

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

February 9, 2017

- 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 January 12, 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, February 2, 2017, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Joe Smith 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: Bill Sallee; Tom Martin; Denice Bullock; Chris Bronczyk; Cheryl Gallt; Captain Greg Lengal and Lieutenant Joshua Thiel, Division of Fire & Emergency Services; 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. PLN-MJSUB-17-00001: HAMBURG EAST, TRACT 4, SECTION 2 (4/6/17)* - located at 2575 and 2785 Polo Club Boulevard. (Council District 12) **(Vision Engineering)**

Note: The purpose of this amendment is to dedicate a portion of Little Herb Way right-of-way from Tract 4A.

The Subdivision Committee Recommended: **Approval**, subject to the revised 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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Increase space for Urban County Engineer's signature(s) to plan.

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

- b. PLN-MJSUB-17-00002: LEXINGTON MALL (CROSSFIT MAXIMUS) (AMD) (4/6/17)* - located at 2397 Richmond Road. (Council District 5) **(Abbie Jones Consulting)**

Note: The purpose of this amendment is to subdivide one lot into two, and re-route a utility easement.

The Subdivision Committee Recommended: Postponement. This is a two-lot subdivision, but only one lot has been depicted on this plat.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping.
 4. Addressing Office's approval of street names and addresses.
 5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 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 site statistics (lot acreage, frontage, zoning, number of lots).
 9. Revise proposed 10' sanitary sewer easement to meet the 15' minimum requirement, per the Engineering Manuals.
 10. Addition of access easement maintenance note as required by Art. 5-4(h)(1) of the Subdivision Regulations.
 11. Denote reciprocal parking and access for the-proposed lots.
 12. Revise Land Surveyor and Urban County Engineer's certification, and discuss possible need for a waiver from the Planning Commission.
 13. Extend sidewalk easement onto remaining tract (Lot 2)-previously denoted on Cabinet R, Slide 385.
 14. Discuss sanitary sewer service to new lot, and possible waiver.
 15. Correct Planning Commission certification to reflect "major" certification, per the Land Subdivision Regulations.
 16. Provided the Planning Commission makes a finding on the access easement (private driveway), per Article 6-8(m) of the Land Subdivision Regulations.
 17. Include all of Tract A (Lot 2) on plat, per Article 5-4 of the Land Subdivision Regulations.
- c. PLN-MJSUB-17-00003: FULLER ET. AL. PROPERTY & MEADOWTHORPE COMMERCIAL BUSINESS CENTER, UNIT 1 (AMD) (4/6/17)* - located at 1315, 1317, 1325 and 1353 W. Main Street. (Council District 2) **(Abbie Jones Consulting)**

Note: The purpose of this amendment is to subdivide one lot from two others.

The Subdivision Committee Recommended: Postponement. There are concerns regarding the access on the subject property.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping.
 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 site statistics per Art. 5-2(f) of the Land Subdivision Regulations.
 9. Remove dashed line depicted in center of Lot 5.
 10. Remove survey notes 5 & 6.
 11. Addition of Owner's Certification signatures for owners of Lot 2.
 12. Include Lot 2 on plat to create proposed access easement located on Lot 2.
 13. Remove dashed lines on Lot 4 for parking areas or establish easements(s) accordingly.
 14. Clarify location and size of new access easement on Lots 2 & 3.
 15. Discuss possible need for an access easement out the rear of Lot 5, based on public safety concerns.
- d. PLN-MJSUB-17-00004: EAST SEVENTH STREET ADDITION, BLOCK C, LOTS 1-9 & BLOCK B, LOTS 1-14, 18-34 & LOT 44 (AMD) (4/6/17)* - located at 661, 664 and 663 Magnolia Avenue and 700 E. Seventh Street. (Council District 1) **(Endris Engineering)**

Note: The purpose of this amendment is to subdivide two lots into five lots.

