

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

February 11, 2016

- 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 consider 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 4, 2016, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Mike Owens, Carolyn Plumlee and Joseph Smith. Committee members in attendance were: Hillard Newman, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee; Tom Martin; Traci Wade; Cheryl Gallt; Denice Bullock; Kelly Hunter; Dave Jarman; Scott Thompson; Captain Greg Lengal and Lieutenant Joshua Thiel, Division of Fire & Emergency Services; Chris Schnelle, Division of Police; and Mike Sanner, 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 2015-137F: BOONESBOROUGH MANOR SUBDIVISION, UNIT 1 (AMD) (1/31/16)* - located at 5354 Athens-Boonesboro Road. (Council District 12) **(Fred Eastridge/Wes Witt)**

Note: The Planning Commission postponed this item at their December 10, 2015 and January 14, 2016, meetings. The purpose of this amendment is to create Section 2, Lot 1 and dedicate Doe Run Trail right-of-way.

The Subdivision Committee Recommended: **Postponement**. The acceptance of a private street into the public system must follow a formal procedure, including review by the Chief Administrative Officer prior to Planning Commission consideration. Documentation of that review has not yet been provided to the staff.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.

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

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: This property shall be developed in accordance with the approved final development plan.
8. Department of Environmental Quality's approval of environmentally sensitive areas (steep slopes).
9. Addition of Athens-Booneboro Road cross-section.
10. Denote building line for Lot 1, Section 2.
11. Addition of maintenance note per Article 5-4(g).
12. List all private utility providers per Article 5-4(e).
13. Denote Council Resolution accepting the street as public right-of-way.
14. Discuss right-of-way along the front of Section 2, Lot 1.

- b. PLAN 2016-2F: PATCHEN PLACE SUBDIVISION, UNIT 1 (4/3/16)* - located at 2800 and 2890 Richmond Road.
(Council District 5) **(Endris Engineering)**

Note: The purpose of this plat is to show the reconfiguration from three lots to four lots; to dedicate the service road right-of-way and create new utility easements.

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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
7. If approved, denote date and ordinance of Gribbin Drive right-of-way closure, or revise plan boundaries.
8. Resolve compliance with the Richmond Road Landscape Corridor Ordinance.

- c. PLAN 2016-3F: BOONESBOROUGH MANOR SUBDIVISION, BLOCK A, UNIT 1 (AMD) (4/3/16)* - located at 5355 Athens-Boonesboro Road. (Council District 7) **(Vision 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. Department of Environmental Quality's approval of environmentally sensitive area (steep slope area).
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Addition of street tree information, as applicable.
9. Addition of tree protection note for steep slopes areas, per Article 26-8 of the Zoning Ordinance.

- d. PLAN 2016-4F: GREENDALE HILLS, UNIT 2-C (4/3/16)* - located at 2930 Spurr Road (a portion of).
(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.
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 area (sinkhole area).
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. Resolve non-buildable area plan notes per Article 6-11(a)(4)(g) 1 & 2 of the Land Subdivision Regulations
10. Resolve shaded area as a sinkhole-related non-buildable area.
11. Resolve tree protection/tree canopy areas on property.

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2. DEVELOPMENT PLANS

- a. DP 2014-13: GROWTH PROPERTIES (AMD) (7/10/14)* - located at 100 Goodrich Avenue.
(Council District 3) **(Vision Engineering)**

Note: The Planning Commission indefinitely postponed this item at their July 10, 2014, meeting. The purpose of this amendment is to depict a single family residence at 100 Goodrich Avenue, the line separating it from the B-1 zone, and to revise plan notes.

The Subdivision Committee Recommended: **Postponement.** There are concerns regarding the suitability of the proposed single family use and the historic storm water flooding conditions.

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. 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. Correct typographical errors throughout plan notes.
 9. Restore access restrictions from previous note #11.
 10. Discuss need to establish a finished floor elevation for proposed residence on 100 Goodrich Avenue.
 11. Discuss possible 25' building line at 100 Goodrich Avenue.
- b. DP 2015-114: BROOKHAVEN SUBDIVISION (AMD) (1/31/16)* - located at 2434 and 2450 Nicholasville Road & 100 Malabu Drive. (Council District 4) **(Banks Engineering)**

Note: The Planning Commission postponed this item at their December 10, 2015 and January 14, 2016, meetings. The purpose of this amendment is to increase the buildable area for Buildings A, B & C and to revise the parking and circulation.

The Subdivision Committee Recommended: **Postponement.** There were some questions regarding parking compliance for proposed restaurant uses and outdoor site features (from the previous plan), including the orientation of Building C with respect to the street.

