

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

August 8, 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** – 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, August 1, 2013, at 8:30 a.m. The meeting was attended by Commission members: Mike Owens, Carolyn Plumlee, Frank Penn, Eunice Beatty and Karen Mundy. Committee members in attendance were: Hillard Newman, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Denice Bullock, Dave Jarman, Kelly Hunter, Scott Thompson and Cheryl Gallt, as well as Jacob Walbourn, 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. FINAL SUBDIVISION PLANS

- a. **PLAN 2013-78F: DISTILLERY DISTRICT WEST (AMD) (9/19/13)*** - located at 1200 Manchester Street.
(Council District 2) **(2020 Land Surveying)**

Note: The Planning Commission postponed this plan at their July 11, 2013 and July 25, 2013, meetings. The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: Postponement. There are concerns with the sanitary sewer service to the property.

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 area(s).

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

6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
 8. Denote location of cross-section through Manchester Street.
 9. Denote "amended" in title block.
 10. Denote acreage on lots.
 11. Correct date of plat preparation.
 12. Clarify right-of-way dedication with a solid line.
 13. Provided the Planning Commission grants a waiver to Article 4-7(d)(1) regarding substantial completion of infrastructure.
 14. Review by Technical Committee prior to plan certification.
- b. PLAN 2013-81F: BLUEGRASS BUSINESS PARK, LOT 7 (9/29/13)* - located at 2381 Innovation Drive.
(Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to add an access easement to the adjacent property.

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. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
7. Label 20' building line.
8. Denote access easement construction specifications to the approval of Traffic Engineering and the Division of Engineering.
9. Clarify tree protection area along Curtsinger property.

- c. PLAN 2013-82F: TUSCANY, UNIT 8-A (9/29/13)* - located at 2445 Patchen Drive.
(Council District 6) **(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.
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. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
8. Delete conditional zoning restrictions.

- d. PLAN 2013-83F: MAHAN PROPERTY, UNIT 2-B (9/29/13)* - located at 2980 Man o' War Boulevard.
(Council District 4) **(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.
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. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Clarify tree canopy information or clarify extent of tree protection areas.
9. Clarify asterisk shown on street cross-section (min. flood protection).
10. Eliminate duplicate note about overflow swale construction.

- e. PLAN 2013-84F: MAHAN PROPERTY, UNIT 2-C (9/29/13)* - located at 2980 Man o' War Boulevard.
(Council District 4) **(EA Partners)**

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

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. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Correct tree canopy information or clarify tree protection areas on plan.
9. Addition of Man o' War Boulevard cross-section.

- f. PLAN 2013-64F: LAKEVIEW ESTATES, UNITS 2B & 2E (AMD) (9/1/13)* - located at 519 Laketower Drive.
(Council District 5) **(Eagle Engineering)**

Note: The purpose of this amendment is to subdivide one lot into eight lots. The Planning Commission originally approved this plan on July 11, 2013, 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 Planner's approval of bike trails and pedestrian facilities.
7. Clarify notes for Lot 2 relative to acreage.
8. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
9. Terminate floodplain setback at property line.
10. Provided the Planning Commission makes a finding on the use of the proposed access easement as sole access to these lots.

Note: As part of the Planning Commission's approval on July 11th, the Commission also made a finding on the use of the proposed access easement as sole access to these lots. The findings for appropriateness of access easements as sole access for certain lots are as follows:

1. Allowing these townhouse lots to be accessed only via an access easement is appropriate for the proposed development and is consistent with the previously approved final development plan.
2. The use of the access easement will not negatively impact public health and safety, which is consistent with the intent of the Land Subdivision Regulations.

Note: The applicant is now requesting a continued discussion to further subdivide the property into a total of nine lots.

The Subdivision Committee Recommended: **Approval**, subject to the conditions listed on today's agenda, with one additional condition:

11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.

2. **DEVELOPMENT PLANS**

- a. DP 2013-57: JONES SUBDIVISION (9/1/13)* - located at 1167 Appian Crossing Way.
(Council District 8) **(Rob Sims)**

Note: The Planning Commission postponed this plan at their July 11, 2013, meeting.

The Subdivision Committee Recommended: **Postponement**. The adopted conditional zoning restricts the use of this property to a total of 17 units.

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 pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.

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9. Label exterior dimensions of buildings.
10. Denote proposed building height in feet.
11. Remove group residential project references in site statistics.
12. Dimension access points proposed.
13. Dimension parking lot, aisles and spaces.
14. Denote Jones Trail as public right-of-way and revise cross-section (1/2-section).
15. Addition of north arrow.
16. Delete side and rear yard setback reference.
17. Add property owners and Planning Commission certifications per Article 21 requirements.
18. Revise note #5 to include required reference to Article 16.
19. Addition of required Engineering Manual note.
20. Clarify existing tree canopy to be preserved, including locations.
21. Denote construction entrance.
22. Reduce number of units to 17.

