

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION AND ZONING ITEMS**

March 13, 2008

- 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** – None 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, March 6, 2008, at 8:30 a.m. The meeting was attended by Commission Members: Neill Day, Lyle Aten, James Mahan, Randall Vaughn, and Mike Cravens. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Chris Taylor, Cheryl Gallit, and Tom Martin; as well as Ed Gardner, Department of Law; Captain(s) Bill Woodward and Charles Bowen, Division of Fire & Emergency Services; and Bob Carpenter, Division of Building Inspection. 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 petitioner agrees with the Subdivision Committee's recommendation as listed on this agenda, and
(2) no discussion of the item or of the Committee's recommendation is desired by the Commission, and
(3) no one present at this meeting objects to the Commission acting on the matter without discussion.

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

The procedure for consideration of these remaining plans is as follows:

- Staff Report(s)
- Petitioner's Report(s)
- Citizen Comments – (a) in support of the request, and (b) in opposition to the request
- Rebuttal – (a) petitioner's comments, (b) citizen comments, and (c) staff comments
- Commission discusses and/or votes on the plan

1. Preliminary Plans

- a. **PLAN 2007-52P: TUSCANY, UNIT 5 (3/13/08)*** - located at 1970 Winchester Road (a portion of).
(Council District 6) **(EA Partners)**

Note: The Planning Commission postponed this plan at its April 12, 2007; May 10, 2007; June 14, 2007; July 12, 2007; August 9, 2007; September 13, 2007; October 11, 2007; November 8, 2007; December 13, 2007; January 17, 2008 and February 14, 2008, meetings.

The Subdivision Committee Recommended: Postponement. There were questions regarding the access and the proposed traffic signals for property located across Sir Barton Way.

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 and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Denote entrances across Sir Barton Way.
7. Addition of conditional zoning restrictions.
8. Discuss proposed access to Sir Barton Way, including the "right-in/right-out" proposed.
9. Discuss the timing of dedication of Winchester Road right-of-way per preliminary development plan note.

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

10. Discuss waiver of Article 6-4(b) regarding lot frontage on two sides.
11. Discuss turning lane on Winchester Road and Sir Barton Way.
12. Discuss tree preservation along building line on Sir Barton Way.
13. Discuss lot depth along Winchester Road and the intersection of Winchester Road and Sir Barton Way.

- b. PLAN 2008-9P: HILLENMEYER PROPERTY (AMD.) (4/17/08)* - located on Lucille Drive and Sandersville Road.
(Council District 2) **(VanderWier and Associates)**

Note: The Planning Commission postponed this plan at its February 14, 2008, meeting. The purpose of this amendment is to modify Area C from single family detached dwelling units to a townhome development.

The Subdivision Committee Recommended: Postponement. There were questions regarding the density of the townhomes adjacent to a subdivision, as well as the timing of the connection of Sandersville Road.

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 landscape buffers and required street tree information.
 4. Approval of street names by e911 staff.
 5. Urban Forester's approval of tree preservation plan.
 6. Environmental Planner's approval of environmentally sensitive areas.
 7. Correct note number 14 to include Area C.
 8. Delete note number 20.
 9. Revise purpose of amendment note.
 10. Identify group residential requirements in site statistics.
 11. Include all property from previous plan.
 12. Discuss the density and location of the townhomes.
 13. Discuss the cemetery and timing of street construction.
- c. PLAN 2008-31P: LEXINGTON HOUSING AUTHORITY – 898 GEORGETOWN ROAD (5/25/08)* –
located at 898 Georgetown Road. (Council District 1) **(Sherman/Carter/Barnhart)**

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

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 landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Environmental Planner's approval of environmentally sensitive areas (sinkholes).
9. Revise plan status and add standard notes.
10. Addition of lot information and dimensions.
11. Kentucky Transportation Cabinet's approval of the access to Georgetown Road right-of-way.
12. Addition of dimensions to the cross-section "D-D" or half section.
13. Delete certification.
14. Document compliance with Article 4-5(b) of the Land Subdivision Regulations.

2. Final Subdivision Plans

- a. PLAN 2007-201F: NDC PROPERTY, UNIT 1-A, LOT 16 (WELLINGTON) (AMD.) (3/13/08)* – located at 249 Ruccio Way. (Council District 9) **(Strand Associates)**

Note: The Planning Commission postponed this plan at its October 11, 2007; November 8, 2007; December 13, 2007, and February 14, 2008, meetings. The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: Disapproval, for the following reasons:

1. Article 1-11 of the Land Subdivision Regulations requires that "plans filed pursuant to these subdivision regulations shall be required to comply with applicable zoning ordinances or other Urban County ordinances."
2. Article 6-7 of the Zoning Ordinance states: "Pursuant to KRS 100.203(8), Planning Commission or the Urban County Council may, as a condition to granting a map amendment, restrict the use of the property affected to a particular use, a particular class of use, or a specified density within those permitted in a given zoning category..."