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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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Remove "Parcel 4" and "Parcel 5" and assign lot numbers (per Art. 5-4(d)(6) of the Subdivision Regulations).
7. Denote maintenance responsibility for Lot 44A.

2. DEVELOPMENT PLANS

- a. PLN-MJDP-16-00056: PROVIDENCE PLACE, TRACT 3, LOT 3 (5/3/17)* - located at 2214 Mary Fay Place.
(Council District 12) **(Barrett Partners)**

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

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 review by the Royal Springs Aquifer Committee, prior to certification.
 12. Denote exactions due, to the approval of the Division of Planning, prior to certification.
 13. Provided the Planning Commission makes a finding that the plan complies with the EAMP.
 14. Discuss landscaping needed adjacent to the agricultural use on the northern property line.
- b. PLN-MJDP-16-00057: TACKETT PROPERTY - KROGER PLAZA (RIMTYME) (AMD) (4/6/17)* - located at 361 E. New Circle Road. (Council District 6) **(CMW, Inc.)**

Note: The purpose of this amendment is to remove the existing structures on an outlot, revise the building and parking layout and update the site statistics.

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 area of amendment on vicinity map.
10. Clarify text associated with topography.
11. Clarify dimensions on street cross-section.
12. Denote height of Rimtyme building in feet on plan.
13. Denote area of this outlot in site statistics.
14. Denote length of street frontage in site statistics.
15. Denote zone of lot.
16. Correct note #7 to reference "Chapter 16 of the Code of Ordinance."
17. Denote date of Board of Adjustment approval of dimensional variance on plan, prior to certification.
18. Replace "DP 2016-" text with "PLN-MJDP-16-00057."
19. Denote review by the Royal Springs Aquifer Committee, prior to certification.

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- c. PLN-MJDP-16-00060: TUSCANY (THE SPRINGS AT HAMBURG) (4/6/17)* - located at 1970 Winchester Road.
(Council District 6) **(Integrated 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. 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 and vehicular gates.
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 height of clubhouse in feet on plan.
13. Clarify existing tree canopy to be retained along north property boundaries (and remove shading from trees to be retained).
14. Denote storm drainage detention area(s) on plan.
15. Denote lot coverage for entire site in site statistics, and document compliance with R-3 zone requirements.

- d. PLN-MJDP-16-00061: YELLMAN'S SUBDIVISION (BLACKBURN AVENUE) (4/6/17)* - located at 339, 341, 345 and 349 Blackburn Avenue. (Council District 2) **(Carman & Associates)**

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

1. Provided the Urban County Council rezones the property R-5; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
3. Urban County Traffic Engineer's approval of street cross-sections and access.
4. Building Inspection's approval of landscaping and landscape buffers.
5. Addressing Office's approval of street names and addresses.
6. Urban Forester's approval of tree preservation plan.
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. Discuss the boundary of plan to include adjacent Transylvania University property, and add meets and bounds descriptions of proposed consolidation.
11. Discuss compliance with Article 15-7(a) requirements.

- e. PLN-MJDP-16-00062: HAMBURG PLACE MALL (HAMBURG PAVILION DEVELOPMENT) (AMD) (4/6/17)* - located at 1940 and 1970 Pavilion Way; 2130 Sir Barton Way & 1915 and 1937 Star Shoot Parkway.
(Council District 6) **(Foresite Group, Inc.)**

Note: The purpose of this amendment is to add 54,651 square feet of buildable area and to reduce the parking by 185 spaces.

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

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. 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 Art. 21-7(b)(3) of the Zoning Ordinance, prior to plan certification.
11. Identify plan boundary with solid dark lines, per Article 21-6(a)(2) of the Zoning Ordinance.
12. Enlarge vicinity map and denote site location.
13. Dimension existing and proposed driveways, walkways, parking areas, points of ingress and egress, per the previous approved development plan.
14. Dimension proposed drive-through lane on Building T-4 and indicate stacking area on plan.

