

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

February 13, 2014

- 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, February 6, 2014, at 8:30 a.m. The meeting was attended by Commission members: Carolyn Plumlee, Eunice Beatty, Karen Mundy and Mike Owens. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Chris King, Tom Martin, Jimmy Emmons, Traci Wade, Cheryl Galt, Dave Jarman, Kelly Hunter, Barbara Rackers, Denice Bullock and Scott Thompson, as well as Captain Greg Lengal, Division of Fire & Emergency Services; David Lyons, Division of Police and Ed Gadrner, 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 2014-2F: WILLOW GLEN, UNIT 4, LOT 1 (AMD) (4/7/14)* - located at 276 Old Mt. Tabor Road.
(Council District 5) **(EA Partners)**

Note: The purpose of this amendment is to subdivide one lot into two lots, to eliminate the vehicular access to Old Mt. Tabor Road and to create an access easement of private street to proposed 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.
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. Provided the Planning Commission makes a finding on the access easement standards in accordance with Article 6-8(m) of the Land Subdivision Regulations.
 9. Provided the Planning Commission grants a waiver to Article 6-8(f) of the Land Subdivision Regulations.
- b. PLAN 2014-3F: BLUESKY INDUSTRIAL PARK, LOT 5 (AMD) (4/7/14)* - located at 351 United Court.
(Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to recreate a previously consolidated lot.

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).
 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. Denote acreage of each lot on plan.
 9. Denote location of street cross-section on United Court.
 10. Denote Council's moratorium on sewer connections prior to plan certification.
- c. PLAN 2012-132F: PARK HILLS, UNIT 1C, LOT 1 (AMD) (4/14/14)* - located at 3100 Pimlico Parkway.
(Council District 8) **(Endris Engineering)**

Note: The purpose of this amendment is to reduce the building line along Pimlico Parkway, to create utility easements and to update property line distances and bearings. The Planning Commission originally approved this plan on December 13, 2012, 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.

Note: The Commission's approval has since expired. The applicant now requests a reapproval of this plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions.

- d. PLAN 2013-128F: COVENTRY (BELMONT FARMS), UNIT 8 (2/2/14)* - located at 2550 Georgetown Road.
(Council District 2) **(EA Partners)**

Note: The Planning Commission originally approved this plan on December 13, 2012, 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. Department of Environmental Quality's approval of environmentally sensitive areas (Georgetown Aquifer).
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Denote adjoining property zoning.
11. Complete easement information to the south of this unit.
12. Denote that there will be no access to this lot from Georgetown Road.

Note: The applicant is requesting a waiver to Articles 4-7 (d)(1); 4-7(d)(9); and 6-6 of the Land Subdivision Regulations.

The staff will report at the meeting.

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2. DEVELOPMENT PLANS

- a. DP 2013-90: SPRINGDALE SUBDIVISION, UNIT 2, BLOCK A, LOTS 1, 2 & 3 (2/13/14)* - located at 659 Mitchell Avenue. (Council District 11) **(Barrett Partners)**

Note: The Planning Commission postponed this plan at their November 14, November 21, and December 12, 2013, meetings.

The Subdivision Committee Recommended: **Postponement**. There are concerns with the proposed lotting and the platted 30' building line.

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. 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. Provided the Planning Commission makes a finding on the use of an access easement in accordance with Article 6-8(m) of the Land Subdivision Regulations.
 11. Discuss required information for private open space.
 12. Discuss proposed lotting.
 13. Discuss resolution of building conflicts with platted 30' building line.
- b. DP 2013-29: HEADLEY, NIVEN & VANCE PROPERTY, LOTS 1, 2 & 3 (AMD) (3/13/14)* - located at 1500 Russell Cave Road and 295 West New Circle Road. (Council District 1) **(Vision Engineering)**

Note: The Planning Commission postponed this plan at their January 16, 2014, meeting. The purpose of this amendment is to revise the development on Lot 1 and include Lot 2 in the development. The Planning Commission originally approved this plan on May 9, 2013, 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.
9. Kentucky Transportation Cabinet's approval of access to Russell Cave Road.
10. Clarify restaurant seating to include outdoor patio area (and any related off-street parking).
11. Correct, delete and consolidate notes #9 - #13 to the approval of the Urban Forester.
12. Denote that the proposed construction access from Russell Cave Road cannot be built or utilized except with the issuance of a permit for Building 1.
13. Label existing and proposed access points to Russell Cave Road.
14. Denote: No building permit shall be issued for Building 1 until the existing access (#2) to Russell Cave Road is closed. The new access shall be constructed to the approval of the Division of Traffic Engineering and the Division of Engineering.
15. Signage for right turn only at access #3.