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3. The subject property is restricted in use to "a hotel or motel." The subdivision of this lot would allow separate ownership, separate operation, separate signage and a second hotel or motel at this location. Thus, the proposed subdivision of property is in conflict with the approved conditional zoning restrictions.

- b. PLAN 2008-24F: THOMAS COMMUNICATIONS, INC. UNIT 1-C (WALNUT GROVE ESTATES)
(5/15/08)* – located at 2236 Walnut Grove (a portion of). (Council District 12) **(EA Partners)**

The Subdivision Committee Recommended: Postponement. There were questions regarding the ability to provide adequate water service and fire protection to this subdivision.

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

1. Urban County Engineer's acceptance of drainage, floodplain, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Revise unit boundary (with Unit 1-D) to provide lot frontage for that unit.
10. Delete trees without corresponding Tree Protection Areas (TPA) from plan face.
11. Addition of "A-A" cross-section on Unit 1-C area.

- c. PLAN 2008-25F: THOMAS COMMUNICATIONS, INC. UNIT 1-D (WALNUT GROVE ESTATES)
(5/15/08)* – located at 2236 Walnut Grove (a portion of). (Council District 12) **(EA Partners)**

The Subdivision Committee Recommended: Postponement. There were questions regarding the street frontage and the ability to provide adequate water service and fire protection to this subdivision.

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 landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Environmental Planner's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Revise boundary of plan.
9. Discuss lot frontage.

- d. PLAN 2008-26F: THE GLEN AT LOCHDALE, UNIT 1, BLOCK C, LOT 1 (AMD.) (5/15/08)* – located at 3652 Winthrop Drive. (Council District 9) **(EA Partners)**

Note: The purpose of this amendment is to change the detention basin maintenance responsibility note.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Building Inspection's approval of landscape buffers and required street tree information.
3. Approval of street names by e911 staff.
4. Denote: This property shall be developed in accordance with the approved final development plan.
5. Remove note number 5.
6. Resolve street trees and landscaping buffer along the frontage of Winthrop Drive at the time of the final development plan.

- e. PLAN 2008-27F: BLUESKY INDUSTRIAL ESTATE, TRACT B, BLOCK B, LOT 2 AND LEDFORD SEBASTIAN PROPERTY, SECTION 1, BLOCK A, LOTS 1-6 (5/15/08)* – located at 430 and 530 Blue Sky Parkway. (Council District 12) **(Endris Engineering)**

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

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 landscape buffers and required street tree information.

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4. Approval of street names by e911 staff.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Resolve the difference between the base map and that shown for 360 Blue Sky Parkway.

- f. PLAN 2008-28F: LAKEVIEW ISLAND, UNIT 3 (THE LANDINGS) (5/15/08)* – located at 2414 Lake Park Road. (Council District 5) **(Foster – Roland)**

The Subdivision Committee Recommended: Postponement. There were questions regarding the street frontage; the need for a waiver for lot access; and timing of the submission with the corollary development plan.

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 landscape buffers and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
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. Addition of engineer's name.
9. Addition of reciprocal parking note.
10. Addition of existing sanitary sewer easements.
11. Discuss access easement.
12. Provided the Planning Commission grants a waiver to Article 6-8 of the Land Subdivision Regulation regarding street continuity.
13. Discuss lot frontage.

- g. PLAN 2007-175F: TUSCANY, UNIT 3 (5/25/08)* - located at 1970 Winchester Road (a portion of). (Council District 6) **(EA Partners)**

Note: The Planning Commission originally approved this plan on November 8, 2007, 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 and required street tree information.
4. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Greenspace Planner's approval of the treatment of greenways.
7. Environmental Planner's approval of environmentally sensitive areas.

Note: The applicant now requests a continued discussion regarding redefining the property boundary for Unit 5.

The Staff Recommended: Approval, subject to the previous conditions.

- h. PLAN 2005-215F: TUSCANY, UNIT 2 (5/27/08)* - located at Pascoli Place and Coroneo Lane. (Council District 2) **(EA Partners)**

Note: The Planning Commission originally approved this plan on August 11, 2005, and then reapproved this plan on August 10, 2006, 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 parking, circulation, access, and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Approval of street addresses by e911 staff.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: There shall be only one dwelling unit per lot.

Note: The applicant now requests reapproval of this plan.

The Staff Recommended: Reapproval, subject to the previous conditions.

