

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

September 10, 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, September 3, 2015, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Joe Smith, Mike Owens, Will Berkley, Carolyn Plumlee and Frank Penn. Committee members in attendance were: Hillard Newman, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Jim Duncan, Tom Martin, Traci Wade, Cheryl Gallt, Denice Bullock, Kelly Hunter and Dave Jarman, as well as C.D. Schnelle, Division of Police; Captain Greg Lengal and Josh Theil, 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. PRELIMINARY SUBDIVISION PLAN

- a. **PLAN 2015-67P: COPPER CREEK SUBDIVISION** (9/4/15)* - located at 1850 Old Higbee Mill Road (a portion of). (Council District 9) **(EA Partners)**

Note: The Planning Commission postponed this item at their August 13, 2015, meeting.

The Subdivision Committee Recommended: **Postponement**. There are still concerns with the proposed street alignment and the lack of tree protection area(s).

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

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.

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5. Urban Forester's approval of tree preservation plan 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.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Discuss tree stands and need for tree protection areas.
11. Discuss proposed street alignment and "B-B" cross-section proposed.
12. Discuss proposed H.O.A lotting and the spirit of Art. 6-4(g) of the Land Subdivision Regulations prohibiting double frontage lots.
13. Discuss screening and maintenance of same adjacent to Wyndam Hills West.
14. Discuss extent of waivers that are necessary (sidewalk, etc.).
15. Discuss Comprehensive Plan recommendation for streets along greenway areas.
16. Discuss proposed Lot #26 (for future development).

2. **FINAL SUBDIVISION PLANS**

- a. PLAN 2015-89F: JERRICO, INC., LOT 3 (AMD) (11/1/15)* - located at 2900 Palumbo Drive.
(Council District 7) **(Strand Associates)**

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, 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. Complete site statistics.

- b. PLAN 2015-90F: COONS PROPERTY, UNIT 10 (AMD) (11/1/15)* - located at 4251 Saron Drive.
(Council District 8) **(Rich Design Studios)**

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, 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.
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.

- c. PLAN 2015-91F: FRITZ FARM, LLC & DMK DEVELOPMENT GROUP (11/1/15)* - located at 4210 Nicholasville Road. (Council District 4) **(HDR Engineers)**

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. 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. Delete notes #3, #5 and #11.

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10. Correct Man o' War Boulevard cross-section.
11. Delete survey note #2.
12. Clarify survey note #6.
13. Remove existing access reference from plan.
14. Provide a list of private utility providers on plan.
15. Provided the Planning Commission grants a waiver to Art. 4-7(d)(1) & 6-6 of the Land Subdivision Regulations.

- d. PLAN 2015-92F: COONS PROPERTY, UNIT 11, LOT 2 (AMD) (11/1/15)* - located at 4268 Saron Drive and 978 Chas Drive. (Council District 8) **(Palmer 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).
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. Provided the Planning Commission grants a waiver to Art. 4-7(d)(1) of the Land Subdivision Regulations.

- e. PLAN 2015-93F: ASHLAND PARK, INC., SUBDIVISION, NO. 12, LOT 3 (AMD) (11/1/15)* - located at 508 Clinton Road. (Council District 5) **(2020 Land Surveying)**

Note: The purpose of this amendment is to reduce the building line setback from 50' to 41'.

The Subdivision Committee Recommended: **Postponement**. The Planning Commission disapproved a similar plan amendment earlier this year, due to existing notes on the parent plat.

Should this plan be approved, the following conditions 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. Relocate north arrow and orient north to the top of the page.
5. Addition of responsibility note for maintaining the drainage.

- f. PLAN 2015-101F: SEBASTIAN PROPERTY, UNIT 1, SECTION 3 (11/24/15)* - located at 2828 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, 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. 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. Provide address for off site detention.
10. Complete "X-X" cross-section.
11. Correct plan title.
12. Review by Technical Committee prior to plan certification.
13. Discuss timing of construction and dedication of Peaks Mill on subject property.
14. Discuss possible need for traditional "non-building" notes, and deletion of condition #8 (above).

