

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

November 10, 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 October 13, 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, November 3, 2016, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Will Berkley and Mike Owens. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: James Duncan; Bill Sallee; Tom Martin; Denice Bullock; Chris Bronczyk; Cheryl Gallt; 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. **FINAL SUBDIVISION PLANS**

- a. **PLAN 2015-135F: BOGIE ESTATE, LOT 2 (AMD)** (11/10/16)* - located at 5898 Old Richmond Road.
(Council District 12) **(EA Partners)**

Note: This item was postponed by the applicant at the December 3, 2015, Subdivision Committee meeting. The purpose of this amendment is to subdivide the property 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) and required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.

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

7. Clarify information shown on site at corner of the intersection (easements).
8. Change note on plan to reference language provided on email correspondence.

- b. PLN-MJSUB-16-00011: CHARLOTTE PRICE SUBDIVISION (CLAIRE SNELL-ROOD) (AMD) (1/1/17)* - located at 617 Price Avenue. (Council District 1)
(Berry Land Surveying)

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.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Resolve sanitary sewer service to both lots, per the proposed Urban County Engineer's certification.

- c. PLN-MJSUB-16-00012: NEWTOWN SPRINGS LLC, UNIT 1, SECTIONS 1 & 2 (AMD) (1/1/17)* - located at 1433 Newtown Center Way. (Council District 1)
(Endris Engineering)

Note: The purpose of this amendment is to subdivide 6 lots into 8 lots and to create two 24' access easements.

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. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
9. Denote: This property shall be developed in accordance with the approved final development plan.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Addition of name and address of developer and owner.
12. Addition of access easement maintenance note on plan.
13. Correct plan title to indicate amendment.
14. Provided the Planning Commission grants a waiver to Articles 4-7(d)(1), 6-2(a) and 6-6(b) of the Land Subdivision Regulations, pertaining to the required substantial completion of public improvements, specifically the provision of public sanitary sewer facilities.

- d. PLN-MJSUB-16-00013: HARVEY PROPERTY, LOT 2, SECTION 1 (AMD) (1/1/17)* - located at 4654 Rosette Way. (Council District 10)
(EA Partners)

Note: The purpose of this amendment is to revise the cross-section for Rosette Way.

The Subdivision Committee Recommended: **Approval**, subject to the revised 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 signature lines (and signatures) for owners of Lots 22, 23 and 25-29, as required.
7. Provided the Planning Commission grants a waiver to Article 6-8 and Exhibit 6-3 of the Land Subdivision.

- e. PLN-MJSUB-16-00014: BARBARA M & MASTEN CHILDERS II (1/1/17)* - located at 4390 Briar Hill Road. (Council District 12)
(Randy Martin)

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this plat is to plat a 15-acre lot.

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.

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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 easements as required by the utility companies.
7. Denote non-buildable areas on plan, if any.
8. Addition of control monument information per Article 6 requirements.
9. Denote lot frontage in site statistics.
10. Complete adjoining property information (owners, deeds, etc.).
11. Denote Health Department approval of septic system in agricultural zone prior to plan certification.
12. Increase font size of all plan text.
13. Delete side and rear setback information shown (leaving 300' B.L.).
14. Addition of street cross-section information.
15. Denote: The geometry of this lot is partly the result of subdivision activity in the past involving all surrounding property (See P.C. K, SI 98).
16. Resolve dedication of right-of-way.

- f. PLAN 2014-73F: WILHITE PARK, UNIT 1-B, SECTION 1 (AMD) (1/31/17)* - located at 3500 Arbor Drive.
(Council District 8) **(Vision Engineering)**

Note: The purpose of this amendment is to subdivide one lot into two lots and add an access easement. The Planning Commission originally approved this plan on October 9, 2014, and reapproved it on November 12, 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Addition of purpose of amendment note.
9. Addition of survey information per Art. 5-4(d)(6) of the Subdivision Regulations.
10. Addition of zones for subject property and adjacent properties.

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

The Staff Recommends: **Approval of a one-year extension**, subject to the conditions originally approved at the November 12, 2015, Planning Commission meeting.

2. DEVELOPMENT PLANS

- a. PLN-MJDP-16-00024: SOUTH ELKHORN VILLAGE (AMD) (12/01/16)* - located at 4379 Old Harrodsburg Road.
(Council District 10) **(EA Partners)**

Note: The Planning Commission postponed this item at their October 13, 2016, meeting. The purpose of this amendment is to add a drive-through facility and a patio cover.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the proposed drive-through and patio cover.

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

1. Urban County Engineer's acceptance of drainage, and 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. 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. Document tree canopy requirements are being met.
10. Document off-site parking agreement status.
11. Discuss proposed patio cover and potential for enclosing.
12. Discuss proposed drive-through and required vehicle stacking.

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- b. PLN-MJDP-16-00033: H AND J PROPERTIES, LLC & TLJ PROPERTIES, LLC (1/1/17)* - located at 1400 N. Broadway.
(Council District 1) **(S. 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. Urban Forester's approval of tree preservation plan.
6. Division of Waste Management's approval of refuse collection locations.
7. Addition of floor area in site statistics per Art. 21 requirements.
8. Provided the Planning Commission grants a waiver to the tree canopy requirements, per Article 26-5 of the Zoning Ordinance.
9. Clarify tree canopy site statistics to indicate level of tree protection to be attained.
10. Discuss possible street tree planting along Paris Avenue (instead of a canopy waiver).