Note: The applicant has requested a continued discussion of this plan to ask for the removal of condition #12 of the Planning Commission's approval granted at the meeting held on May 9, 2013.

The Subdivision Committee Recommended: **Postponement**. There are concerns with the applicant's request to delete condition #12 that addresses the proposed access point to Russell Cave Road.

The Staff Recommends: **Disapproval** of this request, for the following reasons:

1. The original approval by the Planning Commission was appropriate and consistent with the intent of Article 21 of the Zoning Ordinance and the Land Subdivision Regulations in protecting public health and safety.
2. There have been no changes in the traffic patterns or volume in the area in the past 8 months that would justify the removal of the condition.

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3. The proposed drive-through facility on Lot 1 heightens the safety concerns with the proposed access with both the Division of Traffic Engineering and the KYDOT.

- c. DP 2014-1: LOCUST HILL SHOPPING CENTER (PARCEL 1, LOT 1, BLOCK A) (AMD) (2/23/14)* - located at 3101 Richmond Road. (Council District 7) **(The Roberts Group)**

Note: The Planning Commission postponed this plan at their January 16, 2014 and January 30, 2014, meetings. The purpose of this amendment is to increase buildable area for a new restaurant location and revise the outlot at 3035 Richmond Road.

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

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. Resolve removal of trees along south edge of retention area and resulting impact on canopy coverage.
 10. Discuss vehicular circulation, including entry/exit from the proposed outlot developments.
- d. DP 2014-4: LANSBROOK PLAZA SHOPPING CENTER (4/3/14)* - located at 3501 Lansdowne Drive. (Council District 4) **(J. Kingston)**

Note: The Planning Commission postponed this plan at their January 16, 2014, meeting. The purpose of this amendment is to add buildable area to building #3 and revise the parking area on that lot.

The Subdivision Committee Recommended: **Postponement**. The submitted plan filing does not appear to meet the limits of the variance approved for this location in 2000.

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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 8. Clarify existing parking per GIS photograph for building #3.
 9. Clarify purpose of amendment note.
 10. Revise note #6 to include reference to Art. 16 of the Code of Ordinances.
 11. Clarify site statistics, and update restaurant seating statistics for building #3.
 12. Review by Technical Committee prior to plan certification.
- e. DP 2014-5: MIRACON, INC (PHASES I-IV) (AMD) (THE OAKS CONDOMINIUMS) (AMD) (4/7/14)* - located at 395 Redding Road. (Council District 4) **(Midwest Engineering)**

Note: The purpose of this amendment is to comply with the Board of Adjustment approval and to show as-built conditions.

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. Correct building line from New Circle Road.
8. Addition of dashed lines on adjacent property.
9. Identify T.P.A on property edges, as necessary.
10. Addition of New Circle Road cross-section.

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11. Denote nearest area of storm water detention.
12. Denote all existing easements.
13. Correct plan to denote as-built conditions for the clubhouse and nearby parking.

- f. DP 2014-6: BLACKFORD PROPERTY, PHASE 4 (AMD) (5/6/14)* - located at 6600 Man o' War Boulevard and 3210 Blackford Parkway. (Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to reduce units by one, increase unit size and add 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.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
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. Denote final record plat information on plan.
11. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.

- g. DP 2012-105: PARK HILLS SHOPPING CENTER, LOT 1 (AMD) (5/7/14)* - located at 3100 Pimlico Parkway. (Council District 8) **(GRW)**

Note: The purpose of this amendment is to add a new restaurant with a drive-through facility. The Planning Commission originally approved this plan on December 13, 2012, 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's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Denote as a "Final Development Plan" in plan title.
9. Identify B-6P/P-1 zoning boundary and denote 60' building line from that line.
10. Resolve owners' signatures for all lots affected.

Note: The Commission's approval has since expired. The applicant now requests a reapproval of this plan.

The Staff Recommends: **Postponement**. The applicant submitted a different mylar to the staff for certification a few weeks ago. The previously approved plan does not match the mylar recently submitted to the staff.

- 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**

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	February 26, 2014
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 27, 2014
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 6, 2014
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	March 6, 2014
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 13, 2014

X. **ADJOURNMENT**

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