

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

December 11, 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** – The amended minutes of the October 9, 2014, and the minutes of the November 13, 2014, 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, December 4, 2014, at 8:30 a.m. The meeting was attended by Commission members: Will Berkley, Karen Mundy, Joe Smith, Frank Penn, Carolyn Plumlee, and Mike Owens. 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, Cheryl Gallt, Dave Jarman, Denice Bullock and Kelly Hunter, as well as Captain Greg Lengal and Lieutenant Joshua Thiel, 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 2014-93F: HARVEY PROPERTY** (1/21/15)* - located at 4500 Old Schoolhouse Lane.
(Council District 10) **(EA Partners)**

Note: The Planning Commission postponed this item at their November 13, 2014, meeting.

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

1. Urban County Engineer's acceptance of drainage and 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.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.

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

9. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
10. Revise note #7 to indicate "Lot 1".
11. Delete "varies" information from cross-section "C-C" and provide information from location shown.
12. Resolve timing of public infrastructure improvements and their dedication.

- b. PLAN 2014-96F: GLEN CREEK (DOVE CREEK, UNIT 3-B, SECTION 3, LOTS 66-75) (2/1/15)* - located at 201-1145 Appian Crossing Way. (Council District 8) **(Trinity Surveying)**

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the required access to the proposed lots.

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

1. Urban County Engineer's acceptance of drainage and 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. Denote private utility providers on plat.
9. Clarify extent of access easement (24' wide) on side of Lot 66.
10. Discuss the lack of required access (25' easement) to proposed lots.

- c. PLAN 2014-97F: NEWMARKET PROPERTY, PHASE I, UNIT 1-D, LOT 63 (2/1/15)* - located at 1201 Deer Haven Lane. (Council District 12) **(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. Addition of exaction note from DP 2013-97.
9. Addition of 25' floodplain setback line.
10. Denote lot development standards on plan.
11. Denote that there will be no new access to Deer Haven Lane.
12. Resolve pedestrian access to open space area on Lot 63.

- d. PLAN 2014-98F: BLACKFORD PROPERTY, PHASE 4 (2/1/15)* - located at 3200 and 3210 Blackford Parkway. (Council District 12) **(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. Greenspace Planner's approval of the treatment of greenways and greenspace.
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. Transfer exaction notes from DP 2014-6.
10. Label future greenway.
11. Label tree protection area on plat.
12. Label future trail access locations.
13. Addition of 25' floodplain setback on plat.
14. Denote building line on plat.
15. Addition of conditional zoning notes.

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16. Remove access easement on plat.
17. Addition of cross-section for Mathern Trail.
18. Denote minimum floor elevations.

- e. PLAN 2014-99F: LEXINGTONIAN ESTATES, SECTION 1 (SIGNATURE ESTATES) (AMD) (2/1/15)* - located at Winners Circle and Versailles Road. (Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to subdivide 4 lots into 7 lots.

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

1. Urban County Engineer's acceptance of drainage and 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.
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 Versailles Road cross-section on plan.
10. Denote name and address of owner and developer.
11. Denote listing of private utilities.
12. Denote parent plat on plan.
13. Delete Lots 16 & 17 from plat (or use dashed lines).
14. Remove existing right-of-way from plat (or use dashed lines).
15. Resolve need to provide pedestrian access through Lot 17 to adjacent park property, per Preliminary Subdivision Plan (PLAN 2006-76P).

- f. PLAN 2014-100F: LEXINGTONIAN ESTATES, SECTION 2 (SIGNATURE ESTATES) (AMD) (2/1/15)* - located at Winners Circle and Versailles Road. (Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to subdivide 4 lots into 7 lots.

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

1. Urban County Engineer's acceptance of drainage and 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. Denote name and address of owner and developer.
9. Denote listing of private utilities.
10. Denote parent plat on plan.
11. Delete Lot 7 from plat (or use dashed lines)
12. Remove existing right-of-way from plat (or use dashed lines).
13. PLAN 2014-99F must be recorded prior to this plat (due to changes to Lot 14).

- g. PLAN 2014-101F: LONG VALLEY FARM, KY, INC., UNIT 2-B (AMD) (2/1/15)* - located at Long Valley Lane and Russell Cave Road. (Council District 12) **(Randy Martin)**

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to subdivide a 124.15-acre tract into a 40-acre tract and an 84-acre tract.

The Subdivision Committee Recommended: **Postponement**, due to the failure of posting the sign on the property, as required by Article 6-4(j)(6) of the Land Subdivision Regulations.