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. Correct street frontage and area in right-of-way information.
 11. Delete note #9.
 12. Denote height of buildings, in feet.
 13. Correct note #8.
 14. Correct parking statistics for retail uses and restaurant seating.
 15. Discuss restaurant parking denoted for Buildings A, B & C.
 16. Discuss loss of outdoor site features for Building C compared to current plan.
 17. Discuss orientation of Building C with respect to Surfside Drive.
 18. Discuss stormwater management requirements.
- c. DP 2016-7: BEAUMONT FARM, UNIT 1, SECTION 5, LOT 10 (4/3/16)* - located at 980 Midnight Pass.
(Council District 10) **(Abbie Jones Consulting PSC)**

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.

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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. Clarify vicinity map.
 10. Addition of sidewalks on property to street right-of-way.
 11. Clarify sidewalks (if any) from sides or rear of building.
 12. Delete note #9.
 13. Delete notes #12 & #13 and renumber general notes.
 14. Addition of "conditional zoning restrictions" on plan.
 15. Clarify and expand sidewalk width near entrance canopy locations identified in front of structure to the approval of the Bike & Pedestrian Planner.
 16. Clarify height and use of proposed building in the rear (between pool and conference room).
 17. Relocate proposed access point, across from Lake Crest Circle, to the originally approved location, per ZDP 2014-67.
- d. DP 2016-8: PATCHEN PLACE SUBDIVISION, UNIT 1, LOT 4 (4/3/16)*- located at 2800 and 2890 Richmond Road.
(Council District 5) **(Wheat & Ladenburger)**

The Subdivision Committee Recommended: **Postponement**. There are some questions regarding the proposed access to Gribbin Drive and compliance with Richmond Road Ordinance requirements.

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. Department of Environmental Quality's approval of environmentally sensitive area (steep slope area).
 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. Identify the location of the stormwater control features on the plan.
 12. Resolve the timing of the proposed building conflict with the 12' utility easement identified.
 13. Indicate timing of the removal of the existing access apron on Gribbin Drive.
 14. Discuss drive-through uses for parking calculations (i.e., restaurants).
 15. Discuss the need for reciprocal parking and access for the development.
 16. Discuss timing of compliance with Richmond Road Ordinance requirements.
 17. Discuss proposed access to Gribbin Drive.
 18. Discuss drive-through aisles, vehicle stacking and potential conflicts.
- e. DP 2016-9: HAMBURG PLACE MALL, UNIT 1, PARCEL 3 (AMD) (4/3/16)*- located at 2309 Sir Barton Way.
(Council District 6) **(Vision Engineering)**

Note: The purpose of this amendment is to add building floor area, and revise the parking and vehicular circulation.

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. Document compliance with "required interior landscaping" requirements (in site statistics) per Article 18-3(b)(1) of the Zoning Ordinance (verify 5% calculations).

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- f. DP 2016-10: COVENTRY (BELMONT FARM) (LOT 4) (4/3/16)*- located at 2470 Remington Way.
(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. Department of Environmental Quality's approval of environmentally sensitive areas.
 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. Reference waiver approved by the Planning Commission on January 14, 2016 (PLAN 2016-1F), on plan.
 12. Denote: Hazardous waste transporters and haulers will not be authorized to use this facility.
 13. Denote water quality measures relative to the Royal Spring Aquifer and approval by the Royal Spring Wellhead Protection Committee, prior to plan certification.
 14. Resolve timing of landscaping (residential buffering) needed in greenway/detention area, prior to occupancy.
- g. DP 2016-11: TURFLAND MALL (TRACT 2 & OUTLOT D) (AMD #26) (4/3/16)*- located at 2033, 2097 and 2195 Harrodsburg Road. (Council District 11) **(EA Partners)**

Note: The purpose of this amendment is to revise the building and parking layout and to create two outlots.

The Subdivision Committee Recommended: **Postponement**. There are some concerns about the proposed uses on the outlots, pedestrian and vehicular movement and the lack of any new water quality features.

