

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

February 14, 2008

- 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** – Prior Planning Commission meeting minutes of November 29, 2007 and January 17, 2008, will 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 7, 2008, at 8:30 a.m. The meeting was attended by Commission Members: Carolyn Richardson, Neill Day, Lyle Aten, Linda Godfrey, James Mahan, and Mike Cravens. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Cheryl Galt, Denise Bullock, Bill Sallee, and Tom Martin; as well as Ed Gardner, Department of Law; Captain(s) Bill Woodward and Charles Bowen, Division of Fire & Emergency Services; Tim Queary, Division of Streets, Roads and Forestry; and Bob Carpenter, Division of Building Inspection. 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 petitioner agrees with the Subdivision Committee's recommendation as listed on this agenda, and
(2) no discussion of the item or of the Committee's recommendation is desired by the Commission, and
(3) no one present at this meeting objects to the Commission acting on the matter without discussion.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for consideration of these remaining plans is as follows:

- Staff Report(s)
- Petitioner's Report(s)
- Citizen Comments – (a) in support of the request, and (b) in opposition to the request
- Rebuttal – (a) petitioner's comments, (b) citizen comments, and (c) staff comments
- Commission discusses and/or votes on the plan

1. **Preliminary Plans**

- a. **PLAN 2007-52P: TUSCANY, UNIT 5 (2/14/08)*** - located at 1970 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

Note: The Planning Commission postponed this plan at its April 12, 2007; May 10, 2007; June 14, 2007; July 12, 2007; August 9, 2007; September 13, 2007; October 11, 2007; November 8, 2007; December 13, 2007; and January 17, 2008, meetings.

The Subdivision Committee Recommended: Postponement. There were questions regarding the access and the proposed traffic signals for property located across Sir Barton Way.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Denote entrances across Sir Barton Way.
7. Addition of conditional zoning restrictions.

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

8. Discuss proposed access to Sir Barton Way, including the "right-in/right-out" proposed.
9. Discuss the timing of dedication of Winchester Road right-of-way per preliminary development plan note.
10. Discuss waiver of Article 6-4(b) regarding lot frontage on two sides.
11. Discuss turning lane on Winchester Road and Sir Barton Way.
12. Discuss tree preservation along building line on Sir Barton Way.
13. Discuss lot depth along Winchester Road and the intersection of Winchester Road and Sir Barton Way.

- b. PLAN 2008-8P: HOUGHAM SUBDIVISION (4/17/08)* - located at 1100 Alexandria Drive.
(Council District 12) **(Eagle Engineering)**

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 landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas (sinkholes and ponds).
7. Correct site statistics.
8. Add note number 16 from the approved Preliminary Development Plan concerning access to Lots 11 and 12.
9. Resolve note number 15 regarding access designs to Alexandria Drive.
10. Resolve improvements to Alexandria Drive.

- c. PLAN 2008-9P: HILLENMEYER PROPERTY (AMD.) (4/17/08)* - located on Lucille Drive and Sandersville Road.
(Council District 2) **(VanderWier and Associates)**

Note: The purpose of this amendment is to modify Area C from single family detached dwelling units to a townhome development.

The Subdivision Committee Recommended: Postponement. There were questions regarding the density of the townhomes adjacent to a subdivision, as well as the timing of the connection of Sandersville Road.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Correct note number 14 to include Area C.
8. Delete note number 20.
9. Revise purpose of amendment note.
10. Identify group residential requirements in site statistics.
11. Include all property from previous plan.
12. Discuss the density and location of the townhomes.
13. Discuss the cemetery and timing of street construction.

2. Final Subdivision Plans

- a. PLAN 2007-201F: NDC PROPERTY, UNIT 1-A, LOT 16 (WELLINGTON) (AMD.) (2/14/08)* – located at 249 Ruccio Way. (Council District 9) **(Strand Associates)**

Note: The Planning Commission postponed this plan at its October 11, 2007; November 8, 2007; and December 13, 2007, meetings. The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: Disapproval.

1. Article 1-11 of the Land Subdivision Regulations requires that "plans filed pursuant to these subdivision regulations shall be required to comply with applicable zoning ordinances or other Urban County ordinances."
2. Article 6-7 of the Zoning Ordinance states: "Pursuant to KRS 100.203(8), Planning Commission or the Urban County Council may, as a condition to granting a map amendment, restrict the use of the property affected to a particular use, a particular class of use, or a specified density within those permitted in a given zoning category..."
3. The subject property is restricted in use to "a hotel or motel." The subdivision of this lot would allow separate ownership, separate operation, separate signage and a second hotel or motel at this location. Thus, the proposed subdivision of property is in conflict with the approved conditional zoning restrictions.