- g. PLAN 2015-77F: HAMBURG EAST, TRACT 4 (9/10/15)* - located at 2575 Polo Club Boulevard. (Council District 12) **(Vision Engineering)**

Note: The purpose of this plat amendment is to subdivide one lot into two lots and dedicate right-of-way. The Planning Commission approved this plan at their August 13, 2015, meeting, subject to the following conditions:

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

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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote exaction information, to the approval of the Division of Planning.
8. Denote that a Transfer of Development Rights has been approved for this location.
9. Identify floodplain, floodplain setback and denote panel information.
10. Clarify Man o' War Boulevard cross-section.
11. Change future right-of-way label to dedicated right-of-way and provide Fitzgerald Court cross-section.
12. Resolve timing of construction of Fitzgerald Court and dedication.
13. Correct certification notes for public improvements.
14. Denote drainage easement for Lot 4A to the approval of Engineering.

Note: The applicant is now requesting a waiver for to Art. 4-7(d)(1) & 6-6 of the Land Subdivision Regulations for the substantial completion on the sanitary sewer.

The staff will report at the meeting.

3. **DEVELOPMENT PLANS**

- a. DP 2015-57: LEESTOWN OFFICE PARK (AMD) (9/4/15)* - located at 161 and 181 Leestown Center Way.
(Council District 2) **(Banks Engineering)**

Note: The Planning Commission postponed this item at their August 13, 2015, meeting. The purpose of this amendment is to revise the residential development of Lots 4 & 5.

The Subdivision Committee Recommended: Postponement. The parking for P-1 uses has not been relocated as was discussed at the Technical Committee meeting.

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. 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 10. Revise required parking (Lots 4 & 5) in site statistics.
 11. Clarify topographical contours and elevation information.
 12. Correct Building "C" square footage in site statistics.
 13. Discuss pedestrian access to individual building entrances.
 14. Discuss existing tree protection areas.
 15. Discuss notes #20 - #23 on certified plan that have been omitted.
 16. Discuss need for conditional use permit for parking in R-4 zone to meet P-1 requirements, and the need for revising note #23 accordingly.
 17. Discuss possible relocation of building on Lot 4 to accommodate P-1 parking.
- b. DP 2015-30: HIGH POINT SUBDIVISION (MONON, INC.) (9/22/15)* - located at 1123 Winchester Road.
(Council District 5) **(Myke Robbins)**

Note: The Planning Commission postponed this item at their August 13, 2015, meeting. The applicant had requested that this item be placed on the August 13th docket for consideration by the Commission, at which time the Planning Commission postponed this item at their meeting.

The Subdivision Committee Recommended: Postponement. There are concerns that the proposed use may not be allowed in the B-3 zone.

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.

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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. Addition of building heights in feet.
10. Denote name and address of developer on plan.
11. Addition of contour intervals.
12. Addition of tree protection plan and tree canopy information.
13. Denote name and address of plan preparer on plan.
14. Remove new pavement/parking areas within 3' of side property lines.
15. Identify interior landscaping areas on the face of plan.
16. Delete parallel parking spaces proposed next to existing building.
17. Dimension entrance details.
18. Discuss compliance with Art. 8-20(b)(28) for proposed uses.
19. Discuss apparent drainage area in rear of property.

- c. DP 2015-38: MASTERSON STATION CENTER, (CITATION VILLAGE) (AMD) (9/10/15)* - located at 2601 Leestown Road. (Council District 2) **(EA Partners)**

Note: The Planning Commission postponed this item at their August 13, 2015, meeting. The purpose of this amendment is to revise the proposed development.

The Subdivision Committee Recommended: Postponement. There were some questions regarding compliance with the required Big-Box Design Guidelines and the Storm Water Manual.

