

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

April 9, 2015

- 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, April 2, 2015, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Joe Smith, Carolyn Plumlee, Frank Penn 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, Kelly Hunter and Denice Bullock, as well as Lieutenant Joshua Thiel, Division of Fire & Emergency Services and Andrea Brown, 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 2014-101F: LONG VALLEY FARM, KY, INC., UNIT 2-B (AMD) (4/9/15)*** - located at Long Valley Lane and Russell Cave Road. (Council District 12) **(Randy Martin)**

Note: The Planning Commission postponed this item at their meetings on December 11, 2014; January 15, 2015, February 12, 2015 and March 12, 2015. This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to subdivide a 124-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.

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

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 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.

- b. PLAN 2015-33F: CARDINAL HILL HOSPITAL (GEORGE, WASH & MEET PROPERTY (AMD)) (6/23/15)* - located at 2070 Parkers Mill Road. (Council District 11) **(Endris Engineering)**

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. 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 the Capacity Assurance Program requirements, prior to plan certification.
7. Delete all reference to an "amended" final plat.
8. Delete plat cabinet reference in note #8.
9. Correct cross-section B-B to match certified development plan.
10. Review by Technical Committee prior to plan certification.
11. Discuss status of sanitary sewer easement.

- c. PLAN 2005-166F: CLARK PROPERTY, UNIT 1-B (6/30/15)* - located at 1551 Deer Haven Lane (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on July 14, 2005. All but eight lots of this subdivision plat were recorded (and created) on September 30, 2005. The Commission reapproved this plat for Section 2 on July 13, 2006; extended that approval on July 12, 2007; reapproved it again on September 11, 2008; and granted extensions to their approvals on September 10, 2009 and September 9, 2010, subject to the conditions listed below.

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Addition of utility and street light easements by the utility companies and the Urban County Traffic Engineer.
5. Urban Forester's approval of tree preservation plan.
6. Approval of street names and addresses by e911 staff.
7. Addition of exaction information.

On October 13, 2011, the Planning Commission reapproved this plan, subject to the original conditions, revising the following:

5. Urban Forester's approval of tree preservation plan and required street tree information.

On April 10, 2014, the Planning Commission reapproved this plan, subject to the conditions approved on October 13, 2011, as well as two additional conditions:

8. Addition of private utility information.
9. Addition of owner's and developer's information on plat.

Note: Commission approval from 2014 is about to expire. The applicant now requests another approval extension for Section 2 of the plan.

The Staff Recommends: **Approval of a one-year extension**, subject to the same conditions as approved by the Commission on April 10, 2014.

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- d. PLAN 2007-156F: CLARK PROPERTY, UNIT 1-M (6/30/15)* - located at Polo Club Boulevard and Ice House Way. (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on August 9, 2007; reapproved it on September 11, 2008; and granted extensions of that approval on September 10, 2009 and September 9, 2010, 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 required street tree information.
4. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree preservation plan.
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. Verification of exaction information by Division of Planning.

On October 13, 2011, the Planning Commission reapproved this plan, subject to the original conditions, revising the following:

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

On April 10, 2014, the Planning Commission reapproved this plan, subject to the conditions approved on October 13, 2011, as well as three additional conditions:

9. Addition of private utility information.
10. Addition of owner's and developer's information.
11. Addition of scale information 1" = 60.'

Note: Commission approval from 2014 is about to expire. The applicant now requests another approval extension of the plan.

The Staff Recommends: **Approval of a one-year extension**, subject to the same conditions as approved by the Commission on April 10, 2014.

2. **DEVELOPMENT PLANS**

- a. DP 2015-24: BOONESBORO MANOR, UNIT 1, BLOCK A (INTERSTATE PARK) (AMD) (5/31/15)* - located at 5355 Athens-Boonesboro Road. (Council District 12) **(Vision Engineering)**

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. Clearly delineate entrance pavement and drive-through pavement details.
9. Clarify status of 12' sanitary sewer easement.
10. Resolve difference in utility easement width as shown on plat (Cab. M, Sl. 729).
11. Document approval by private sanitary sewer provider prior to plan certification.
12. Reference agreement on private pump station.