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

- b. PLAN 2008-10F: PROVIDENCE PLACE PARKWAY (4/17/08)* - located at 2200 Newtown Pike (a portion of).
(Council District 12) **(EA Partners)**

The Subdivision Committee Recommended: Approval of the original submission, 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 landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Kentucky Transportation Cabinet's approval of Newtown Pike access and right-of-way.
8. Identify lot line as a solid line, and clarify adjacent property information.
9. Division of Planning's approval of the exaction calculations.

- c. PLAN 2008-11F: PALUMBO PROPERTY, TRACT "A," LOTS 1 AND 2 (AMD.) (4/17/08)* - located at 250 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 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 landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Include Lot 14 on plat.
8. Correct street cross-section to include sidewalk (per approved development plan).
9. Correct Engineer's certification note.

- d. PLAN 2008-12F: WEIL AND BAKER PROPERTY (AMD.) (4/17/08)* - located at 1124 Russell Cave Road.
(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 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 landscape buffers and required street tree information.
4. Division of Fire's approval of emergency access and fire hydrant locations.
5. Approval of street names by e911 staff.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Kentucky Transportation Cabinet's approval of access to Russell Cave Road.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Correct vicinity map.
10. Correct Planning Commission certification note.
11. Addition of building lines.
12. Addition of existing sanitary sewer easements.
13. Addition of sidewalk and drainage improvements to Russell Cave Road cross-section.
14. Denote right-of-way dedication.

- e. PLAN 2008-13F: DENTON FARM, INC., UNIT 3A, LOTS 31-34 (AMD.) (4/17/08)* - located at 280-288 Somersly Place. (Council District 7) **(Strand Associates)**

Note: The purpose of this amendment is to revise the lotting pattern.

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.

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3. Building Inspection's approval of landscape buffers and required street tree information.
4. Approval of street addressing by e911 staff.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Certification of amended final development plan prior to certification.
8. Provided utility easements are released prior to certification.
9. Correct purpose of amendment note.
10. Correct exaction information.
11. Delete all lots not affected.

- f. PLAN 2008-14F: DENTON FARM, INC., UNIT 3B, LOTS 27-30 (AMD.) (4/17/08)* - located at Somersly Cove and Somersly Place. (Council District 7) **(Strand Associates)**

Note: The purpose of this amendment is to revise the lotting pattern and to add one lot.

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 landscape buffers and required street tree information.
4. Approval of street addressing by e911 staff.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Correct purpose of amendment note.
8. Certification of amended final development plan prior to certification of plan.
9. Provided utility easements are released prior to certification.
10. Correct exaction information.
11. Delete all lots not affected.

- g. PLAN 2008-15F: DENTON FARM, INC., UNIT 4A, LOTS 19 AND 20 AND 23-26 (AMD.) (4/17/08)* - located at Weston Park. (Council District 7) **(Strand Associates)**

Note: The purpose of this amendment is to revise the lotting pattern and add one lot.

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 landscape buffers and required street tree information.
4. Approval of street addressing by e911 staff.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Certification of amended final development plan prior to certification.
8. Provided utility easements are released prior to certification of plan.
9. Correct exaction information.
10. Delete all lots not affected.

- h. PLAN 2008-16F: DENTON FARM, INC., UNIT 4B, LOTS 12-18, 21 AND 22 (AMD.) (4/17/08)* - located at Weston Park and Branham Park. (Council District 7) **(Strand Associates)**

Note: The purpose of this amendment is to revise the lotting pattern and to add three lots.

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 landscape buffers and required street tree information.
4. Approval of street addressing by e911 staff.
5. Addition of utility and street light easement(s) as required by the utility companies and the Urban County Traffic Engineer.
6. Denote: This property shall be developed in accordance with the approved final development plan.
7. Certification of amended final development plan prior to certification.
8. Provided utility easements are released prior to certification of plan.
9. Correct exaction information.

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

10. Delete all lots not affected.

- i. PLAN 2007-03F: FAITH COMMUNITY HOUSING (4/29/08)* - located at 108 East Loudon Avenue.
(Council District 1) **(Foster - Roland)**

Note: This plan was approved by the Planning Commission at its January 11, 2007, 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 street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation area(s).
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote Board of Adjustment approval of variance or denote required zone-to-zone screening.

