

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

April 14, 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** – The minutes of the March 10, 2016, meeting will be considered by the Planning Commission at this time.
- III. **POSTPONEMENTS OR WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, April 7, 2016, at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Karen Mundy, Mike Owens, Will Berkley, 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; Denise Bullock; Kelly Hunter; Dave Jarman; Captain Greg Lengal and Lieutenant Joshua Thiel, Division of Fire & Emergency Services; and Tracy Jones and Andrea Brown, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission.

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria:

- (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
- (2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
- (3) no discussion of the item is desired by the Commission, and
- (4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
- (5) the matter does not involve a waiver of the Land Subdivision Regulations.

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

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the meeting. The Chair will announce his/her decision at the outset of the hearing.

1. PRELIMINARY SUBDIVISION PLAN

- a. **PLAN 2016-29P: HAMBURG PLACE COMMUNITY, PHASE II (WEST WIND) (AMD) (6/5/16)* - located at 2350 Winchester Road. (Council District 6)** **(Vision Engineering)**

Note: The purpose of this amendment is to revise the street cross-section of Flying Ebony Drive.

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. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.

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8. Denote that an amended final record plat will be certified and recorded dedicating the reconfigured right-of-way, as necessary, and amending the street cross-section for Flying Ebony Drive prior to the issuance of a building permit for Lots 269-272.
9. Include all the property for Lots 269-272.
10. Denote that the sanitary sewer easement on Lot 269 shall be released and the new easement dedicated on a final record plat or easement minor plat prior to the issuance of a building permit on Lot 269.
11. Denote the 25' floodplain setback on both sides of the floodplain on Lots 269-272.
12. Remove the cloud symbol from the plan face.
13. Resolve the termination of Flying Ebony Drive at Old Rosebud Road.

2. FINAL SUBDIVISION PLANS

- a. PLAN 2016-16F: LEXMARK INTERNATIONAL, INC. (FKA: IBM) (AMD) (5/1/16)* - located at 361 Newtown Pike.
(Council District 2) **(Vision Engineering)**

Note: The Planning Commission postponed this item at their March 10, 2016, meeting. The purpose of this amendment is to subdivide two lots into ten lots.

The Subdivision Committee Recommended: **Postponement**. The required 30% infrastructure report has not been submitted for Planning Commission review (as required by Article 4-5(b) of the Land Subdivision Regulations).

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s).
 6. Greenspace Planner's approval of the treatment of greenways and greenspace.
 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 "section" information on all lots, and renumber lots.
 10. Denote address of detention basin on plan.
 11. Discuss Legacy Trail conflict with proposed access easement.
 12. Discuss timing and location (i.e., storm water basin and sanitary sewer) of public improvements and possible need for a waiver.
 13. Discuss need for Royal Spring Aquifer note.
- b. PLAN 2016-26F: PATCHEN WILKES TOWNHOMES & PATCHEN WILKES, UNIT 2 (AMD) (6/5/16)* - located at 1811 and 2053 Winchester Road. (Council District 6) **(Eagle Engineering)**

Note: The purpose of this amendment is to subdivide two lots into 44 lots and to create an access easement.

The Subdivision Committee Recommended: **Postponement**. The required 30% infrastructure report has not been submitted for Planning Commission review as required by Article 4-5(b) of the Land Subdivision Regulations.

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.
 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. Correct Engineer's certification.
 8. Correct plan type "Amended."
 9. Correct purpose of amendment note.
- c. PLAN 2016-27F: KINGSTON HALL, UNIT 1, LOT 22 (6/5/16)* - located at 1150 Providence Place Parkway.
(Council District 12) **(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.

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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. Denote: This property shall be developed in accordance with the approved final development plan.
9. Denote address on lot.
10. Denote existing tree protection areas on plan.
11. Discuss whether exactions should be determined (to the approval of the Division of Planning) at the time of Final Development Plan.
12. Discuss sanitary sewer service to the proposed lot, or need for a waiver.
13. Discuss timing of public street construction and dedication, or need for a waiver.