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. Denote location of existing storm sewer in southeast corner of property.
 11. Denote building heights in feet on plan.
 12. Addition of contour intervals and source on plan.
 13. Dimension existing and proposed driveway widths.
 14. Clarify building line along R-5 zone, per previously approved development plan.
 15. Denote bearings for property line at southwest mall entrance.
 16. Addition of missing dimensions to existing Staples Building.
 17. Dimension existing Health Care Building.
 18. Dimension building on proposed eastern outlot.
 19. Discuss use of proposed western outlot.
 20. Discuss pedestrian connections internally and to public right-of-way.
 21. Discuss lack of pedestrian amenities and public space.
 22. Discuss the number of proposed drive-throughs and associated pedestrian and vehicular conflict.
 23. Discuss the lack of pedestrian access to the Emerson Center.
 24. Discuss stormwater management planned for the development.
 25. Discuss vehicular stacking for drive-throughs.
- h. DP 2016-12: LOUDON PARK ADDITION, BLOCK 2, LOTS 3-10 (4/3/16)*- located at 720 Bryan Avenue, 130 and 138 Loudon Avenue. (Council District 1) **(S. Mark McCain, RLA)**

Note: This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the plan's compliance with the Adaptive Reuse criteria contained in Article 8-21(o)(4) of the Zoning Ordinance

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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. Correct plan title.
11. Denote Final Record Plat information on plan or in title block.
12. Provided the Planning Commission makes a finding that the plan complies with Article 8-21(o)(4) of the Zoning Ordinance.
13. Clarify required parking generator for proposed restaurant use.
14. Clarify whether gates will be installed for all access points off Loudon Avenue.
15. Discuss proposed use for fenced area on east end of 138 Loudon Avenue.
16. Discuss proposed access for 130 Loudon Avenue.
17. Discuss area proposed for public art.
18. Discuss adaptive reuse proposed for 138 Loudon Avenue.
19. Discuss adaptive reuse proposed for 720 Bryan Avenue relative to Article 8-21(o)(4) of the Zoning Ordinance.

- i. DP 2004-66: KINGSTON HALL, UNIT 1 (4/18/16)* - located at 2175 & 2301 Russell Cave Road.
(Council District 12) **(EA Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The Planning Commission originally approved this Preliminary Subdivision Plan/Preliminary Development Plan on September 9, 2004, and granted a one-year extension on September 8, 2005, 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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of greenspace, greenways and bike/pedestrian facilities.
6. Department of Highways' approval of access and improvements to Russell Cave Road.
7. Clarify plan title.
8. Urban Service Area fencing and landscaping as required by zone-to-zone screening and A-R buffering be provided prior to construction of infrastructure.
9. Minimum setback to Russell Cave Road to be no less than 50 feet.

On September 13, 2012, the Planning Commission reapproved this development plan, subject to the original conditions, and adding the following condition:

10. Denote cemetery location and "50' No Disturbance" zone per Article 3-7 of the Zoning Ordinance.

Note: This plan was certified by the Commission's secretary on February 1, 2013, and the Commission's approval has since expired. The applicant has recently requested a reapproval of this plan.

The Subdivision Committee Recommended: Postponement. The staff is unsure whether the requirements of the Capacity Assurance Program are now required for this plan.

- j. DP 2007-141: NEWMARKET PROPERTY, UNIT 8 (4/18/16)* - located at 1501 Deer Haven Lane (a portion of).
(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 13, 2007, 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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffer.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Addition of sanitary sewer force main easement.

On December 13, 2007, the Planning Commission made a finding that this development plan complies with the EAMP Compliance report, for the following reasons:

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

1. The proposed single family development is an allowable use, and is within the density recommended by the EAMP.
2. The applicant has designed this development to be consistent with previously approved plans fronting Polo Club Boulevard in this and adjoining units.
3. The EAMP requires Polo Club Boulevard on the subject property, which has been built and dedicated, as required.

On July 14, 2011, this plan was reapproved by the Planning Commission, subject to four conditions:

1. Addition of second Planning Commission certification (referencing today's date).
2. Correct note #4.
3. Revise limits of plan to permit construction of street stub in right-of-way.
4. Addition of proposed overhead electric utility easement.

Note: The Plan was certified on May 14, 2008, but the Preliminary Subdivision Plan portion of this property has since expired. The applicant is now requesting a reapproval of that portion of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to one condition:

1. Addition of a second Planning Commission certification (referencing Planning Commission's reapproval date).

- k. DP 2012-80: NEWMARKET PROPERTY, PHASE 1, UNIT 6 (AMD) (4/18/16)* - located at 1501 Deer Haven Lane (a portion of). (Council District 12) **(EA Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this amendment is to amend the lot standards and increase the number of lots by 28. The Planning Commission originally approved this plan at their October 11, 2012, 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 protection plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Delete either note #9 or #16 (redundant).
9. Correct note #4 to reference Article 16 of the Code of Ordinances.
10. Revise amendment note to include lot increase and development standards.
11. Resolve note #13 relative to new school development across Polo Club Boulevard.