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. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
12. Clarify required parking generator for outlots 1 and 2.
13. Department of Highways' approval of access (State Road).
14. Discuss compliance with the Big-Box standards.
15. Discuss compliance with mitigation as required by the Engineering Manuals.
16. Discuss proposed access to Citation Boulevard and Leestown Road.
17. Discuss status of stone wall along Leestown Road.
18. Discuss access to bank and outlot.

- d. DP 2015-55: BLUEGRASS BUSINESS PARK, LOT 4 (PEMBERTON FARM) & BURKE, HOCKENSMITH & MAGGARD PROPERTY, UNIT 5 (AMD.) (9/10/15)*- located at 2151 and 2221 Georgetown Road. (Council District 2) **(Arnold Consulting)**

Note: The Planning Commission postponed this item at their July 9, 2015 and August 13, 2015, meetings. 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.

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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.
- e. DP 2015-68: HAMBURG PLACE FARM, SIR BARTON OFFICE PARK, LOT E (AMD) (11/1/15)* - located at 2424 Sir Barton Way. (Council District 6) **(HDR Engineers)**

Note: The purpose of this amendment is to add 1,000 sq. ft. of buildable area to an office building.

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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 8. Clarify configuration and floor area of "second floor addition" on the 3-story structure.
 9. Addition of dimensions for new addition, and existing building.
 10. Correct note #7 to reference "Chapter 16 of the Code of Ordinances."
- f. DP 2015-69: BRYAN PROPERTY (11/1/15)* - located at 1810 Bryant Road. (Council District 6) **(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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Depict property in bold solid lines.

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12. Revise building location to meet 25' required setback adjacent to A-U property.
12. Denote height of building in feet.
13. Addition of building floor area (square footage) for hotel.
14. Label required building line.
15. Correct note #6 in reference to "Chapter 16 of the Code of Ordinances."
16. Delete unlabeled dash lines going through building.
17. Addition of note #12 (conditional zoning) from previous plan.
18. Delete cul-de-sac cross-section.
19. Correct zoning on plan face.

- g. DP 2015-70: SEBASTIAN PROPERTY, UNIT 2 (AMD) (11/1/15)* - located at Trailwood Lane.
(Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to revise the townhome development, reflect partial street closures and to remove a boulevard street cross-section.

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. 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.
9. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
12. Label and denote trail on plan.
13. Remove note #14 and document compliance with Article 8-10(o)(3) prior to certification.

- h. DP 2015-71: JERRICO, INC., LOT 3 (AMD) (11/1/15)* - located at 2900 Palumbo Drive.
(Council District 7) **(Strand Associates)**

Note: The purpose of this amendment is to add building floor area and parking on Lot 4.

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 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. Addition of name and address of owner and developer on plan.
11. Addition of record plat designation in title block.
12. Add note for Art. 19 of the Zoning Ordinance.
13. Clarify note #17 making reference to the previous development plan (DP 2004-46).

- i. DP 2015-73: ZANDALE SHOPPING CENTER & GREENLEAF MOTOR LODGE (AMD) (11/1/15)* - located at 2220 and 2280 Nicholasville Road. (Council District 4) **(Branstetter Carroll)**

Note: The purpose of this amendment is to revise the parking, building layout and circulation on Lots 1 and 3.

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.

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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. Correct sequence and numbering of notes.
11. Reinstate 8,169 sq. ft. of "retail bay" space into Zandale parking statistics, from previous plan (DP 2015-2).
12. Correct total floor area (sq. ft.) in existing shopping center and resulting parking provided.
13. Clarify required versus provided parking for Lot 3 uses.
14. Denote location of construction access to Lot 3.
15. Resolve landscaping and buffering between Lot 3 and the existing residential zone.
16. Resolve continuity of pedestrian access to Lowry Lane from Lot 3.
17. Resolve dumpster location next to residential zone.

- j. DP 2015-74: CAVE HILL TOWNHOMES (11/1/15)* - located at 2236 Cave Hill Place.
(Council District 10) **(Vision Engineering)**

The Subdivision Committee Recommended: **Postponement**. There are questions regarding missing information (Article 21-7 of the Zoning Ordinance), whether or not this is intended to be a group residential project and the parking requirements for the proposed development.