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

1. Urban County Engineer's acceptance of drainage and 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. Addition of 300' building line.
8. Denote non-buildable areas.
9. Denote access easement locations and maintenance responsibility.
10. Addition of detail for adjacent corner monuments.
11. Addition of general notes required by the Subdivision Regulations.
12. Correct Urban County Engineer's certification.
13. Health Department approval for septic facilities prior to plan certification.
14. Discuss possible need for a waiver to Art. 6-4(c) of the Subdivision Regulations.
15. Discuss proposed access per prior plat note on Cabinet/Slide I-544.
16. Discuss access easement standards required by Art. 6-4(j)2(a) of the Subdivision Regulations.

h. PLAN 2008-138F: MEADOW OAKS, UNIT 1-A (ASHFORD OAKS) (2/18/15)* - located at 3414 Feliciana Lane.
(Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on November 13, 2008, 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 required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Addition of utility and streetlight 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. Clarify label of cross-section for "G-G."
9. Denote private street maintenance responsibilities.
10. Verify exaction information to the approval of the Division of Planning.
11. Clarify public versus private right-of-way dedication.
12. Addition of conditional zoning notes and development standards from approved development plan.
13. Resolve possible conflicts between development standards and plan notes.

Note: On February 12, 2009, the Planning Commission granted a waiver to Article 4-7(d)(9)(c) of the Land Subdivision Regulations, for the following reasons:

1. The bonding of sidewalks on private streets has been agreed to by the Urban County Government Division of Engineering in the past in the defined Expansion Area, and will still allow the collection of a surety to ensure completion of all the sidewalk improvements to this subdivision.
2. Strict adherence with the Subdivision Regulations would create an undue hardship to the developer, requiring heavy construction equipment for home construction to drive over sidewalks, which could damage the sidewalks, resulting in the need to repair or replace an otherwise new sidewalk.

Approval of the waiver was subject to the following condition being added to the Final Record Plat, in addition to those originally approved by the Planning Commission on November 13, 2008:

- a. Collection of a financial surety by the Division of Engineering for the ultimate construction of sidewalks not initially constructed on private streets, to ensure their completion, subject to the approval of the Law Department.

Approval of the waiver was subject to the following condition also being added to the Final Record Plat, in addition to those originally approved by the Commission on November 13, 2008:

- a. Denote: No certificate of occupancy shall be issued for any dwelling unit until the sidewalks are constructed in conjunction with the required concrete driveway apron.

Note: The Planning Commission reapproved this plan at their June 10, 2010, meeting, subject to the previous conditions; granted a **one-year extension** on June 9, 2011; and reapproved this plan at their June 14, 2012 and July 11, 2013, meetings, subject to the previous conditions, one additional condition, and modifying one condition:

3. Building Inspection's approval of landscaping ~~and required street tree information.~~
14. Urban Forester's approval of required street tree information.

Note: A portion of this plat (Section 1) has been recorded. The applicant now requests reapproval for the remaining portion of this plan.

The Subdivision Committee Recommended: **Reapproval of Section 2**, subject to the conditions as previously approved on July 11, 2013.

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

- i. PLAN 2008-139F: MEADOW OAKS, UNIT 1-B (ASHFORD OAKS) (2/18/15)* - located at 3414 Feliciana Lane.
(Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on November 13, 2008, 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 required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Addition of utility and streetlight 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. Verify exaction information to the approval of the Division of Planning.
9. Addition of conditional zoning notes and development standards from the approved development plan.
10. Denote the 25' conditional zoning setback along Greenbrier golf course (lots 17-26).
11. Resolve possible conflicts between development standards and plan notes.

Note: On February 12, 2009, the Planning Commission granted a waiver to Article 4-7(d)(9)(c) of the Land Subdivision Regulations, for the following reasons:

1. The bonding of sidewalks on private streets has been agreed to by the Urban County Government Division of Engineering in the past in the defined Expansion Area, and will still allow the collection of a surety to ensure completion of all the sidewalk improvements to this subdivision.
2. Strict adherence with the Subdivision Regulations would create an undue hardship to the developer, requiring heavy construction equipment for home construction to drive over sidewalks, which could damage the sidewalks, resulting in the need to repair or replace an otherwise new sidewalk.

Approval of the waiver was subject to the following condition being added to the Final Record Plat, in addition to those originally approved by the Planning Commission on November 13, 2008:

- a. Collection of a financial surety by the Division of Engineering for the ultimate construction of sidewalks not initially constructed on private streets, to ensure their completion, subject to the approval of the Law Department.

Approval of the waiver was subject to the following condition also being added to the Final Record Plat, in addition to those originally approved by the Commission on November 13, 2008:

- a. Denote: No certificate of occupancy shall be issued for any dwelling unit until the sidewalks are constructed in conjunction with the required concrete driveway apron.