Note: The applicant now requests reapproval of the plan.

The Staff Recommended: Reapproval, subject to the previous conditions.

- j. PLAN 2007-07F: LOCHMERE ESTATES, UNIT 1-B (MAPLE RIDGE) (4/24/08)* - located at 645 Chilesburg Road (a portion of). (Council District 7) **(Eagle Engineering)**

Note: This plan was approved by the Planning Commission at its January 11, 2007, 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 street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation area(s).
6. Environmental Planner'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. Addition of HOA maintenance note.
9. Correct conditional zoning notes.
10. Greenspace Planner's approval of pedestrian access.
11. Division of Fire's approval of emergency access and fire hydrant locations.
12. Division of Solid Waste's approval of refuse collection.
13. Correct vicinity map.
14. Locate tree planting easements on street cross-sections.
15. Complete exaction information.
16. Addition of public pedestrian easement.

Note: The applicant now requests reapproval of the plan, and a continued discussion to revise the access location to one lot.

The Staff Recommended: Reapproval, subject to the previous conditions, adding two conditions:

17. Certification of amended final development plan prior to certification of this plan.
18. Clarify lotting, frontage and addresses of all HOA and/or Open Space lots.

- k. PLAN 2007-198F: MYERS PROPERTY, UNIT 1-A (4/29/08)* - located at 1055 Greendale Road.
(Council District 2) **(VanderWier and Associates)**

Note: This plan was approved by the Planning Commission at its October 11, 2007, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and finished floor elevations.
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 addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas (stone fences, fuel tanks, sinkholes, steep slopes).
7. Greenspace Planner's approval of the treatment of greenways.

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

8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
9. Place site statistics within a box.
10. United States Postal Service (USPS) approval of mailbox location.

Note: The applicant now requests a continued discussion to eliminate the emergency access from Unit 1-C, and to accommodate an emergency vehicle access on Unit 1-A.

The Staff Recommended: approval, subject to the previous conditions, adding an additional condition:

11. Kentucky Transportation Cabinet's approval of access to Greendale Road.

- I. PLAN 2007-200F: MYERS PROPERTY, UNIT 1-C (4/29/08)* - located at 1055 Greendale Road.
(Council District 2) **(VanderWier and Associates)**

Note: This plan was approved by the Planning Commission at its October 11, 2007, 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 street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner'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. Place site statistics within a box.
9. Addition of temporary access information.
10. United States Postal Service (USPS) approval of mailbox location.
11. Resolve boundary between Lots 29 and 30.
12. Resolve maintenance of temporary access easement.
13. Resolve Citation Boulevard right-of-way and construction easement.

Note: The applicant now requests a continued discussion to eliminate the emergency access from Unit 1-C, and to accommodate an emergency vehicle access on Unit 1-A.

The Staff Recommended: Approval, subject to the previous conditions, adding an additional condition:

14. Kentucky Transportation Cabinet's approval of access deletion to Greendale Road.

3. Development Plans

- a. ZDP 2007-111: THE GLEN AT LOCHDALE, UNIT 4 (AMD.) (2/14/08)* - located at 3600 and 3652 Winthrop Drive.
(EA Partners)

Note: The Planning Commission indefinitely postponed this plan at its September 27, 2007, meeting, pending the zoning decision by the Urban County Council. The Urban County Council approved the zone change request at its December 4, 2007, meeting. The Planning Commission postponed this plan at its January 17, 2008, meeting.

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

1. Provided the Urban County Council rezones the property B-1; 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.
 5. Urban Forester's approval of tree inventory map.
 6. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
 7. Addition of building dimensions.
 8. Addition of zone-to-zone screening.
 9. Discuss connection to R-4 property to the east.
- b. DP 2008-10: RK MANAGEMENT (AMD.) (4/17/08)* – located at 601 Adcolor Drive.
(Council District 1) **(Allen Engineering)**

Note: The purpose of this amendment is to revise the site layout and to increase the building square footage.

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

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 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. Kentucky Transportation Cabinet's approval of the removal of the ramp right-of-way note.
9. Revise purpose of amendment note.
10. Resolve utility easement prior to plan certification.

- c. DP 2008-11: LOUIS HILLENMEYER PROPERTY (AMD.) (4/17/08)* – 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 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 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.