- b. DP 2012-62: VICTORY APOSTOLIC CHURCH, INC. (6/25/15)* - located at 1420 Greendale Road. (Council District 2) **(Banks Engineering)**

Note: The Planning Commission originally approved this plan on August 9, 2012, 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 protection plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.

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7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire's approval of emergency access and fire hydrant locations.
9. Division of Waste Management's approval of refuse collection.
10. Denote developer.
11. Addition of contour information.
12. Clarify sidewalks around building and in right-of-way.
13. Denote construction access point location.
14. Delete note #10.
15. Denote timing of the dedication of Greendale Road right-of-way prior to issuance of a Zoning Compliance Permit.
16. Relocate the dumpster to the southeast corner of the parking lot.

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

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

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

3. **MINOR PLANS**

- a. PLAN 2015-30CE: BELLEDALE ADDITION (AKA: WICKLIFFE LAND CO.) (AMD.) (6/15/15)* - located 300 & 304 Preston Avenue and 1405 Menifee Avenue. (Council District 5) **(Tim Thompson, PE/LS)**

Note: The purpose of this amendment is to revise the property boundaries and add a shared access for three reconfigured lots.

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

1. Urban County Traffic Engineer's approval of new access easement perpendicular to Menifee Avenue.
 2. Addressing Office's approval of street addresses.
 3. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 4. Revise plat (including title block) to also be an Easement Minor Amended Plat, add new driveway access easement and add purpose of amendment note to plan.
 5. Revise building lines to comply with Art. 8-11(o)(4)(c) and Art. 15-2(a)(1) of the Zoning Ordinance.
 6. Delete note on plat referencing 8-8(o) of the Zoning Ordinance.
 7. Denote that duplexes constructed on these lots will be no more than two stories in height (to comply with FAR limitations in the R-2 zone).
 8. Denote that off-street parking area for duplexes will be landscaped according to Article 18 of the Zoning Ordinance.
 9. Denote date of Planning Commission approval of this plat, prior to certification.
- b. DP 2015-22: SOUTH ELKHORN VILLAGE (THE COFFEE PUB) (AMD) (5/26/15)* - located 4379 & 4401 Harrodsburg Road. (Council District 10) **(EA Partners)**

Note: The purpose of this amendment is to increase building floor area for a restaurant, add a drive-through facility, remove a dumpster location, and revise the floodplain information.

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

1. Division of Water Quality's approval of floodplain information.
2. Urban County Traffic Engineer's approval of interior circulation, access and drive-through stacking.
3. Addressing Office's approval of street names and addresses.
4. Division of Waste Management's approval of refuse collection locations.
5. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
6. Revise Total Floor Area and Lot Coverage site statistics to account for the new 216 sq. ft. addition to the Coffee Pub.
7. Revise addresses in title block to account for 4401 Harrodsburg Road.
8. Revise Planning Commission certification to reflect date of Planning Commission approval.
9. Denote BOA approval of dimensional variance to the 25' floodplain building setback, 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.

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- VI. **COMMISSION ITEMS** – 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.
- A. **PFR 2015-2: LEXINGTON PUBLIC LIBRARY** - a Public Facility Review of re-location of the Eagle Creek Branch to property at 3000 Blake James Drive, to be known as the Eastside Branch.
- 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**
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| Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers..... | April 23, 2015 |
| Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) | April 29, 2015 |
| Work Session , Thursday, 1:30 p.m., 2 nd Floor Council Chambers | April 30, 2015 |
| Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) | May 7, 2015 |
| Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building) | May 7, 2015 |
| Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers | May 14, 2015 |
- X. **ADJOURNMENT**

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