

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

July 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** – The minutes of the April 30, 2015 and June 11, 2015, 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, June 4, 2015, at 8:30 a.m. The meeting was attended by Commission members: Will Berkley, Frank Penn and Mike Owens. Committee members in attendance were: Thomas Clements, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Traci Wade, Cheryl Galt, Kelly Hunter, Denice Bullock and Dave Jarman, as well as Captain Greg Lengal and Lieutenant Joshua Thiel, Division of Fire & Emergency Services; C.D. Schnelle, Division of Police 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 2015-58F: LANCASTER & KISER PROPERTY, LOTS 2-3 (AMD) (NOLI CDC) (8/30/15)* - located at 156 York Street. (Council District 1) **(Randy Martin)**

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

* - 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. Correct plan title.
9. Correct Urban County Engineer certification.
10. Correct Engineer's certification, or denote waiver approval.
11. Denote Zoning Ordinance provision to permit 12' front yard, and document compliance.

- b. PLAN 2015-59F: HAMBURG PLACE FARM (TUSCANY, UNIT 1, LOT 169) (8/30/15)* - located at 2681 Old Rosebud Road. (Council District 6) **(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. 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. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
9. Denote: This property shall be developed in accordance with the approved final development plan.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Addition of adjacent property information.
12. Identify adjacent property with dashed lines.
13. Resolve street cross-section discrepancies with approved development plan.
14. Addition of tree protection area(s) to match currently approved development plan.
15. Provided the Planning Commission grants a waiver to Article 6-2(a) and 6-6(b) of the Land Subdivision Regulations.

- c. PLAN 2015-64F: THE GRANGE ESTATES (LOTS 8, 10, 12 & 17) (AMD) (9/22/15)* - located at 501, 601 and 651 The Grange Lane. (Council District 12) **(EA Partners)**

Note: The purpose of this amendment is to reconfigure three lots in the A-R zone, and create one HOA lot. This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Postponement**. The Paris Pike Corridor Commission is scheduled to review this plan on July 13, 2015.

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. Addressing Office's approval of street names and addresses.
4. Addition of private street and access maintenance note.
5. Denote date of review by Paris Pike Corridor Commission on plat.
6. Denote building, development, maintenance and use restrictions for HOA lot (Lot 17).
7. Correct Owner's Certification.
8. Review by Technical Committee prior to plan certification.

2. **DEVELOPMENT PLANS**

- a. DP 2015-51: SEBASTIAN PROPERTY, UNIT 2 (8/30/15)* - located at 2826 Leestown Road. (Council District 2) **(EA Partners)**

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. 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. Complete street right-of-way closure (street stub) information prior to plan certification.

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11. Denote the Board of Adjustment approval of the clubhouse, pool and daycare prior to plan certification.
12. Identify detention basin necessary for stormwater control.

- b. DP 2015-55: BLUEGRASS BUSINESS PARK, LOT 4 (PEMBERTON FARM) & BURKE, HOCKENSMITH & MAGGARD PROPERTY, UNIT 5 (AMD.) (8/30/15)*- located at 2151 and 2221 Georgetown Road.
(Council District 2) **(Arnold Consulting)**

Note: The purpose of this amendment is to revise the development of the property.

The Subdivision Committee Recommended: **Postponement**. The applicant still has not clarified the provision of sanitary sewer service to the proposed development, and resolved the access proposed to future 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 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. Division of Water Quality's approval of crushed rock/recycled asphalt surface for equipment storage areas and dust control measures.
12. Kentucky Transportation Cabinet's approval of access to Georgetown Road.
13. Dimension all proposed buildings.
14. Clarify labeling for street cross-sections shown.
15. Clarify bounds of proposed storm water detention areas.
16. Correct plan title.
17. Denote all proposed and existing easements.
18. Clarify uses proposed in I-1 zone (to prevent a "machinery storage yard").
19. Demonstrate compliance with Art. 21-4(e)(2) of the Zoning Ordinance, prior to certification.
20. Change street/access easement information to match previous plan, or discuss the phasing of construction.
21. Discuss phasing of development.
22. Discuss details of Boyd Drive access to Georgetown Road, including timing of full construction, and previous development plan.
23. Discuss fencing and use (display area) shown.
24. Discuss easement conflict with proposed building and resolution of same.
25. Discuss sanitary sewer service status for the property.
26. Discuss Royal Spring Aquifer protection measures.
27. Discuss recorded stormwater easement conflict with proposed Jaggie Fox Way southern access location.
28. Discuss notes #12 & #15.