- c. PLN-MJDP-16-00034: JERRICO, INC., LOTS 1-C & 1-D (AMD) (1/1/17)* - located at 3445 Richmond Road.
(Council District 7) **(Banks Engineering)**

Note: The purpose of this amendment is to increase the building square footage 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. Department of Environmental Quality's approval of environmentally sensitive areas.
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 topographic intervals and elevations on Lots 1C & 1D, and clarify front storm water basin information.
11. Revise the height of canopy to a minimum of 13'-6", per Fire Department requirements.

- d. PLN-MJDP-16-00037: HASH AND HOUNSHELL PROPERTY (1/1/17)* - located at 1411 Greendale Road.
(Council District 2) **(Vision Engineering)**

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the proposed street system for the townhouse area.

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. Denote 10' townhouse building line proposed.
13. Denote building heights in feet.
14. Denote proposed and existing easements on plan.
15. Denote the Royal Springs Aquifer Committee's consideration and/or approval prior to certification.
16. Detail proposed private open space area for townhouse ~~and~~ units.
17. Align Lucille Drive street connection to the north.
18. Provided the Planning Commission makes a finding for the access easement, per Article 6-8(m) of the Land Subdivision Regulations, or convert to private street.
19. Discuss proposed street system for townhouses in southwest area of the development.
20. Discuss landscaping at cul-de-sac roundabout.

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

- e. PLN-MJDP-16-00038: WILHITE PARK, UNIT 1B, SECTION 1 (1/1/17)* - located at 3500 Arbor Drive.
(Council District 8) **(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. Department of Environmental Quality's approval of environmentally sensitive areas.
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 written graphic scale on plan.
11. Addition of adjacent property zoning.
12. Addition of height of townhomes in feet.
13. Addition of cul-de-sac cross-section.
14. Addition of purpose of amendment note.
15. Addition of street tree information, on plan.
16. Resolve status PLAN 2014-73F: WILHITE PARK, UNIT 1-B, SECTION 1 (AMD) reapproved on November 12, 2015, and the difference in the lot layout.

- f. PLN-MJDP-16-00039: LIBERTY HEIGHTS SUBDIVISION, BLOCK C, LOTS 4-10 & LOTS 44-47 (1/1/17)* - located at 836 Winchester Road. (Council District 5) **(Vision Engineering)**

The Subdivision Committee Recommended: **Postponement**. There are still concerns about the location of the proposed drive-through window and stacking of the vehicles.

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. Consolidation of property prior to plan certification.
10. Addition of existing and proposed easements on plan.
11. Kentucky Transportation Cabinet's approval of access on Winchester Road.
12. Discuss parking surplus proposed, and location near residential property line.
13. Discuss location and purpose of "pick-up window" and vehicular stacking proposed.
14. Discuss parking conflict with "26" Box Elder.

- g. PLN-MJDP-16-00014: BURKE, HOCKENSMITH & MAGGARD (AKA: GIBSON & PARSONS INVESTMENTS II, LLC PROPERTY) (1/27/17)* - located at 1803 Georgetown Road. (Council District 2) **(Vision Engineering)**

Note: The Planning Commission approved this plan at their September 8, 2016, 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. 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. Delete note #1.
12. Denote the Royal Springs Aquifer Committee's consideration and/or approval of this plan prior to certification.

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

Note: The applicant now requests a waiver to Article 4-7(d) of the Land Subdivision Regulations for this plan.

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

13. Provided the Planning Commission grants a waiver to Article 4-7(d) of the Land Subdivision Regulations.

C. MINOR PLANS

1. PLN-MNSUB-16-00029: BURKE, HOCKENSMITH & MAGGARD, LOTS 1 & 2 – located at 1803 Georgetown Road.
(Council District 2) **(Vision Engineering)**

This plan has been filed for the same plan, as listed above on this agenda for this address. The staff is referring this plan to the Planning Commission under Article 3-2(b) of the Land Subdivision Regulations.

The staff will report at the meeting.

2. PLN-MNSUB-16-00030: LIBERTY HEIGHTS SUBDIVISION, BLOCK C, LOTS 4-10 & LOTS 44-47 – located at 836-846 Winchester Road, 912-922 Detroit Avenue and 915-921 Dayton Avenue.
(Council District 5) **(Vision Engineering)**

This plan has been filed for the same plan, as listed above on this agenda for this address. The staff is referring this plan to the Planning Commission under Article 3-2(b) of the Land Subdivision Regulations.

The staff will report at the meeting.

3. PLN-MNSUB-16-00036: TUSCANY – located at 1970 Winchester Road and 2625 Sir Barton Way.
(Council District 6) **(EA Partners)**

The staff is referring this plan to the Planning Commission under Article 3-2(b) of the Land Subdivision Regulations.

The staff will report at the meeting.

- D. 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.

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

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

IX. NEXT MEETING DATES

Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	November 17, 2016
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	November 23, 2016
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	December 1, 2016
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	December 1, 2016
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	December 8, 2016
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	December 15, 2016
Planning Commission Work Session , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	December 22, 2016

X. ADJOURNMENT