- d. DP 2008-12: HOPE CENTER APARTMENTS (4/17/08)* – located at 1518 Versailles Road. (Council District 11) **(Carman Engineering)**

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 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Approval of street names and addresses per e911 staff.
10. Correct site statistics (zoning).
11. Remove extraneous information from plan.
12. Certification of consolidation plat prior to plan certification.
13. Clarify street cross-section information.
14. Add pedestrian improvements to cross-section.
15. Resolve tree protection area.
16. Resolve parking lot reconfiguration and shared parking.

- e. DP 2008-13: GOO GOO CAR WASH (4/17/08)* – located at 1537 North Limestone. (Council District 1) **(CDP)**

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 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Identify any proposed easements.

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

10. Provided the Commission grants a waiver to Article 6-8(g)(3)(b) of the Land Subdivision Regulations regarding access spacing.

- f. DP 2008-14: RICHMOND/TODD, LTD (AMD.) (FRENCH QUARTER SQUARE) (4/17/08)* – located at 2601 Richmond Road. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to add 625 square feet of buildable area.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Building Inspection's approval of landscape buffers.
3. Urban Forester's approval of the tree preservation plan.
4. Division of Fire's approval of emergency access and fire hydrant locations.
5. Approval of street names and addresses per e911 staff.
6. Correct plan title.
7. Correct site statistics.
8. Clarify extent of restaurant uses.

- g. DP 2008-15: TUSCANY, UNIT 2 (AMD.) (4/17/08)* – located at 1970 Winchester Road (a portion of). (Council District 6) **(EA Partners)**

Note: The purpose of this amendment is to add 20 condominium units.

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 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. United States Postal Service (USPS) approval of mailbox location.
6. Division of Waste Management's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Addition of owner's certification.
9. Addition of Planning Commission's certification.
10. Addition of building lines.
11. Addition of purpose of amendment note.
12. Complete vicinity map.
13. Resolve setback relative to the height of building (Article 9).
14. Resolve compliance with parking requirements.
15. Resolve compliance with lot coverage requirements.
16. Provided the Planning Commission provides findings for Article 6-8(m) of the Land Subdivision Regulations regarding the access easement.

- h. DP 2008-16: GRIFFIN GATE OFFICE PARK (BLUEGRASS OFFICE PARK) (AMD.) (4/17/08)* – located at 1448 and 1450 Newtown Pike. (Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to add 34 parking spaces.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Environmental Planner's approval of environmentally sensitive areas.
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. Addition of all development plan information from the previous plans.
9. Addition of detailed landscape plan along the Newtown Pike frontage.

- i. DP 2008-17: SUNNY SLOPE FARM, AREA D (4/17/08)* – located at 350 Waveland Museum Lane. (Council District 9) **(VanderWier and Associates)**

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 parking, circulation, access and street cross-sections.

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3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of tree preservation area.
5. Greenspace Planner's approval of the treatment of greenways.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Addition of group residential site statistics per Article 9.
10. Remove extraneous information.
11. Denote timing of construction and dedication of Silver Bell Lane.
12. Certification of preliminary subdivision plan prior to certification.
13. Denote timing of construction and dedication of Waveland Museum Lane.

- j. DP 2008-18: HAMBURG PLACE, B-5P AND B-6P AREA HIGHWAY COMMERCIAL (AMD.) (4/17/08)* – located at War Admiral Way. (Council District 6) **(Vision Engineering)**

Note: The purpose of this amendment is to revise development of outlots 4 and 5 and alter the building configuration on Lot 3.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of tree preservation area.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Addition of building dimensions.
10. Identify area contiguous to outlot 5 building.
11. Update the tree protection notes.
12. Addition of typical parking space dimensions.
13. Correct plan title.
14. Graphically depict compliance with 100' façade setback requirement per Article 12-7(b) of the Zoning Ordinance.
15. Certification of consolidation plat prior to certification.
16. Denote the Board of Adjustment's approval, including the date and extent of setback variance granted.
17. Resolve pedestrian access and circulation.

- k. DP 2008-19: INGLESIDE APARTMENTS (4/17/08)* – located at 1201 Devonshire Avenue. (Council District 11) **(Vision Engineering)**

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of tree preservation area.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Delete note numbers 2 and 5.
10. Correct zoning designation on property boundary.
11. Addition of conditional zoning restrictions.
12. Document compliance with open space requirements.
13. Resolve tree protection measures.

- l. DP 2008-20: THE LANDINGS (AMD.) (4/28/08)* – located at 2414 Lake Park Drive. (Council District 5) **(Foster – Roland, Inc.)**

Note: The purpose of this amendment is to add seven two-bedroom units and associated off-street parking.