- d. PLAN 2016-28F: SEBASTIAN PROPERTY, UNIT 1, SECTION 3 (AMD) (6/5/16)* - located at 2922 Peaks Mill Drive.
(Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to create 27 lots, dedicate public right-of-way and easements, and remove bike path and non-building restrictions.

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. Greenspace Planner's approval of the treatment of greenways and greenspace.
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. Denote HOA maintenance of Lot 27.
10. Document that Lot 10 meets the minimum lot size and frontage requirements.
11. Resolve building line for lot frontage for Lots 8 and 12.

- e. PLAN 2015-1F: DENTON FARM, INC., UNIT 1-G, BLOCK J, LOT 32 (AMD) (6/27/16)* - located at 493 Weston Park. (Council District 7) **(John Hill)**

Note: The purpose of this amendment is to subdivide one lot into two lots. The Planning Commission approved this item on January 15, 2015, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: This property shall be developed in accordance with the approved final development plan.
8. Denote applicable exactions to the approval of the Division of Planning.
9. Correct Urban County Planning Commission's certification.
10. Correct Land Surveyor's certification.
11. Addition of survey monument description and detail.
12. Increase font size for notes to at least match those on the parent plat (Cab. N, Sl. 961).
13. Correct survey notes and plan title plat references (Cab. M, Sl. 832).
14. Review by Technical Committee prior to plan certification.

Note: The Technical Committee reviewed this item on January 28, 2015, addressing condition #14. The applicant now requests a reapproval of this final record plat.

The Staff Recommends: **Reapproval**, subject to the original condition previously required by the Planning Commission on January 15, 2015, removing condition #14.

- f. PLAN 2008-129F: KOKERNOT & RIGGS (6/28/16)* - located at 319 North Broadway.
(Council District 1) **(2020 Surveying)**

Note: The Planning Commission approved this item on October 9, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.

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4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection areas.
6. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
7. Addition of site statistics, including zoning information, and place within box.
8. Addition of building lines.
9. Correct plan title.
10. Delete property improvement information on plat.
11. Correct North Broadway cross-section.
12. Resolve proposed development or development restrictions proposed on parcel 2.
13. Resolve parking easement or restrictions.

Note: The applicant now requests a reapproval of this final record plat.

The Staff Recommends: **Reapproval**, subject to the original conditions previously required by the Planning Commission on October 9, 2008, revising the following two conditions and adding one condition:

3. Building Inspection's approval of landscaping ~~and required street tree information~~.
5. Urban Forester's approval of tree protection area(s) ~~and required street tree information~~.
14. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.

3. **DEVELOPMENT PLANS**

- a. 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: The Planning Commission postponed this item at their February 11, 2016, March 10, 2016 and March 24, 2016, meetings. 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 Subdivision Committee Recommended: **Reapproval**, subject to the following condition:

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

The Staff Recommends **Postponement**. There has been a delay in posting of the notice sign on this property.

- b. DP 2016-12: LOUDON PARK ADDITION, BLOCK 2, LOTS 3-10 (4/14/16)* - located at 720 Bryan Avenue, 130 and 138 Loudon Avenue. (Council District 1) **(S. Mark McCain, RLA)**

Note: The Planning Commission postponed this item at their February 11, 2016 and March 10, 2016, meetings. 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

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.

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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.
- c. DP 2016-19: INTERCHANGE SERVICE CENTER, LOT 8B (5/1/16)* - located at 2211 Elkhorn Road.
(Council District 6) **(Abbie Jones Consulting PSC)**

Note: The Planning Commission postponed this item at their March 10, 2016, meeting.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding access to the pump station and the status of the CLOMR/LOMR approvals.