- b. DP 2013-61: LAKEVIEW INDUSTRIAL SUBDIVISION, UNIT 3, LOTS 1-A & 1-B (WYATT ANN PROPERTIES, LLC) (9/25/13)* - located at 2553 and 2555 Palumbo Drive.
(Council District 7)

(Summit Engineers)

The Subdivision Committee Recommended: Postponement. There were some questions regarding the circulation pattern and width of the access for the larger vehicles.

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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
6. Division of Waste Management's approval of refuse collection locations.
7. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
8. Complete bearings and distance on Lot 2-B.
9. Remove hatching on easements other than "proposed" 25' access easement.
10. Correct Commission's certification date.
11. Denote Board of Adjustment's approval on plan (from plat), including case reference number.
12. Correct note #4 to replace "storm sewers & storm water detention with Stormwater Management."
13. Discuss proposed circulation on the property per Technical Committee concerns.
14. Discuss stormwater detention and relevant notes from current Final Record plat.

- c. DP 2013-62: WILLOW OAK SHOPPING CENTER (MILLPOND CENTER) (AMD 19) (9/29/13)* - located at 730 Millpond Road. (Council District 9)

(Wheat & Ladenburger)

Note: The purpose of this amendment is to add Lots 12A and 12B and to add a pool cover to the existing in-ground pool.

The Subdivision Committee Recommended: Approval, subject to the following revised 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. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Denote 1-story building on Lot 12B as "existing".
10. Denote floor area of existing building on lot 12A in the site statistics.
11. Correct owners' certification to read: "We are the only owners of Lots 12A and 12B, shown hereon..."
12. Resolve maintenance of medians on Millpond Road.

- d. DP 2013-63: GESS PROPERTY, UNIT 1 (AMD) (10/29/13)* - located at 435, 481 and 529 Hays Boulevard.
(Council District 7)

(EA Partners)

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to add 35 parking spaces and to depict current lot lines.

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

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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Denote construction access.
8. Denote locations of cross-sections cut through street.
9. Denote width of access at main entry point from Hays Boulevard.
10. Denote two storm sewer easements along Hays Boulevard.
11. Denote 15' sanitary sewer easement and 20' utility easement from Hays Boulevard to east end of property.
12. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.
13. Resolve lotting information.
14. Addition of 30' utilities easement on southwest boundary of Lot 1.
15. Resolve the relationship of the building envelopes along front elevation the lot lines.

- e. DP 2013-64: KINGSTON HALL, UNIT 2 (EAST BRIDGEFORD LAND & DEV. CO.) (AMD) (10/29/13)* -
located at 2356 Newtown Pike. (Council District 12) **(Vision Engineering)**

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to revise the proposed building and parking area.

The Subdivision Committee Recommended: **Postponement**. The Text amendment to permit this use and lessen off-street parking has not yet been approved by the Urban County Council.

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, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
9. Division of Waste Management's approval of refuse collection locations.
10. Denote purpose of amendment.
11. Denote final record plan information on plan.
12. Denote KY Transportation Cabinet's approval of proposed right turn taper.
13. Clarify lot line and right-of-way limits on Newtown Pike frontage.
14. Delete 50' setback on Newtown Pike frontage.
15. Provided the Planning Commission makes a finding that the plan complies with the EAMP.
16. Resolve buffer (loss of tree canopy) adjacent to the Poole property.
17. Resolve location proposed for ½ cul-de-sac.

- f. DP 2013-65: DENTON FARM (ELLERSLIE AT DELONG) (AMD) (10/29/13)* - located at 3950 Richmond Road.
(Council District 7) **(Barrett Partners)**

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to add Phase 2 condominium and townhome developments and to revise single family residential 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 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 the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
9. Improve text legibility.
10. Clarify site statistics on Phase 2 to state 124 units.

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

11. Provided the Planning Commission makes a finding that the plan complies with the EAMP.
12. Document compliance with open space in the Special Design Area, prior to plan certification.

- g. DP 2013-66: LAKEVIEW ESTATES, UNIT 2B, BLK I, LOT 7 & BLK K, LOT 3 (AMD) (9/29/13)* - located at 519 Laketower Drive. (Council District 5) **(Barrett Partners)**

Note: The purpose of this amendment is to add one townhouse unit and to reduce 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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
9. Remove building envelope conflict with 25' floodplain setback.
10. Resolve size of both 15'x15' pavilions proposed.

- h. DP 2013-67: WILHITE PARK, UNIT 1-B, SECTION 2, LOT 1 (AMD) (9/29/13)* - located at 3500 Arbor Drive. (Council District 8) **(Banks Engineering)**

Note: The purpose of this amendment is to create 19 new single family residential lots.

The Subdivision Committee Recommended: **Approval**, subject to the following revised 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, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
10. Denote that no building permit shall be issued for Lots 4 & 5 until the detention easement is reconfigured and a minor plat certified.
11. Provided that the existing conditional use permit is revised by the Board of Adjustment prior to plan certification.
12. Provided the Planning Commission makes a finding on the use of the proposed access easement.

