

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

October 10, 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 August 22, 2013 and September 26, 2013, meetings will be considered by the Planning Commission 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, October 3, 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 Saltee, Tom Martin, Cheryl Gallt, Dave Jarman, Kelly Hunter and Denise Bullock, as well as Lieutenant Greg Lengal, 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. FINAL SUBDIVISION PLANS

- a. **PLAN 2013-108F: GRIFFTOWN, LLC PROPERTY (12/2/13)*** - located at 128-132 York Street.
(Council District 1) **(Randy Martin)**

The Subdivision Committee Recommended: **Postponement.** There are questions on compliance with Article 4-5(a) of the Zoning Ordinance governing non-conforming lots.

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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.

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

7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Discuss whether there are separately billed utilities for these dwellings.
9. Discuss possible need for a zone change.

- b. PLAN 2013-109F: CHEVY CHASE PLACE (12/2/13)* - located at 866 E. High Street.
(Council District 3) **(Endris Engineering)**

Note: The purpose of this plat is to subdivide one lot into five 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.
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 the Capacity Assurance Program requirements, prior to plan certification.
8. Revise "20' front setback" to read "20' building line."
9. Revise proposed Lot 1 to match the approved Final Development Plan.
10. Denote the extent of the final development plan control on the proposed lots.
11. Resolve the dedication of right-of-way to the approval of the Kentucky Transportation Cabinet.

- c. PLAN 2013-110F: MAPLELEAF SUBDIVISION, UNIT 1 (AMD) (12/2/13)* - located at 3140-3150 Mapleleaf Drive.
(Council District 7) **(Palmer Engineering)**

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

The Subdivision Committee Recommended: **Postponement**. There are questions regarding several conflicts with the proposed property lines 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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: This property shall be developed in accordance with the approved final development plan.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Correct plan title to read: "Amended Final Record Plat."
10. Addition of name and address of property owner and developer.
11. Clarify that Lot 9 is not a part of this plat (with dashed lines).
12. Remove building information on adjacent property.
13. Label lots in numerical order (consistent with plan notes).
14. Addition of purpose of amendment note.
15. Addition of notes from previous plat.
16. Addition of street cross-sections from previous plat.
17. Addition of site statistics such as zoning, acres, number of lots, etc.
18. Remove "zoning requirement" note.
19. Discuss building wall conflicts with proposed property lines.

- d. PLAN 2013-115F: JOSEPH G. DODGE FARM – TRACT 2-B (LANE ALLEN SHOPPING CENTER – TURFLAND MALL) (AMD) (12/24/13)* - located at 2001 Harrodsburg Road.
(Council District 11) **(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.

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5. Urban Forester's approval of tree protection area(s).
 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 9. Denote reciprocal access.
 10. Kentucky Transportation Cabinet approval of proposed access to Harrodsburg Road.
 11. Revise "20' front setback" to read: "20' building line."
 12. Review by Technical Committee prior to plan certification.
 13. Resolve location of proposed Lane Allen access and possible access easement.
 14. Denote improvements to Lane Allen Road.
 15. Discuss the need for an improvement plan per Article 4-3 of the Land Subdivision Regulations.
- e. PLAN 2013-116F: THOROUGHbred PROPERTIES, LLC (AMD) (12/24/13)* - located at 904 North Broadway.
(Council District 1) **(Palmer 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.
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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Denote as a "Final Record Plat" in title block.
10. Denote site statistics, including zoning, street frontage and acreage.
11. Denote address for Lot 1.
12. Add cross-section for North Broadway.
13. Correct LFUCG engineer's certification.
14. Denote adjoining property zoning on plan.
15. Denote written scale.
16. Correct engineer's & surveyor's certification.
17. Addition of access easement maintenance responsibilities.
18. Remove building from plan.
19. Review by Technical Committee prior to plan certification.

2. DEVELOPMENT PLANS

- a. DP 2013-74: GLEN CREEK (DOVE CREEK) (AMD) (11/3/13)* - located at 1145 & 1156 Appian Crossing Way.
(Council District 8) **(Rob Sims)**

Note: The Planning Commission postponed this plan at their September 12, 2013, meeting. The purpose of this amendment is to delete townhouses and add four apartment buildings.

The Subdivision Committee Recommended: **Postponement**. There are concerns with the proposed circulation and access, given the substandard condition of Jones Trails.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree 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, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval under the Capacity Assurance Program requirements, prior to plan certification.