Note: The Plan was certified on January 31, 2013, but the Commission's approval of the Preliminary Subdivision Plan portion of this plan has since expired. The applicant is now requesting a reapproval of that portion of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to one condition:

1. Addition of a second Planning Commission certification (referencing Planning Commission's reapproval date).

- l. DP 2004-67: KINGSTON HALL, UNIT 2 (EAST BRIDGEFORD LAND & DEVELOPMENT COMPANY) (5/3/16)* - located off Newtown Pike. (Council District 12) **(EA Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The Planning Commission originally approved this Preliminary Subdivision Plan/Preliminary Development Plan on September 9, 2004, and granted a one-year extension on September 8, 2005, 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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of greenspace, greenways and bike/pedestrian facilities.
6. Department of Highways' approval of access and improvements to Newtown Pike.
7. Clarify plan title.
8. Provide fencing and the A-R landscape buffering prior to construction of infrastructure.
9. Denote: Temporary access from the boulevard to the 20-acre tract (Lot 1) will be abandoned at the time of the connection of the boulevard to the adjoining property.

The Planning Commission reapproved this item on September 13, 2012, subject to the original conditions, adding the following conditions:

10. Denote area designated for the regional pump station per the EAMP to the approval of the Division of Water Quality and relocate detention basin on Lot 1, as necessary.
11. Identify location of as-built detention basin on Lot 2.
12. Delete Section "H-H" from Lot 1 & Lot 2, prior to certification.

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This plan was certified on March 26, 2013, but that's been more than three years since the Commission's approval. Thus, the Preliminary Subdivision Plan portion of this combined plan has since expired. The applicant has requested a reapproval of this plan.

The Staff Recommends: **Reapproval**, subject to the following condition:

1. Addition of a second Planning Commission certification (referencing Planning Commission's reapproval date).
- m. DP 2012-89: NEWMARKET PROPERTY, PHASE I, UNIT 10 (5/3/16)* - located at 1501 Deer Haven Lane (a portion of). (Council District 12) **(EA Partners)**

Note: This property requires the posting of a sign and an affidavit of such. The Planning Commission originally approved this plan on February 14, 2013, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Provided the Planning Commission makes a finding that the plan complies with the provisions of the EAMP.
9. Denote the area of storm water management improvements proposed for the adjacent Unit 6 property.
10. Addition of 10' tree protection areas on rear of Lots 30, 31, 33 and 34.
11. Delete duplicated note #15.
12. Revise lot numbering to relocate proposed Lots 147 and 148 (not between Lots 23 & 24).

This plan was certified on March 26, 2013, but that's been more than three years since the Commission's approval. Thus, the Preliminary Subdivision Plan portion of this combined plan has since expired. The applicant has requested a reapproval of this plan.

The Staff Recommends: **Reapproval**, subject to the following condition:

1. Addition of a second Planning Commission certification (referencing Planning Commission's reapproval date).

3. MINOR SUBDIVISION PLAN

- a. PLAN 2016-7C: BIG RUN INDUSTRIAL PARK, UNIT 3 (1/15/17)* - located at 550 & 560 Stone Road and 291 Gold Rush Road. (Council District 10) **(MLH Civil Engineers, PLLC)**

Note: The purpose of this minor amendment is to consolidate four lots into two and alter property boundaries and to dedicate right-of-way, as shown on the approved development plan (DP 2015-117).

The staff is referring this plan to the Commission under Article 3-4(e) of the Land Subdivision Regulations.

The staff will report at the 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.

1. C 2016-1: SUBCARRIER COMMUNICATION, INC. – an application for a 199-foot replacement tower at 3347 Haley Pike.

The Staff Recommends: **Approval**, subject to the following conditions:

1. That the tower be located on the site as shown on the site layout; and, unless an engineer, registered in the state of Kentucky, can verify that a lattice tower is preferable to a steel monopole for structural purposes as it relates to height, the tower is to be a steel monopole, as opposed to the proposed lattice structure. Should the tower exceed 200 feet (to include any lightning arrestors), that it be lighted as required by the Federal Aviation Administration (FAA).
2. That the proposed tower meet all requirements of Article 25, other than the height-to-yard ratio, if that requirement is waived by the Planning Commission.
3. That any applicable permits (e.g., grading, building and/or occupancy) be obtained prior to construction from the applicable Divisions of the Urban County Government.

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

VIII. AUDIENCE ITEMS – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early

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rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. NEXT MEETING DATES

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	February 24, 2016
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 25, 2016
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 3, 2016
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	March 3, 2016
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 10, 2016

X. ADJOURNMENT

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