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 and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 9. Division of Waste Management's approval of refuse collection locations.
 10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 11. Designate property lines as solid.
 12. Darken metes and bounds to improve legibility.
 13. Darken building dimensions to improve legibility.
 14. Dimension driveway entrances on plan.
 15. Correct F.F.E information to the approval of the Division of Water Quality.
 16. Addition of required CLOMR-F/LOMR-F information to the approval of the Division of Water Quality.
 17. Addition of required stormwater management note.
 18. Remove notes #6, #8 and #11.
 19. Denote dimensioned parking space as typical.
 20. Denote all work in the floodplain to comply with Article 19 requirements.
 21. Correct Planning Commission certification.
 22. Denote 25' floodplain setback on plan.
 23. Addition of cross-section for access easement.
 24. Addition of steep slope note to plan.
 25. Discuss pump station access and note #9.
 26. Discuss dumpster location.
- d. DP 2016-20: LEXMARK INTERNATIONAL, INC. (FKA: IBM) (5/1/16)* - located at 361 Newtown Pike.
(Council District 1) **(Vision Engineering)**

Note: The Planning Commission postponed this item at their March 10, 2016, meeting.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the conflict between the private access proposed and the Legacy Trail; the access easement and the timing of required findings by the Planning Commission; and the unconventional internal intersection geometrics proposed.

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. 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. Kentucky Transportation Cabinet's approval of access points to Newtown Pike.
 12. Delete note #5 (duplicate).
 13. Specify lots affected in note #15.
 14. Identify existing use of building on Lot 3.
 15. Discuss conflict between the private access proposed and Legacy Trail.
 16. Discuss timing and details for future Phase 2 development.
 17. Discuss access easement and timing of required findings by the Planning Commission.
 18. Discuss unconventional internal intersection geometrics proposed.
- e. DP 2016-27: SCHROYER PROPERTY, LOTS 3 & 4 (6/5/16)* - located at 1009 and 1017 Wellington Way.
(Council District 10) **(Banks Engineering)**

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 7. Division of Waste Management's approval of refuse collection locations.
 8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 9. Clarify note #15 timing of consolidation plat recordation and development plan certification.
 10. Addition of record plat designation on plan, or in title block.
 11. Delete note #12.
 12. Denote access point for construction vehicles on plan.
 13. Denote height of building in feet.
 14. Correct site statistics for building coverage and length of street.
 15. Label location of outdoor restaurant seating on plan.
 16. Label zoning for adjacent property, per Preliminary Development Plan.
 17. Show entrance points to adjacent property.
 18. Resolve proposed dumpster location and impact on parking.
 19. Denote Board of Adjustment approval date for a dimensional variance.
- f. DP 2016-28: HUMANA, INC. (ST. JOSEPH EAST EXPANSION) (AMD) (6/5/16)* - located at 150 North Eagle Creek Drive. (Council District 7) **(CDP)**

Note: The purpose of this amendment is to add parking, construct a heli-stop, add a maintenance building and improve loading docks.

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. Correct stormwater improvement note and zoning note.
12. Correct notes #3 and #9.
13. Denote date (& case #) of BOA approval of heli-stop on plan, prior to plan certification.

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14. Label proposed maintenance building on plan and denote height in feet.
15. Denote record plat information on plan.
16. Denote street cross-section locations on plan.
17. Label existing tree protection areas on plan.
18. Label front building line setback.
19. Clarify office parking floor area.
20. Contract building envelope for building #100 (on Lot 2).
21. Show bike and pedestrian easement on plan.
22. Addition of steep slope note on plan.
23. Discuss potential improvements to pedestrian access from North Eagle Creek Drive and Blazer Parkway.

- g. DP 2016-29: TUSCANY, UNIT 1, LOT 169 (YMCA PROPERTY) (AMD) (6/5/16)* - located at 2681 Old Rosebud Road.
(Council District 6) **(Brandstetter Carroll)**

Note: The purpose of this amendment is to alter the location of one entrance to Old Rosebud Road.

The Subdivision Committee Recommended: **Postponement**. The plan was not represented by the project engineer.