The Subdivision Committee Recommended: Referral. There were questions regarding compliance with minimum off-street parking requirements.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of tree preservation area.
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. Addition of building dimensions.
9. Addition of typical parking spaces.
10. Addition of required development notes per Article 21 of the Zoning Ordinance.
11. Addition of parking lane dimensions.
12. Addition of all easements.
13. Clarify proposed building layout.
14. Add Lake Park Drive cross-section.
15. Discuss compliance with off-street parking.
16. Discuss building and lake conflict.
17. Discuss existing and proposed floor area ratio and lot coverage.

- m. DP 2008-23: WHITE TOWERS (AMD.) (4/29/08)* - located at 915 South Limestone and 123-125 Transcript Avenue.
(Council District 3) **(Sherman/Carter/Barnhart)**

Note: The purpose of this amendment is to increase the building square footage, add 16 motel rooms and revise the parking garage configuration, as well as add egress to Gazette Avenue.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of tree preservation area.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Review by Technical Committee prior to certification.
10. Addition of Division of Fire's note from the approved development plan.
11. Revise purpose of amendment note.

- n. DP 2007-139: LANSLOWNE-SHADELAND, UNIT 3 (AMD.) (4/27/08)* - located at 1143-1153 Turkey Foot Road.
(Council District 5) **(Wheat and Ladenburger)**

Note: The Planning Commission indefinitely postponed this plan at its November 8, 2007, meeting. On January 28, 2008, the applicant requested reconsideration of this development plan. The purpose of this amendment is to add buildable area and modify parking.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of tree preservation area.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Waste Management's approval of refuse collection.
8. Approval of street names and addresses per e911 staff.
9. Review by Technical Committee prior to certification.

- o. DP 2006-137: PROVIDENCE PLACE & INTERSTATE SERVICE CENTER, UNIT 6 (4/29/08)* - located at 2200 Newtown Pike and 1931 Stanton Way. (Council District 12) **(EA Partners)**

Note: This plan requires the posting of a sign and an affidavit of such. This plan was approved by the Planning Commission at its December 14, 2006, meeting, and again on June 14, 2007, 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 landscaping.

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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. Approval of exaction information for the entire project by the Division of Planning.

In their approval, the Commission added the following four conditions recommended from the staff's EAMP Compliance Report, and adopting the staff's findings from the EAMP Compliance Report:

- a. That the rear of the residential structures that back to the B-5P area and that will back up to the proposed barn be buffered through landscaping equivalent to commercial/residential zone-to-zone screening.
- b. That the applicant provide additional pedestrian connections within the development to create complete pedestrian loops, to the approval of the Bike/Pedestrian Planner.
- c. That the applicant provide a more detailed plan for the common use of the central open space, prior to certification.
- d. That the applicant provide development standards for minimum architectural standards that would reflect at least some common architecture among the buildings.

Note: The applicant now requests a continued discussion to add a single family residential unit to the property.

The Staff Recommended: Approval, subject to the previous 13 conditions, adding an additional condition:

10. Resolve conflict between dwelling location and existing construction easement prior to 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 Chairman will announce that any item the staff would like to present will be heard at this time.

- A. BOAR 2007-3: ALLEN R. FOSTER** (2/14/08)* – an appeal of the denial of a Certificate of Appropriateness to allow a deck to remain as built in a Planned Neighborhood Residential/Historic District Overlay (R-3/H-1) zone, on property located at 129 Ransom Avenue.

Note: The Planning Commission postponed this request at its January 17, 2008, meeting.

The Staff Recommends: Disapproval, and that the decision of the BOAR be upheld, for the following reasons:

1. The denial of a Certificate of Appropriateness by the Board of Architectural Review is consistent with their charge in determining appropriateness of requested exterior alterations, based on the design guidelines established by the local Historic Preservation Commission, specifically Guidelines 14-4 and 39-2, as they apply to the deck at 129 Ransom Avenue and the subsequent loss of green space in the rear yard.
2. If a Certificate of Appropriateness had first been requested for the deck, as is required by Article 13 of the Zoning Ordinance for any exterior change to a property in an historic district; and if a permit had been requested from the Division of Building Inspection, as is required by Article 5 of the Ordinance, this situation would likely have been averted.

VII. STAFF ITEMS – Staff items, if any, will be considered 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 27, 2008
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 21, 2008
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 28, 2008
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 6, 2008
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	March 6, 2008
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 13, 2008

X. ADJOURNMENT

CT/CG/TM/JE/BR/WLS/DB

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