- i. DP 2013-68: BLUEGRASS BUSINESS PARK, LOT 7 (9/29/13)* - located at 2381 Innovation Drive. (Council District 2) **(Banks 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 and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
6. Division of Waste Management's approval of refuse collection locations.
7. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
8. Denote storm water run-off and aquifer protection notes per the final record plat and notes in effect on adjacent property (DP 2010-18).
9. Denote access easement construction specifications to the approval of the Divisions of Traffic Engineering and Engineering.
10. Denote height of building in feet.
11. Denote road frontage in linear feet in site statistics.
12. Denote construction entrance.
13. Clarify T.P.A adjacent to Curtsinger property.
14. Clarify off-street parking (required and proposed) to account for office uses proposed.

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

- j. DP 2013-70: DEERFIELD SHOPPING CENTER (HAMPTON INN) (10/22/13)* - located at 1949 Nicholasville Road and 145 Collins Lane. (Council District 3) **(Vision Engineering)**

The Subdivision Committee Recommended: **Approval**, subject to the following revised 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, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
9. Division of Waste Management's approval of refuse collection locations.
10. Division of Water Quality's approval of the proposed water quality features.
11. Division of Water Quality's approval of sewer capacity prior to plan certification.
12. Resolve the encroachment into the Nicholasville Road right-of-way.
13. Delete note #10.
14. Denote access easement maintenance responsibility.
15. Denote architectural features per zoning development plan approval.
16. Denote landscaping features per zoning development plan approval.
17. Denote canopy height in feet.
18. Review by Technical Committee prior to plan certification.
19. Resolve parking area orientation/buffer relative to Nicholasville Road per zoning development plan.

- k. DP 2012-45: PIERSON & TRAPP COMPANY/DAWAHARE'S ASSOC. (GARDENSIDE SHOPPING CENTER) (AMD) (10/30/13)* - located at 1805-1865 Alexandria Drive. (Council District 11) **(Jerry Herndon)**

Note: The purpose of this amendment is to add a one-story tent, delete the outbuilding from the previous plan and to revise the parking layout. This plan was approved by the Planning Commission at its July 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 and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection 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. Addition of record plat designation.
10. Complete adjacent property information (Plat Cabinet "C" Slide 147 (C-147)).
11. Addition of general notes from previous plan, including note on Darien Drive (private drive).
12. Complete site statistics and verify parking provided.
13. Addition of Board of Adjustment approval information (and access restrictions).
14. Denote new vehicular use screening location on plan.

Note: The applicant now requests reapproval of the plan.

The Staff Recommends: **Reapproval**, subject to the original conditions listed on today's agenda.

- l. DP 2002-70: ZANDALE SHOPPING CENTER (AMD.) (10/30/13)* - located at 2200-2290 Nicholasville Road. (Council District 4) **(Wheat & Ladenburger)**

Note: The purpose of this amendment is to add buildable area and parking. This plan was approved by the Planning Commission at its August 8, 2002, meeting; reapproved on June 12, 2003; and granted a one-year extension on June 10, 2004, 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 parking, circulation, street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Clarify purpose of amendment note.
6. Resolve building versus easement conflicts prior to plan signature.
7. Complete building lines.
8. Denote: This plan voids and supercedes DP 2001-102, which was previously approved by the Planning Commission.

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

9. Review by the Technical Committee prior to plan certification.

Note: The Planning Commission reapproved this plan on July 14, 2005, subject to the first eight conditions listed above, adding the following additional conditions:

9. Remove the off-street parking area along the existing service road within 250' of Zandale Drive, and relabel dimension of planting area.
10. Posting of a bond, in an amount agreeable to the Division of Traffic Engineering, to construct a median prohibiting left turns in and out of the service road onto Lowry Lane, if required by warrants of five correctable crashes in a one-year period from issuance of final occupancy permits, with the bond to be valid for a two-year period.

Note: This plan was certified on October 21, 2005, but building permits were not obtained within five years from that date. Subsequently, DP 2013-13 was approved for this site, but that plan has been withdrawn by the applicant. The applicant now requests reapproval of the plan.

The Staff Recommends: Reapproval, subject to the original conditions listed on today's agenda, revising two conditions and two additional conditions:

3. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree preservation plan and required street tree information.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. Denote: This plan voids and supercedes DP 2013-13, which was previously approved by the Planning Commission.

- 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 2013-5: LEXINGTON-FAYETTE COUNTY AIRPORT BOARD** – A Public Facility Review of new construction for the airport hanger and fueling & washing facility at 4444 - 4484 Gumbert Road (off Versailles Road) (Council District 12)

The staff will report at the meeting.

- 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**

Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	August 15, 2013
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	August 28, 2013
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	August 22, 2013
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	August 29, 2013
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	September 5, 2013
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	September 5, 2013
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	September 12, 2013

X. **ADJOURNMENT**