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 and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Greenspace Planner's approval of the treatment of greenways and greenspace.
 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. Denote name and address of developer on plan.
 10. Denote 25' floodplain setback with dashed lines.
 11. Denote information for adjacent Lot 168 on plan, per approved BOA site plan.
 12. Supplement building dimensions for YMCA building on plan.
 13. Denote address of property in plan title.
 14. Correct notes #4 & #9.
 15. Denote height of building in feet.
 16. Correct Commission's certification, per Article 21-6(a)(16) requirements.
 17. Delete notes #7, #8 & #12 and reorder notes.
 18. Remove "DP 2006-84" from title block.
 19. Correct owner's certification title.
 20. Addition of bike and pedestrian easement on plan.
 21. Correct note #1 to reference stormwater management.
 22. Discuss need for drainage easement from Pascoli Place.
- h. DP 2016-30: GREENDALE HILLS, UNIT 2-C (6/5/16)* - located at 2700 Magnolia Springs Drive.
(Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to add 48 apartments for a group residential project (240 bedrooms in 6 buildings) with associated 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. 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. Denote building height in feet on plan.
12. Correct acres of existing trees in site statistics.
13. Label zoning line (I-1/R-3) and correct site statistics acreages.
14. Correct plan title.
15. Dimension maintenance building on plan.

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16. Denote garage detail on plan.
17. Clarify topographic elevation in sinkhole area.
18. Denote purpose of amendment note on plan.
19. Discuss possible need for a secondary entrance for emergency vehicles.
20. Discuss timing of the planned extension of Mable Lane right-of-way.
21. Discuss the use of sinkhole area as stormwater management.
22. Discuss parking provided (no surplus proposed).
23. Discuss incomplete pedestrian circulation system.

- i. DP 2016-31: MAN O' WAR, UNIT 2A, SECTION 2. LOT A2 (AMD) (6/5/16)* - located at 1973 Bryant Road.
(Council District 6) **(EA Partners)**

Note: The purpose of this amendment is to add 1,875 sq. ft., a covered patio, and to relocate the dumpster and 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. 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. Dimension covered area and patio.
10. Document compliance with tree canopy (Art. 26) requirements, prior to certification.

- j. DP 2016-32: GESS PROPERTY, UNIT 8 (AMD) (6/5/16)* - located at 4115 Sperling Drive
(Council District 7) **(EA Partners)**

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to revise the multi-family residential development of Phase II.

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. 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. Provided the Planning Commission makes a finding that the plan complies with the Expansion Area Master Plan.
12. Denote Phase I and Phase II areas.
13. Clarify purpose of amendment note.
14. Denote height of buildings in feet.
15. Addition of uses to be conducted in Community Center Clubhouse area.
16. Update floodplain map information on plan.
17. Resolve notes to be omitted and status of note requirements.

- k. DP 2016-33: QUANTRELL REALTY COMPANY (AMD) (6/5/16)* - located at 2228 Young Drive and 1440 East New Circle Road. (Council District 5) **(EA Partners)**

Note: The purpose of this amendment is to add 2228 Young Drive to the plan, and add two buildings and space for new car display.

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.

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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 record plat information on plan.
11. Denote required landscaping/buffering for adjacent R-4 zone.
12. Denote height of buildings in feet.
13. Document how tree canopy requirement (20%) will be met.
14. Resolve stormwater easement conflict with proposed 3,700 sq. ft. building.
15. Resolve need for pedestrian connectivity to Young Drive.
16. Resolve stormwater management proposed for site.

- I. DP 2016-34: ADAMS PROPERTY & CADENTOWN, LOTS 3 & 4 (BRIGHTON 3050) (AMD #5) (6/5/16)* - located at 3050 Helmsdale Place. (Council District 6) **(EA Partners)**

Note: The purpose of this amendment is to incorporate the 836 and 852 Campbell Lane properties into the multi-family development.