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15. Addition of tree protection plan information and document compliance with Article 26 (20%) canopy requirements for the lot proposed for amendment.
16. Addition of notes #7 & #16 from previous plan.
17. Resolve resolution of easement conflict with proposed Buildings T-1, 2 & 3.
18. Resolve detention basin conflict with proposed Buildings T-1, 2 & 3.

- f. PLN-MJDP-17-00001: COONS PROPERTY, UNIT 11, LOT 2A (HIGHGROVE COTTAGES) (4/6/17)* - located at 4268 Saron Drive. (Council District 8) **(Rich Design Studios)**

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. Addition of bearings and distances, as required by Article 21-6(a)(2) of the Zoning Ordinance, for the perimeter of the development plan area.
9. Clarify whether canopies are proposed to the rear of the 32 dwelling units.
10. Clarify whether storm water infrastructure will occupy open space area on Lot 2A.
11. Label Lot 2A.

- g. PLN-MJDP-17-00006: LEXINGTON MALL (CROSSFIT MAXIMUS) (AMD #21) (4/6/17)* - located at 2397 Richmond Road. (Council District 5) **(Abbie Jones Consulting)**

Note: The purpose of this amendment is to add 20,000 sq. ft. buildable area and parking.

The Subdivision Committee Recommended: **Postponement**. The proposed development plan lacks the necessary information required by Article 21-6 of the Zoning Ordinance, and the latest development plan has not been used in preparation for this amendment.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Complete Parcel A property line information (using solid lines) as required by Art. 21-6(a)(2) of the Zoning Ordinance.
11. Correct plan title.
12. Revise all out lot information, per Lexington Mall Amd. #19 & Amd. #20.
13. Addition of location and dimensions of existing and proposed driveways, walk ways, parking areas, ingress and egress.
14. Denote construction access location on plan.
15. Denote building height in feet on plan for new building.
16. Addition of all information from previous development plan Lexington Mall Amd. #11 & Amd. #15 (DP 2005-118 and DP 2015-60).
17. Denote steep slope information, including topography on plan.
18. Addition of all existing and proposed utilities on Parcel A.
19. Clarify use of perimeter areas adjacent to building.
20. Correct site statistics.
21. Correct notes #2 & #3.
22. Addition of record plat information per proposed amended plat.
23. Addition of tree canopy information for Parcel A, as required by Art. 26 of the Zoning Ordinance.
24. Discuss pedestrian access to new proposed building from Woodhill Drive.

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3. MINOR SUBDIVISION PLAN

- a. PLN-MNSUB-16-00058: FAIRLAWN & W.J. HAYDON SUBDIVISION - located at 1217, 1313 & 1317 North Limestone and 100 Withers Avenue. (Council District 1) **(2020 Land Surveying)**

Note: The Planning Commission continued consideration of this plan from their January 12, 2017, meeting. This is a consolidation plat involving these four lots. If recorded as proposed, it would result in a change in the use of 1217 N. Limestone from a principal use to a conditional use. Therefore, the staff is referring this plan to the Planning Commission under -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.

- V. ZONING ITEMS** - The Zoning Committee met on Thursday, February 2, 2017, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Patrick Brewer, Mike Cravens, David Drake, Carolyn Richardson, and Bill Wilson. The Committee members reviewed applications and made recommendations as noted.

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
- The petitioner concurs with the staff recommendations
- Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

- B. FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS** – Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff 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) (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)
- Hearing closed and Commission votes on zone change petition and related plan(s)

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 hearing. The Chair will announce its decision at the outset of the hearing.