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. 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. Addition of record plat designation (Cabinet A, Slide 328).
11. Addition of existing and proposed easements.
12. Document lot coverage, floor area and open space in site statistics.
13. Addition of zone-to-zone screening information.
14. Addition of maintenance note for common area.
15. Discuss the need for tree protection areas.
16. Discuss plan status (preliminary vs. final).
17. Discuss compliance with Article 9 requirements.
18. Discuss required parking generator and numbers provided (bedrooms/units).

- k. DP 2015-75: FAYETTE MALL (AMD #13) (11/1/15)* - located at Nicholasville Road and E. Reynolds Road.
(Council District 9) **(WD Partners)**

Note: The purpose of this amendment is to revise the parking and building layout for an outlot at Fayette Mall.

The Subdivision Committee Recommended: **Postponement**. There is inadequate parking being shown for the proposed amendment.

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. 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.

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10. Correct purpose of amendment note.
11. Denote plan as 13th amendment.
12. Remove logo of previous engineering firm in title block.
13. Correct building floor area reduction proposed, in site statistics.
14. Discuss the proposed reduction in parking.

- l. DP 2015-77: COONS PROPERTY, UNIT 11, LOT 2 (11/1/15)* - located at 4268 Saron Drive and 978 Chas Drive. (Council District 8) **(Palmer Engineering)**

Note: The purpose of this amendment is to revise the building layouts and reconfigure 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.
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. Remove curb and gutter from entrance aprons.
11. Resolve possible need for additional parking on Lot 2B.

- m. DP 2015-78: LOUDON PARK (SLONE PROPERTY) (11/1/15)* - located at 780 N. Limestone. (Council District 1) **(Mark McCain, RLA)**

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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
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. Denote final record plat information on plan, per Art. 21-6(b) of the Zoning Ordinance.
10. Denote final record plat information for adjoining property, per Art. 21-6(b) of the Zoning Ordinance.
11. Denote height of building on plan.
12. Denote proposed use in site statistics.
13. Denote lot coverage and floor area ratio site statistics, per Art. 21-6(b) of the Zoning Ordinance.
14. Document parking location(s) and Ordinance compliance prior to plan certification.
15. Provided the Planning Commission makes a finding that the plan meets the requirements of Article 8-21(o)(c)(3) (Adaptive Reuse Project) of the Zoning Ordinance.
16. Resolve access to, or parking along, North Limestone Street.
17. Resolve compliance with Central Sector Small Area Plan recommendations relative to North Limestone Street orientation.

- n. DP 2015-3: MAN O' WAR DEVELOPMENT, UNIT 2A (HARLEY DAVIDSON) (AMD) (11/24/15)* - located at 2073 Bryant Road. (Council District 6) **(Summit Engineering)**

Note: The purpose of this amendment is to add a 6,000 sq.-ft. 2-story building. The Planning Commission approved this plan at their January 15, 2015, 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.

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9. Remove purpose of amendment note from title block and place on drawing.
10. Addition of height of building, in feet.
11. Identify dimensions of canopies on proposed building.
12. Addition of owner/developer's name and address on plan.
13. Addition of record plat (Cab. L, Sl. 224) information in the title block.
14. Addition of surrounding property owner information on plan.
15. Correct owner's certification.
16. Clarify extent of pavement and parking proposed on the rear of the property.
17. Correct notes # 6 & 14.
18. Resolve status and timing of all easements needing to be released.

Note: The applicant is now requesting a continued discussion of this plan, in hope of increasing the allowable floor area by 1,200 sq. ft., and adding the three additional required parking spaces.

The Subdivision Committee Recommended: **Postponement**. There were concerns with the number of conditions that had not been addressed since the January 15, 2015 Planning Commission meeting.

