Redding Road.
(Council District 4) **(EA Partners)**

Note: The purpose of this amendment is to revise the fitness facility footprint on tract B.

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. Division of Fire Water Control Office's approval of fire hydrants, fire department connections and fire service features locations.
7. Division of Waste Management's approval of refuse collection.
8. Clarify whether or not "tennis courts" will remain.

- e. DP 2013-4: PINNACLE, LOT 1 (AMD) (2/24/13)* - located at 1099 Duval Street.
(Council District 8) **(Midwest Engineering)**

Note: The purpose of this amendment is to depict the proposed signage for office building on Lot 3, as required by conditional zoning restrictions, and to reconfigure the free-standing sign on Tates Creek Road.

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. Division of Fire Water Control Office's approval of fire hydrants, fire department connections and fire service features locations.
6. Addition of dimensions for access point.
7. Replace free-standing sign information depicted with that for FOP sign that has been erected.

- f. DP 2013-5: MANCHESTER DEVELOPMENT (AMD) (2/24/13)* - located at 922, 926 and 930 Manchester Street. (Council District 2) **(Barrett Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this amendment is to add 922, 926 and 930 Manchester Street for a new building as part of this Adaptive Reuse Project.

The Subdivision Committee Recommended: **Postponement**, due to the number of conditions recommended for this plan.

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 preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire Water Control Office's approval of fire hydrants, fire department connections and fire service features locations.
8. Division of Waste Management's approval of refuse collection.
9. Correct purpose of amendment note.
10. Clarify the area of amendment.
11. Dimension sidewalks.

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12. Denote construction access point location.
13. Addition of height of building.
14. Clarify possible parking conflict with canopy supports.
15. Correct Commission's certification date.
16. Identify property boundaries with solid lines (except for off-site parcels).
17. Correct note #1.
18. Clarify site statistics, including required and provided parking.
19. Clarify proposed uses, including square footage and parking requirements.

- g. DP 2013-7: NEWMARKET PROPERTY, UNIT 7 & A PORTION OF UNIT 1 (AMD) (3/26/13)* - located at 1321 and 1201 Deer Haven Lane. (Council District 12) **(EA Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this amendment is to increase the number of single family lots, reduce the number of townhouses and to revise certain plan notes.

The Subdivision Committee Recommended: **Postponement**, due to the number of conditions recommended for this plan.

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 preservation plan and required street tree information.
 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 Water Control Office's approval of fire hydrants, fire department connections and fire service features locations.
 9. Division of Waste Management's approval of refuse collection.
 10. Denote reference to adjoining properties.
 11. Denote construction access.
 12. Denote pedestrian access and walkways to all townhouses.
 13. Denote street cross-sections on plan.
 14. Denote height of townhouses.
 15. Denote source of contours on plan.
 16. Provide list of private utilities.
 17. Denote street frontage in site statistics.
 18. Denote square footage of streets in site statistics.
 19. Denote address of property in title block.
 20. Resolve building setback along Meadow Croft Park.
 21. Provided the Planning Commission makes a finding that the plan complies with the EAMP.
- h. DP 2013-8: ANDERSON 2 SUBDIVISION (3/26/13)* - located at 425 Chilesburg Road. **(Barrett Partners)**
(Council District 7)

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this amendment is to add townhouses to the development.

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

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. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire Water Control Office's approval of fire hydrants, fire department connections and fire service features locations.
9. Division of Waste Management's approval of refuse collection.
10. Clarify proposed lotting for townhouse units.
11. Denote typical townhouse lot size.
12. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.
13. Provided the Planning Commission makes a finding on the access easement.
14. Discuss note #19 and EAMP compliance (stormwater).

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15. Discuss the need to increase the landscape buffer along the townhouse property line.
16. Discuss timing of wetlands to be constructed on the subject site.

- i. DP 2011-91: RED MILE MIXED-USE DEVELOPMENT (4/9/13)* - located at 1200 Red Mile Road.
(Council District 11) **(Vision Engineering)**

Note: The Planning Commission originally approved this plan on November 10, 2011, 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. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Division of Fire's approval of emergency access and fire hydrant locations.
10. Division of Waste Management's approval of refuse collection.
11. Correct cul-de-sac detail conflict with plan.
12. Addition of notes regarding traffic signals to the approval of the Division of Traffic Engineering.
13. Revise note #10 to read: "When development of 50% of the commercial floor area is complete, developer shall widen Red Mile Road and make improvements at the intersection of Versailles Road and South Broadway.
14. Clarify site statistics to specifically read 168 units.

Note: The applicant now requests reapproval of the plan.

The Staff Recommends: **Reapproval**, subject to the original conditions, revising the following:

9. Division of Fire's ~~Water Control Office's~~ approval of ~~emergency access and~~ fire hydrants, fire department connections and fire service features locations.

- j. ZDP 2012-76: DEERFIELD SHOPPING CENTER (1/17/13)* - located at 1949 Nicholasville Road.
(Vision Engineering)

Note: The Planning Commission indefinitely postponed this plan at their September 27, 2012, meeting, pending the zoning decision by the Urban County Council. The Urban County Council approved the zone change request at their November 27, 2012, meeting. As a result, the postponed zoning development plan now requires Commission consideration.

The Subdivision Committee Recommended: **Postponement**. There are issues with the screening and buffering adjacent to a residential subdivision.

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

1. Provided the Urban County Council rezones the property B-3; 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 and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Denote: No building permit shall be issued unless and until a final development plan is approved by the Planning Commission.
7. Denote current floodplain information on plan.
8. Denote record plan name.
9. Clarify site statistics (floor area).
10. Verify required parking for restaurant (square footage/seating ratios).
11. Addition of Nicholasville Road street cross-section and Collins Lane access easement cross-section.
12. Denote proposed and existing storm water sewer locations to the approval of the Division of Water Quality.
13. Resolve utility line and proposed building conflicts.
14. Denote proposed storm water detention location to the approval of the Division of Water Quality.
15. Discuss tree protection, landscaping and buffering perpendicular to Nicholasville Road.
16. Discuss building height adjacent to residential uses.
17. Discuss disposition of existing improvements in Nicholasville Road right-of-way.
18. Discuss timing of revisions to the current FEMA floodplain.

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

C. MINOR PLAN

1. DP 2012-114: GLEN AT LOCHDALE, UNIT 4 (MINOR AMD) (3/12/13)* - located at 3600 Winthrop Drive.
(Council District 9) **(EA Partners)**

Note: The purpose of this minor amendment is to shift the building and envelopes of apartment buildings 3, 5 and 6; to relocate the parking spaces; to reflect revised property boundaries and delete note #6.

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

1. Delete TPA along east property line.
2. Denote that compliance with the required tree canopy will include tree plantings along the east property line, to the approval of the Urban Forester.
3. Revise Commission's certification to include date of approval.

- D. 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.

- A. INITIATION OF ZONING ORDINANCE TEXT AMENDMENTS** – The staff will request initiation of four Zoning Ordinance Text Amendments related to Zoning Enforcement:

1. Vehicle Repairs Accessory to a Residential Use
2. Parking and Storage of Vehicles, Trailers, Equipment and Materials in Residential Zones
3. Temporary Signage
4. Zoning Enforcement Abatement Authority

The Staff will report at the hearing.

- VI. STAFF ITEMS** – The Chair will announce that any item a Staff member would like to present will be heard 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., 2 nd Floor Council Chambers	January 24, 2013
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	January 30, 2013
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	January 31, 2013
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	February 7, 2013
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	February 7, 2013
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 14, 2013

IX. ADJOURNMENT

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