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. Addition of building height in feet.
12. Denote: "No construction vehicles will utilize Campbell Lane for apartment construction."
13. Discuss storm water detention needs for Buildings 8 & 9.
14. Discuss termination of Campbell Lane, per note #16, and dimension turnaround.
15. Discuss perimeter setback compliance, per note #17.

- m. DP 2016-35: HAMBURG EAST, LOT 4B (AMD) (6/5/16)* - located at 2500 Polo Club Boulevard. (Council District 12) **(Vision Engineering)**

Note: The purpose of this amendment is to revise the restaurant layout and parking circulation on outlot 4-B.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
9. Addition of bearings and distances on all property lines.
10. Denote that the proposed restaurant on Lot 4-B shall comply with Article 23A-9(k)(8) of the Zoning Ordinance.
11. Addition of an interior landscape island along the northwest property line of Lot 4B.
12. Division of Planning's approval of exaction information, including information from current development plan.
13. Provided the Planning Commission makes a finding that the plan complies with the Expansion Area Master Plan.
14. Resolve entrance location adjacent to Fitzgerald Court.
15. Resolve front orientation details for restaurant outlots.
16. Identify sidewalk connection from a public street to Lot 4B restaurant patio area.

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- n. DP 2016-36: FRITZ FARM (SUMMIT LEXINGTON) (AMD) (6/5/16)* - located at 4100 Nicholasville Road.
(Council District 4) **(HDR Engineering)**

Note: The purpose of this amendment is to revise the building footprint, square footage and drive-through.

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. Label landscape buffer area behind homes on Tangleway Way.
11. Denote location of newly constructed right-in/right-out access across Man o' War Boulevard.
12. Denote building setbacks proposed at corner of Habersham Drive and Man o' War Boulevard.
13. Denote spring treatment/protection measures approved by the Division of Engineering on plan.
14. Resolve geometrics of (35' wide) drive-through exit lane proposed.

- o. DP 2016-37: THE TOWNHOMES AT JEFFERSON STREET (6/5/16)* - located at 500-512 Maryland Avenue.
(Council District 2) **(CMW, Inc.)**

Note: The purpose of this amendment is to depict 16 townhomes, a restaurant/pub and associated 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. Addition of conditional zoning restriction from December 12, 2015 Planning Commission's approval on plan.
11. Dimension driveways on plan.
12. Dimension walkways on plan.
13. Correct date in note #15.
14. Clarify extent of plan with solid lines for bounds of plan.
15. Clarify proposed lot lines for townhomes.
16. Revise plan title to include "Preliminary Subdivision Plan" in title block.
17. Denote sidewalk access from townhouse units to Maryland Avenue.

- p. DP 2016-38: FIELD & MAIN (6/5/16)* - located at 367-375 East Main Street and 107-111 Eastern Avenue.
(Council District 1) **(CMW, Inc.)**

The Subdivision Committee Recommended: **Postponement**. There are concerns with the remaining discussion items.

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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
6. Division of Waste Management's approval of refuse collection locations.
7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Denote boundary of property with a solid dark line.
9. Recordation of consolidation plat prior to plan certification.

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10. Addition of topography with contour intervals.
11. Denote construction access on plan.
12. Denote height of building in feet.
13. Delete notes #12 & #14.
14. Remove maximum building height from site statistics.
15. Complete building exterior wall dimensions (along rear wall).
16. Addition of planting, sidewalk, fences, wall, etc. in the 8.1' front yard.
17. Denote Board of Adjustment's approval for conditional use permit prior to certification.
18. Discuss proposed solid waste service.
19. Discuss compliance with Article 8-18(m) of the Zoning Ordinance.
20. Discuss compliance with Article 15-7, as applicable.
21. Discuss compliance with Downtown Streetscape Master Plan.

- q. DP 2016-39: WYNNDALE SUBDIVISION (6/5/16)* - located at 1580 Higbee Mill Road.
(Council District 9) **(Vision Engineering)**

Note: The purpose of this amendment is to depict a townhouse development with the required parking on the subject property.