- c. DP 2008-11: LOUIS HILLENMEYER PROPERTY (AMD) (9/30/15)* – located at 4550 and 4560 Nicholasville Road.
(Council District 9) **(Barrett Partners)**

Note: The purpose of this amendment is to add building square footage, a canopy and parking. The Planning Commission approved this plan at their February 14, 2008, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of the tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Waste Management's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Clarify canopy height.
9. Correct note number 6.
10. Revise purpose of amendment note.

Note: This plan was certified by the Commission's Secretary on March 28, 2008, meeting all 10 conditions. However, under Article 21-4(f) of the Zoning Ordinance, no additional building permits may be issued for this plan until the plan is reapproved by the Commission. The applicant now requests reapproval of the development plan.

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

The Staff Recommends: **Reapproval**, subject to the added conditions listed below:

1. Approval of addresses per e-911 staff.
2. Addition of a second Commission's certification to this plan.
3. Document Division of Water Quality's approval of the capacity Assurance Program requirements prior to plan certification.

- d. ZDP 2009-86: BRYAN PROPERTY (9/30/15)* - located at 1810 Bryant Road.
(Council District 6)

(Vision Engineering)

Note: The Planning Commission approved this plan at their December 17, 2009, meeting, subject to the following conditions:

1. Provided the Urban County Council rezones the property B-3; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree inventory map.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of building dimensions.
8. Label construction entrance(s).
9. Addition of existing and proposed utility easement(s).
10. Delete note number 7 and correct note number 11.
11. Label building canopies.
12. Addition of bearings and distances for lot line on lots 1 & 2.
13. Denote: Mitigation for the loss of significant trees (per Article 26 of the Zoning Ordinance) will be identified at the time of final development plan.
14. Denote: Screening requirements and lighting adjacent to residential property will be resolved at the time of final development plan.
15. Identify internal pedestrian connection from proposed hotel to trail.
16. Addition of conditional zoning restrictions.

Note: This plan was certified by the Commission's Secretary on December 29, 2009. However, the plan has since expired, according to Article 21-4(f)(1) of the Zoning Ordinance. The applicant now requests reapproval of this plan.

The Staff Recommends: **Postponement**. The staff is unsure as to whether the applicant wants reapproval of the zoning development plan or approval of an amended preliminary development plan.

3. MINOR PLAN

- a. PLAN 2015-60CE: EMERGE DEVELOPMENT, LLC. - located at 412, 422 and 424 E. Third Street.
(Council District 1)

(2020 Land Surveying)

Note: The staff is referring this minor plan to the Commission due to the request to consolidate Parcel 2 with Parcel 3 and Parcel 4 with Parcel 5, and to create a parking and access easement.

The Staff 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. Addition of Board of Adjustment's approval date for the side yard variance.
9. Denote: Property shall be developed in accordance with the site plan approved by the Board of Adjustment on May 29, 2015.
10. Change Planning Commission certification language to reflect Planning Commission approval date.

- 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.

- A. ELECTION OF OFFICERS** – The Commission's By-laws state that at the first regular meeting in July, the Commission shall elect a Chairperson, Vice-Chairperson, Secretary, and Parliamentarian. The Nominating Committee was named at the June 14th Commission meeting and has presented its slate for consideration by the Planning Commission. Nominations may also be made from the floor.

The current officers are as follows:

Chairperson	-	Mike Owens
Vice Chairperson	-	Mike Cravens
Secretary	-	Will Berkley
Parliamentarian	-	William Wilson

The Committee's recommended slate of officers is as follows:

Chairperson, Mike Owens
Vice Chairperson, Mike Cravens
Secretary, Will Berkley
Parliamentarian, William Wilson

- B. DELEGATION OF SECRETARY'S DUTIES** – The Commission's past procedure for carrying out the Secretary's duties, except for signing minutes, has been to delegate that authority to the Director of the Division of Planning and his staff. The Chair will request that the Commission consider taking similar action 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

Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	July 23, 2015
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	July 29, 2015
Work Session , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	July 30, 2015
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	August 6, 2015
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	August 6, 2015
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	August 13, 2015

X. ADJOURNMENT

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