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

12. Addition of name and address of developer in title block.
13. Denote record plat designation.
14. Dimension proposed driveway/access point to Jones Trail.
15. Dimension proposed walkways.
16. Addition of street cross-section for Jones Trail.
17. Dimension apartment buildings and clubhouse.
18. Denote height of new buildings in feet.
19. Complete site statistics for buildable and floor area.
20. Remove from chart "areas of individual lots" that are being deleted from plan.
21. Delete miscellaneous lot information.
22. Delete note #13 (redundant).
23. Resolve timing of water line easement release to remove conflict with proposed building.
24. Delete Unit 3 typical townhouse information.
25. Discuss improvements to Jones Trail.
26. Discuss note #16.
27. Discuss possible need for a tree preservation area along Jones Trail.
28. Discuss continued use of pedestrian/emergency vehicle access as a vehicular access by area residents.
29. Discuss landscape buffer adjacent to parking and compactor along northern property line.
30. Discuss apartment access proposed through townhouse (H.O.A.) access easements.

- b. DP 2013-80: ELLERSLIE PLACE, LOTS 2 & 2A (MIDLAND CROSSING) (AMD) (11/26/13)* - located at 222 Midland Avenue and 225 Walton Avenue. (Council District 3) **(Milestone Design Group, Inc.)**

Note: The Planning Commission postponed this plan at their September 12, 2013, meeting. The purpose of this amendment is to revise the site for proposed apartments on Lot 2 and the combination of apartments vs. commercial on Lot 2A.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding the notification of the nearby neighborhood associations and compliance with Art. 28-6 of the Zoning Ordinance.

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. 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 the Capacity Assurance Program requirements, prior to plan certification.
 9. Correct plan title to read "Ellerslie Place, Lots 2 & 2A (Midland Crossing) (AMD)".
 10. Addition of record plat designation.
 11. Denote cross-sections for new street/access easements.
 12. Dimension proposed townhouse buildings.
 13. Denote width of parking spaces.
 14. Denote number of bedrooms per unit.
 15. Revise note #14.
 16. Correct garage parking in site statistics (56 vs. 65).
 17. Review by Technical Committee prior to plan certification.
 18. Discuss proposed building on Lot 2A conflict with 15' and 25' easements.
 19. Discuss status of preliminary subdivision plan and required information under the Land Subdivision Regulations.
 20. Discuss compliance with Art. 28-6 provisions.
 21. Discuss whether access easements/streets are to be public or private.
 22. Discuss timing of new mixed-use building versus new townhouse development.
- c. DP 2013-78: ARNOLD PROPERTIES, LLC (AMD) (12/2/13)* - located at 1171 Appian Crossing Way. (Council District 8) **(Trinity Engineering)**

Note: The purpose of this amendment is to change the parking and circulation locations, and to alter the location of the construction access.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.

5. Urban Forester's approval of tree 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, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 9. Division of Waste Management's approval of refuse collection locations.
 10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 11. Addition of record plat designation.
 12. Addition of street frontage in site statistics.
 13. Denote height of all buildings in feet.
 14. Addition of building lines per record plat(s).
 15. Addition of all existing utility easements (per plats).
 16. Relocate sidewalk along northern access easement to be adjacent to the building, maintaining a 6' landscape buffer.
- d. DP 2013-82: WIGGINS & COMPANY (AMD) (12/2/13)* - located at 2510 Nicholasville Road.
(Council District 4) **(Wheat & Ladenburger)**

Note: The purpose of this amendment is to modify the building and parking layout on one Lot.

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, 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 the Capacity Assurance Program requirements, prior to plan certification.
 10. Addition of record plat designation.
 11. Clarify vicinity map to location of amendment.
 12. Denote 50' building line/service road easement per plat (N-139) on plan.
 13. Correct numbering on notes.
- e. DP 2013-83: BELLEAU WOODS SHOPPING CENTER (TATES CREEK SHOPPING CENTRE) (LOT 5) (AMD)
(12/2/13)* - located at 4161 Bates Creek Centre Drive. (Council District 4) **(Endris Engineering)**

Note: The purpose of this amendment is to reconfigure the buildable area and vehicular access for Lot 5.

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, 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 (on Lot 5).
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Dimension building, including the height, in feet.
11. Denote one-way traffic circulation on face of plan.
12. Clarify elevations of topographical lines on Lot 5.
13. Denote tree protection area at west end of property, adjacent to Lot 2.
14. Correct owner's certification ("textual").
15. Clarify dimensions of Lot 5 detail.
16. Denote changes to Lot 2 from previously approved development plan.
17. Correct note #10 to match approved DP 2012-92.
18. Correct TPA note for Lot 5 to state Lot 2 (per DP 2012-92).
19. Denote need for pedestrian improvements along Bates Creek Centre Drive.
20. Discuss TPA for Lot 5 floodplain area.

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

- 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.

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., 2nd Floor Council Chambers October 17, 2013
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) October 30, 2013
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers **October 24, 2013**
Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers October 31, 2013
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) November 7, 2013
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)..... November 7, 2013
Subdivision Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers..... **November 14, 2013**

X. **ADJOURNMENT**