Note: The Planning Commission reapproved this plan at their June 10, 2010, meeting, subject to the previous conditions; granted a **one-year extension** on June 9, 2011; and reapproved this plan at their June 14, 2012, and July 11, 2013, meetings, subject to the previous conditions, one additional condition, and modifying one condition:

3. Building Inspection's approval of landscaping ~~and required street tree information.~~
12. Urban Forester's approval of required street tree information.

Note: A portion of this plat (Sections 1, 2 & 3) has been recorded. The applicant now requests reapproval for the remaining portion of this plan.

The Subdivision Committee Recommended: **Reapproval of Section 4**, subject to the conditions as previously approved on July 11, 2013.

- j. PLAN 2008-140F: MEADOW OAKS, UNIT 1-C (ASHFORD OAKS) (2/18/15)* - located at 3414 Feliciana Lane.
(Council District 12) **(EA Partners)**

Note: This plan was approved by the Planning Commission at its November 13, 2008, meeting, 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 required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and streetlight 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. Verify exaction information to the approval of the Division of Planning.
10. Addition of conditional zoning restrictions and development standards from approved development plan.
11. Denote the sanitary sewer easement across the greenway.

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

12. Resolve the extent and timing of the greenway dedication.

Note: On February 12, 2009, the Planning Commission granted a waiver to Article 4-7(d)(9)(c) of the Land Subdivision Regulations, for the following reasons:

1. The bonding of sidewalks on private streets has been agreed to by the Urban County Government Division of Engineering in the past in the defined Expansion Area, and will still allow the collection of a surety to ensure completion of all the sidewalk improvements to this subdivision.
2. Strict adherence with the Subdivision Regulations would create an undue hardship to the developer, requiring heavy construction equipment for home construction to drive over sidewalks, which could damage the sidewalks, resulting in the need to repair or replace an otherwise new sidewalk.

Approval of the waiver was subject to the following condition being added to all the Final Record Plats, in addition to those originally approved by the Commission on November 13, 2008:

- a. Collection of a financial surety by the Division of Engineering for the ultimate construction of sidewalks not initially constructed on private streets, to ensure their completion, subject to the approval of the Law Department.

Note: The Planning Commission reapproved this plan at their June 10, 2010, meeting, subject to the previous conditions; granted a **one-year extension** on June 9, 2011; and reapproved this plan at their June 14, 2012, meeting, subject to the previous conditions, one additional condition and modifying one condition:

3. Building Inspection's approval of landscaping ~~and required street tree information.~~
13. Urban Forester's approval of required street tree information.

On July 11, 2013, the Planning Commission recommended: **Reapproval**, subject to the original conditions, as previously noted on today's agenda, adding one condition:

14. Revise boundary of Lot 61 to account for Consolidation Plat involving Lots 12-16.

Note: The applicant is now requesting reapproval of this plat.

The Subdivision Committee Recommended: **Reapproval**, subject to the conditions as previously approved on July 11, 2013.

- k. PLAN 2013-27F: HAMBURG EAST, TRACTS 1 & 3 (AMD) (2/23/15)* - located at 2185 Polo Club Boulevard.
(Council District 12) **(Vision Engineering)**

Note: The purpose of this amendment was to subdivide one lot into three lots and to add easements. The Planning Commission approved this plat 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.
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. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Denote building line.
9. Revise engineer/surveyor certification.
10. Denote the regulatory flood elevation per Article 5-4(d)(5).
11. Addition of minimum lot building lines proposed for Tracts 1 & 3 (along frontages).
12. Addition of floodplain information for Tract 3.
13. Addition of existing Columbia Gas transmission easement on Tract 3.
14. Denote Tract 2 frontage and side lot line with dashed lines.
15. Addition of "Elkhorn Creek Detail" for Tract 3 from current non-building plat.
16. Resolve the timing and dedication of the storm water facility.

Note: The applicant is now requesting reapproval of this plat.

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

- l. PLAN 2013-127F: TUSCANY, UNIT 3-A (2/8/15)* - located on Old Rosebud Road.
(Council District 6) **(EA Partners)**

The Planning Commission originally approved this plan on December 12, 2013, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Denote that there will be only one single family unit per lot.

Note: The applicant now requests approval of a one-year extension for this plan.

The Subdivision Committee Recommended: **Approval of a one-year extension**, subject to the original conditions listed on today's agenda.