Should this plan be approved, it should be subject to the original conditions approved by the Planning Commission on January 15, 2015, with two additional conditions:

19. Correct Purpose of Amendment note.
 20. Document compliance with interior landscaping requirements of Article 18, prior to plan certification.
- o. DP 2014-64: SOUTH BROADWAY PLACE (PHASES IIA & IIB), LYNN GROVE ADDITION (AMD) (12/2/15)*
- located at 107, 116, 118, 201 & 203 Simpson Avenue; 1100-1110 Prospect Avenue; and 99-103 & 109-119 Burley Avenue. (Council District 3)
(Barrett Partners)

Note: The purpose of this amendment is to revise the development of South Broadway Place, Lynn Grove Addition Townhouse (R-1T) area and redevelopment of R-4 areas of Lynn Grove Addition. The Planning Commission approved this plan at their September 11, 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. 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. Denote street cross-sections through Export Street and Simpson Avenue.
11. Denote existing easements on face of plan.
12. Revise notes to include all relevant notes from approved plan.
13. Denote source of contour data on plan.
14. Resolve compliance with note #24 on approved plan prior to plan certification.
15. Resolve compliance with note #25 prior to issuance of a building permit.

Note: The applicant now requests approval of a one-year extension of the Commission's prior approval.

The Staff Recommends: **Approval of a one-year extension**, subject to the conditions previously approved at the September 11, 2014, Planning Commission meeting.

- 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 2015-1: SKYWAY TOWERS, LLC & CELLCO PARTNERSHIP (dba Verizon Wireless)** – an application for a 199-foot cell tower at 4279 Huffman Mill Pike.

Recommendation

This proposal meets all the technical requirements of Article 25 with regard to siting a tower. The property, which appears to be the only one not under PDR protection that is within the search ring; that is large enough to accommodate the tower and related equipment; and that meets the height-to-yard ratio and screening requirements

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with no 100-year floodplain other than along the northern property line, it is in an area of Fayette County that is being actively pursued for protection under the PDR program. Although the lease area seems to be in the most logical location on the subject property, the tower will be visible from miles around. From a visual observation of the Iron Works Pike/Russell Cave Road/Huffman Mill Pike area, the Clear Channel Radio towers can be seen from a distance of at least 2.5 miles, and their profile is much less than that of the proposed tower. The staff therefore recommends that the applicant use an alternative tower design, which is recommended by Article 25 for towers along Scenic Byways or that are in the view shed of a Scenic Byway. This is not to be a “monopine” or any other type of tower disguised as a tree, as there are no trees of that height that are natural to the area or even the state of Kentucky. A design that is context-sensitive to the rural area, such as a silo (either attached to one of the barns or not) or a faux water tower that can be built to blend in with the area is the preferred alternative and therefore the staff’s recommendation.

Alternative designs have been used across the nation (even around the world) to mitigate the negative visual impact of cellular towers. An alternative design was used for a cellular tower in the Bates Creek Road corridor to disguise its function (a church tower that was constructed to look like part of the church building, which contains the actual cellular tower). This was done to protect the view shed along Bates Creek Road and its surrounding neighborhoods. A similar type of design, appropriate to the rural area, is recommended for the subject property. An architectural feature that would blend with the character of the rural area/farm land would minimize the visual impact of what many surrounding property owners believe would be a negative, overwhelming presence in the area and would provide the needed service as well.

Conditions for Approval:

- 1. That the tower be redesigned as an alternative, context-sensitive tower (such as a silo or a faux water tower that would be appropriate to and would blend in with the rural area). This would lessen its visual impact on the surrounding rural area, which contains an historic rural settlement; two state-designated Scenic Byways; and three archaeological sites, two of which are on the National Register of Historic Places, the other of which is eligible for that designation.
- 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 and the Huffman Pike roadway.
- 3. That the tower (whatever its design), 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.

VII. STAFF ITEMS – The Chair will announce that any item a Staff member would like to present will be heard at this time.

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission’s formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. NEXT MEETING DATES

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	September 23, 2015
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	September 24, 2015
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	October 1, 2015
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	October 1, 2015
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	October 8, 2015

X. ADJOURNMENT

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