The Subdivision Committee Recommended: Postponement. There are still questions regarding the plan's compliance with the Land Subdivision Regulations, including its impact on the floodplain and the need for a dimensional variance.

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, ~~and~~ landscape buffers and required arterial screening.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Resolve difference between 20' access easement along east property line and correct base roadway information on plan.
12. Denote height and location of any proposed retaining walls in feet.
13. Delete note #10.
14. Delete reference to A-1 zone parking in site statistics.
15. Denote reference to Article 19 to the approval of Water Quality.
16. Identify location of "interior landscaping proposed" on plan (1845 sq. ft.).
17. Addition of a label for patios (not decks) in rear yard of proposed townhouses.
18. Discuss improvements to Higbee Mill Road along entire frontage.
19. Discuss frontage and access requirements for proposed townhouse lots.
20. Discuss floodplain setback and possible need for a variance.
21. Discuss impact on floodplain, easements and floodway.
22. Discuss maintenance responsibility for common areas and/or ~~private street~~ access easement.
23. Discuss parking generator provided versus number of bedrooms proposed.
24. Discuss landscaping next to R-1C properties.
25. Discuss justification for use of an access easement instead of a private street.
26. Discuss possibility of HOA maintenance responsibilities.
27. Discuss timing of CLOMR and/or LOMR.
28. Discuss proposed Lot 22 and revise open space in site statistics for Lots 1-21.
29. Discuss note #11 regarding rain gardens, and discuss their location.

- r. DP 2016-40: MILLER-BIRD COMMERCIAL SUBDIVISION, UNIT 1-B, BLOCK B, LOTS 9-18 (AMD) (6/5/16)* - located at 198 Moore Drive. (Council District 10) **(S. Mark McCain, RLA)**

Note: The purpose of this amendment is to depict the existing development on the property and to qualify for a flex-space project, per Art. 8-21(o)(5).

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. 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. Denote plan as "amended" final development plan.
 10. Denote topographical contours and source of contours.
 11. Denote location of street cross-section on plan.
 12. Correct "flex plan note" to read "purpose of amendment."
 13. Revise existing tree canopy coverage site statistic (27.8%).
 14. Provided the Planning Commission makes a finding that the plan complies with Article 8-21(o)(5) of the Zoning Ordinance.
- s. DP 2016-41: MILLER-BIRD COMMERCIAL SUBDIVISION, UNIT 1-B, BLOCK C, LOTS 18-25 (AMD) (6/5/16)* - located at 2551 Regency Road. (Council District 10) **(S. Mark McCain, RLA)**

Note: The purpose of this amendment is to depict the existing development on the property and to qualify for a flex-space project, per Art. 8-21(o)(5).

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. Denote plan as "amended" final development plan.
10. Denote topographical contours and source of contours.
11. Denote location of street cross-section on plan.
12. Correct "flex plan note" to read "purpose of amendment."
13. Clarify that existing trees will be preserved on the site.
14. Provided the Planning Commission makes a finding that the plan complies with Article 8-21(o)(5) of the Zoning Ordinance.

4. MINOR SUBDIVISION PLAN

- a. PLAN 2016-25C: GOODWIN ACRES, LOTS 31, 32, 33 & 34 (6/5/17)* - located at 3798 Royster Road. **(Randy Martin)**
(Council District 12)

The staff is referring this plan to the Commission under Article 3-2(b) 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.

- a. **SRA 2016-1: AMENDMENT TO ARTICLES 4-4(D)(1)** - petition for a text amendment to the Land Subdivision Regulations to increase the "life" of a Preliminary Subdivision Plan approved by the Commission from 3 years to 5 years.

REQUESTED BY: Urban County Planning Commission

PROPOSED TEXT: (Text underlined indicates an addition to the existing Land Subdivision Regulations.)