- m. PLAN 2014-104F: LEXTRAN PROPERTY, LOTS 1 & 2 (2/22/15)* - located at 200 West Loudon 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 and 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. Addition of owner's information.
 8. Denote landscape buffer required by Art. 18 adjacent to P-1 property.
 9. Provided the Planning Commission grants a waiver to Articles 6-2(a) and 6-6(b) of the Subdivision Regulations.
 10. Delete note #1.
 11. Denote access to Lot 2 and clarify note #3.
 12. Review by Technical Committee prior to plan certification.
- n. PLAN 2014-106F: HAMBURG EAST, LOT 2 (AMD) (2/23/15)* - located at 2500 Polo Club Boulevard.
(Council District 12) **(Vision Engineering)**

Note: The purpose of this amendment is to subdivide Lot 2 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 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. Department of Environmental Quality's approval of environmentally sensitive areas (steep slopes).
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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
10. Denote: This property shall be developed in accordance with the approved final development plan.
11. Dash property lines for adjacent lots (2A-2C).
12. Addition of name and address for developer.
13. Increase size and/or clarify text for all cross-sections.
14. Correct spelling in general notes #7 and #8.
15. Identify 40' easement with dashed lines.
16. Increase text size of line information in table found on Lot 2A.
17. Reference note for the number of trees from the previous plat.
18. Denote: Exactions will be reviewed at the time of a final development for the residential component of this project.
19. Denote: There shall be no development of Lot 2H until a final development plan is approved and certified.
20. Delete notes #6 and #10.
21. Revise note #5 to meet the Land Subdivision Regulations requirements.
22. Review by Technical Committee prior to plan certification.

2. DEVELOPMENT PLANS

- a. DP 2014-102: PALUMBO PROPERTY, TRACT A (AMD) (2/1/15)* - located at 251 West Loudon Avenue.
(Council District 1) **(Pearson & Peters)**

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

Note: The purpose of this amendment is to add building floor area and parking.

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

1. Urban County Engineer's acceptance of drainage, and 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. Identify adjacent property in dashed lines.
10. Denote record plat designation (Cabinet D, Slide 649) on this plan.
11. Addition of all proposed and existing easements.

- b. DP 2014-103: ARCADIA INVESTMENTS, LOTS 3, 4 & 5 (AKA MEADOWTHORPE MANOR) (2/1/15)* - located at 1590, 1600 and 1610 Leestown Road. (Council District 2) **(The Roberts Group)**

Note: The purpose of this amendment is to add buildable area to Lot 3.

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

1. Urban County Engineer's acceptance of drainage, and 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. Document previous neighborhood notification per the development plan requirements.
11. Resolve sidewalk widths, exterior to the eastern corner of the Kroger store, to the approval of the Bike & Pedestrian Planner and the Division of Traffic Engineering.

- c. DP 2014-104: HAMBURG PLACE, PHASE 2, LOT 14 (2/1/15)* - located at 2541 Sir Barton Way. (Council District 6) **(HDR)**

Note: The purpose of this amendment is to add a bank drive-through and revise circulation on Lot 14.

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

1. Urban County Engineer's acceptance of drainage and 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. Denote record plat designation.
8. Denote construction access location on plan.
9. Denote height of building, in feet.
10. Denote height of canopy, in feet.
11. Denote under Lot 17: "DP 2010-60."
12. Remove "DP 2005-48" under Lot 14.
13. Addition of cross-section for 36' wide access easement.
14. Addition of site statistics from previous plan: DP 2010-60.

- d. DP 2007-134: SAND LAKE & ESTES PROPERTY (AMD.) (2/22/15)* - located at Richmond Road and South Eagle Creek Drive. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to revise the development and the layout of buildings, reduce the number of lots, and reduce the public streets and rights-of-way.

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At the February 28, 2008, meeting the Planning Commission approved this plan and granted the requested waivers to the Land Subdivision Regulations, for the following reasons:

1. The modified cross-section is the result of the site's topography and the requirement that the street be constructed totally within the required 50' right-of-way. The fact that the new street must be constructed at acceptable grades and must tie into the planned intersection with Sand Lake Drive results in a significant grade difference between the finished grade of the street and the adjacent undeveloped property. Therefore, a retaining wall was required which had to be constructed 11'-12' away from the adjacent property to ensure that the wall's footer, forms, and bracing were totally within the right-of-way. As a result, the road itself also had to shift 11'-12'.
2. The modified cross-section is substantially the same as shown at Exhibit 6-3 because 31' of pavement will be provided. Additionally, curbs, gutters, and a 6' sidewalk will be provided on the northwest side. On the southeast side will be a 4' sidewalk and a 5.5' utility strip, a portion of which will be in an easement on adjoining property owned by Developer.
3. Denial of the waiver would be an undue hardship on the Developer in that the wall was constructed, at substantial cost to the Developer, based on grading plans submitted to and accepted by the Division of Engineering. Furthermore, without the wall it is physically impossible to construct the street within the established 50' right-of-way.