1. BERNARD JEFFERY AND PATRICIA M. QUEEN ZONING MAP AMENDMENT & QUEEN ESTATE

- a. PLN-MAR-16-00020: BERNARD JEFFERY AND PATRICIA M. QUEEN (AMD) – an amended petition for a zone map amendment from Light Industrial (I-1) zone to a Neighborhood Business (B-1) zone, for 0.21 net (0.47 gross) acres, and from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone, 0.45 net (0.79 gross) acres, for properties located at 411 Chair Avenue and 410 DeRoode Street and 603, 607, 615, 617, and 619 S. Broadway.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The 2013 Plan's Goals and Objectives emphasize the importance of growing successful neighborhoods (Theme A), protecting the environment (Theme B), creating jobs and prosperity (Theme C), improving a desirable community (Theme D) and maintaining a balance between planning for urban uses and safeguarding rural land (Theme E). The Newtown Pike Extension Corridor Small Area Plan, adopted by the Planning Commission in January 2003, recommends Retail/Office Mixture, including a residential component future land use for the subject properties. The Plan also makes more general

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recommendations for streetscape improvements such as wide sidewalks along South Broadway, developing major intersections as gateways, encouraging commercial development along key corridors and at major intersections, enhancing community services and improving access to jobs.

The petitioner has amended their zone change request and now proposes (B-1) a Neighborhood Business zone. The petitioner proposes a 10,550 square-foot structure and associated off-street parking.

The Zoning Committee Recommended: **Approval**.

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

1. The proposed Neighborhood Business (B-1) zone is in agreement with the 2013 Comprehensive Plan, and the adopted Newtown Pike Extension Corridor Small Area Plan, which preceded it, for the following reasons:
 - a. The Newtown Pike Extension Corridor Small Area Plan recommends Retail/Office Mixture, including a residential component (RO) future land use for the subject properties. The B-1 zone meets the intent of the SAP land use recommendation because residential is a permitted use in the zone, and the proposed developed depicts a mixed-use at this location.
 - b. The proposed B-1 zone, along with the supporting design and access standards adopted by the Urban County Council, will ensure that this prominent corner at the intersection of Oliver Lewis Way and South Broadway will improve the Southend Park neighborhood, and contribute to the redevelopment envisioned by the Small Area Plan for this new corridor connection into downtown.
 - c. The proposed B-1 zone (and land use) will be compatible and appropriate at this location to create jobs near where people live, in close proximity to the University of Kentucky and downtown.
 - d. Mixed-use development tends to reduce Lexington's carbon footprint by reducing vehicle miles traveled. The mixed use nature of the intersection may indeed reduce automobile transportation demands if the development supports the nearby residential dwelling units.
2. This recommendation is made subject to the approval and certification of PLN-MJDP-16-00047: Queen Estate (fka J Forbing & Son's), prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
- b. PLN-MJDP-16-00047: QUEEN ESTATE (2/9/17)* - located at 411 Chair Avenue and 410 DeRoode Street and 603, 607, 615, 617, and 619 S. Broadway. **(EA Partners)**

Note: The Planning Commission postponed this item at their December 15, 2016 and January 12, 2017, meetings.

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

1. Provided the Urban County Council rezones the property B-1; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Denote: No building permit shall be issued unless and until a final development plan is approved by the Planning Commission.
6. Denote that compliance with the Newtown Pike Extension Design Ordinance shall be determined at the Final Development Plan.
7. Denote height of building in feet.
8. Denote building/lot line conflict shall be resolved at the Final Development Plan.
9. Revise "floor area" site statistics, and add floor area ratio statistics.
10. Add general information about tree sizes at diameter of breast height, per Article 26 requirements.
11. Addition of conditional zoning restrictions, if any.
12. Resolve right-of-way on Chair Avenue at time of the Final Development Plan.

VI. COMMISSION ITEMS – The Chair will announce that any item a Commission member would like to present will be heard at this time.

A. ANNUAL REPORT FOR THE COURTHOUSE AREA – The Commission will hear from Ms. Brandi Peacher, who will present the required Annual Report from the Courthouse Area Design Review Board.

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

Planning Commission Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers..... February 16, 2017
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) February 22, 2017
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers..... **February 23, 2017**

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Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 2, 2017
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	March 2, 2017
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	March 9, 2017

X. ADJOURNMENT