(1) APPROVAL - Means the developer is authorized to proceed with the preparation of the required improvement plan. Preliminary plan approval by the Planning Commission automatically grants a developer ~~three (3)~~ five (5) years from the date of Commission action within which he shall submit final plans for all property shown on the preliminary plan for Planning Commission consideration. Before expiration, the Commission may extend the approval period in increments not to exceed one year at a time, provided the Commission finds that progress has been made in the physical construction of improvements. In conjunction with such approval extensions, the Commission shall have the right to require changes in the preliminary plan when it finds that time has necessitated such changes for the health, safety and welfare of the residents of the community or when

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applicable ordinances and regulations have been changed. Upon the expiration of any approval period specified under this section, the plan shall be deemed as disapproved by the Commission.

The Subdivision Committee made a recommendation of **Approval**.

The Staff Recommends: **Approval**, for the following reasons:

1. The removal of the conflict in the Zoning Ordinance and the Land Subdivision Regulations regarding the allowable "life" of a combined Final Development Plan/Preliminary Subdivision Plan would be eliminated with this proposed amendment.
2. The long-standing practice of allowing Improvement Plans to be filed within three years of the certification of a Preliminary Subdivision Plan would be replaced with the certainty of a statement in the Regulations allowing up to "five (5) years from the date of Commission action" on the plan. In most instances, this will allow project engineers 12-23 months longer than the past practice to perform this task.

- b. **SRA 2016-2: AMENDMENT TO ARTICLE(S) 2-3(B) AND 3-5(B)** - petition for a text amendment to the Land Subdivision Regulations to modify the limitations for these Minor Subdivision Plats by 1) reducing the acreage requirement for that plat (in most instances); and 2) to allow a Final Development Plan to substitute for a Final Record Plat, in terms of allowing development to proceed on such a property.

REQUESTED BY: Urban County Planning Commission

PROPOSED TEXT: (Text underlined indicates an addition to the existing Land Subdivision Regulations.)

2-3(b) NON-BUILDING MINOR SUBDIVISION - Shall be primarily for the purpose of assisting developers in acquiring land for future urban subdividing without having, at this time, to meet the requirements for a major subdivision. Except for alteration to existing buildings, or except for construction allowed by a recorded Display House Minor Subdivision Plan or an approved Final Development Plan, no new building development shall be permitted for residential, commercial, or industrial activity. Whenever such new development is desired, the developer must submit a major subdivision or development plan or a Display House Minor Subdivision Plan. Each division resulting from a non-building minor subdivision plan shall be at least the minimum lot size of zoning classification for the property, or one (1) ~~ten (10)~~ acres in size, whichever is greater.

3-5(b) NON-BUILDING PLANS - The following note shall be required to be placed upon the plan:

"The divisions created by this subdivision shall be used for non-building purposes. Except for alteration to existing buildings, no new construction shall be permitted for any residential or non-residential activity (except for that allowed for a portion of this property by the recording of a Display House Minor Subdivision Plan) unless and until a major subdivision or development plan is approved by the Planning Commission and ~~recorded~~ certified by the Commission's Secretary."

The Subdivision Committee made a recommendation of **Approval**.

The Staff Recommends: **Approval**, for the following reasons:

1. The proposed text amendment is a timely relaxation to the Land Subdivision Regulations regarding the process to "take down" an undeveloped parcel of land in advance of more routine development approvals by the Planning Commission.
2. These types of minor subdivision plats have been little used in recent years, due to their lot size limitations and the need for a follow-up Final Record Plat. These two changes to the requirements for Non-Building Plats should make it easier for developers to acquire and dispose of smaller tracts in advance of their development, without violating any provisions of the Zoning Ordinance relating to the minimum lot sizes in each zone.

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)	April 27, 2016
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	April 28, 2016
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	May 5, 2016
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	May 5, 2016
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	May 12, 2016
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	June 30, 2016

X. ADJOURNMENT