And adding the following proposed note #15 to the plan:

15. The properties at 3292 and 3270 Richmond Road shall be permitted to have vehicular and pedestrian access to the private access easement, which immediately adjoins those properties. This shall be denoted on the final record plat of the property. The owners of said lots shall provide notice to the Developer 21 days prior to the public hearing for a preliminary or final development plan, including amendments, and/or for a preliminary or final subdivision plat for said lots.

Note: The applicant now requests a reapproval of this development plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original condition previously required by the Planning Commission on February 28, 2008, and two additional conditions:

1. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
2. Addition of a second "Planning Commission Certification" to the plan.

- e. DP 2014-80: PROVIDENCE PLACE, TRACT 3, LOTS 5A & 5B (AMD) (2/22/15)* - located at 1201 Providence Place Parkway. (Council District 12) **(Milestone)**

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this amendment is to revise the development of Lot 5A.

The Planning Commission approved this item at their October 9, 2014, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and 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. Provided the Planning Commission makes a finding that the development plan complies with the EAMP.
10. Denote exaction information to the approval of the Division of Planning.
11. Clarify that Lots 5A & 5B were not created by the Plat in Cabinet N, Slide 521.
12. Screening will be consistent with the previous development plan.

Note: The applicant now requests a continued discussion for this plan, to increase the building floor area.

The Subdivision Committee Recommended: **Approval**, subject to the original conditions previously approved by the Planning Commission.

- f. DP 2014-110: HAMBURG PLACE MALL, UNIT 1, PARCELS 2 & 2A (AMD #26) (2/22/15)* - located at 1816 Alysheba Way. (Council District 6) **(Core Estate Group)**

Note: The purpose of this amendment is to add 634 sq. ft. of restaurant floor area on Parcel 2, Outlot 6, and to increase the parking.

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

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

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2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping 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. Addition of dimensions for driveway, walkway and parking spaces.
10. Addition of exterior building dimensions and height.
11. Denote required parking.
12. Resolve need to retain landscape island interior to the site.
13. Review by Technical Committee prior to plan certification.

- g. DP 2006-84: HAMBURG PLACE FARM – TUSCANY UNIT 1, LOT 169 (3/4/15)* - located at Old Rosebud Road and Pascoli Place. (Council District 6) **(Brandstetter Carroll)**

Note: The Planning Commission originally approved this plan on July 13, 2006, and then again on August 10, 2006, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and storm, sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping and zone-to-zone screening.
4. Urban Forester's approval of tree preservation plan.
5. Greenspace Planner's approval of the treatment of greenways/bike trails and pedestrian movement.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Solid Waste's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Show all existing utility easements.
10. Addition of conditional zoning.
11. Identify zone-to-zone landscape buffer areas.

Note: The development plan was signed on August 10, 2007; however, since that time, it has expired. Now the applicant is requesting a reapproval of this development plan.

The Staff Recommends: **Reapproval**, subject to the original conditions previously approved by the Planning Commission, adding one condition:

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

- C. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

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

- A. **CT 2014-1: NEW CINGULAR WIRELESS PCS, LLC (dba AT&T MOBILITY)** – an application for a 125-foot monopole cellular tower with a 5-foot lightning arrestor, proposed to be located at 302 Southland Drive.

Conditions for Approval:

1. That the tower be redesigned as an alternative design tower in order to lessen the visual impact from the adjoining residential area(s).
2. That the tower be surrounded by an 8-foot security fence, as well as a 5-foot landscape buffer area that contains both a 6-foot tall hedge and evergreen trees, as shown on the submitted site plan, and as required by Article 25. The area surrounding the equipment cabinet is to be screened from view of surrounding property owners.
3. That the tower, accessory equipment cabinet and lease area be maintained on a regular basis by the owner of the facility so as to have minimal impact on surrounding properties.

- B. **ANNUAL REPORT FROM PURCHASE OF DEVELOPMENT RIGHTS PROGRAM** – The Commission will hear from Ms. Beth Overman, who will present the required Annual Report from the Rural Land Management Board.

- C. **ANNUAL REPORT FOR THE COURTHOUSE AREA** – The Commission will hear from Ms. Beth Overman, who will present the required Annual Report from the Courthouse Area Design Review Board.

- 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

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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)	December 17, 2014
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	December 18, 2014
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	January 8, 2015
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	January 8, 2015
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	January 15, 2015

X. ADJOURNMENT

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