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

- i. PLAN 2005-277F: GESS PROPERTY, UNIT 4-G (5/27/08)* - located on portions of 4040 and 4044 Todds Road (off of Jouett Creek Drive). (Council District 12) **(EA Partners)**

Note: The Planning Commission originally approved this plan on October 13, 2005, and then reapproved this plan on February 8, 2007, 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 required street tree information.
4. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
5. Approval of street addresses by e911 staff.
6. Urban Forester's approval of tree preservation plan.
7. Greenspace Planner's approval of the treatment of greenways/bike trails.
8. Addition of exaction information.
9. Show 30' access easement as per PC "L" SLD "361".

Note: The applicant now requests reapproval of this plan.

The Staff Recommended: Reapproval, subject to the previous conditions.

- j. PLAN 2006-215F: B.M. COLE ESTATES AND W.M. SHELBY SUBDIVISION, UNIT 2 (AMD.) (6/15/08)* – located at 651 New Circle Road and 1509 Colesbury Circle. (Council District 1) **(Endris Engineering)**

Note: The Planning Commission originally approved this plan on December 14, 2006, 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 and required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation areas.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Remove floodplain easement and add D-FIRM information.
8. Denote: This plan shall be developed in accordance with the approved final development plan.

Note: The applicant now requests reapproval of this plan.

The Staff Recommended: Reapproval, subject to the previous conditions.

- k. PLAN 2007-159F: LEXINGTON INDUSTRIAL FOUNDATION, UNIT 2 (AMD.) (5/25/08)* - located at 2029 & 2037 Buck Lane. (Council District 2) **(Midwest Engineers)**

Note: The Planning Commission originally approved this plan on August 9, 2007, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, 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 required street tree information.
4. Approval of street addressing by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Correct site statistics for the street right-of-way.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Denote 25' floodplain setback.

Note: The applicant now requests a continued discussion for the purpose of increasing the number of lots.

The Staff Recommended: Reapproval, subject to the previous conditions.

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3. Development Plans

- a. DP 2007-100: KINGSTON HALL, UNIT 2 (EAST BRIDGEFORD LAND & DEV. CO.) (AMD.) (7/1/08)* – located at 2356 Newtown Pike (a portion of). (Council District 12) **(EA Partners)**

Note: The Planning Commission postponed this plan at its September 13, 2007; October 11, 2007; November 8, 2007; December 13, 2007; and January 17, 2008, meetings. The applicant filed a revised submission with the planning staff on March 4, 2008. The purpose of this amendment is to subdivide 1 lot into 7 lots, add a cul-de-sac and revise the temporary access easement. This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: Postponement. There were questions regarding access into and through the property, as well as conflicts with the proposed detention basin.

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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Waste Management's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Renumber lots (1A – 1F and remaining).
9. Addition of cul-de-sac details.
10. Clarify limits of plan.
11. Addition of building lines along new street.
12. Clarify note number 14 regarding buffering.
13. Revise note number 10 (per previous plan).
14. Document written notification requirements.
15. Kentucky Transportation Cabinet's approval of access and improvements to Newtown Pike.
16. Discuss access easement versus public street.
17. Discuss need for adjacent property access (stub street).
18. Discuss access to Lot 2.
19. Discuss existing access easement conflict with detention basin.
20. Discuss timing of pump station.

- b. ZDP 2007-111: THE GLEN AT LOCHDALE, UNIT 4 (AMD.) (3/13/08)* - located at 3600 and 3652 Winthrop Drive. **(EA Partners)**

Note: The Planning Commission indefinitely postponed this plan at its September 27, 2007, meeting, pending the zoning decision by the Urban County Council. The Urban County Council approved the zone change request at its December 4, 2007, meeting. The Planning Commission postponed this plan at its January 17, 2008, and February 14, 2008, meetings.

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

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. Building Inspection's approval of landscaping.
5. Urban Forester's approval of tree inventory map.
6. Denote: There shall be no development of the property until the Planning Commission approves a final development plan.
7. Addition of building dimensions.
8. Addition of zone-to-zone screening.
9. Discuss connection to R-4 property to the east.

- c. DP 2008-20: THE LANDINGS (AMD.) (4/28/08)* – located at 2414 Lake Park Drive. **(Foster – Roland, Inc.)**
(Council District 5)

Note: The Planning Commission postponed this plan at its February 14, 2008, meeting. The purpose of this amendment is to add seven two-bedroom units and associated off-street parking.

The Subdivision Committee Recommended: Postponement. There were questions regarding compliance with minimum off-street parking requirements.

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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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of tree preservation area.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Waste Management's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Addition of building dimensions.
9. Addition of typical parking spaces.
10. Addition of required development notes per Article 21 of the Zoning Ordinance.
11. Addition of parking lane dimensions.
12. Addition of all easements.
13. Clarify proposed building layout.
14. Add Lake Park Drive cross-section.
15. Discuss compliance with off-street parking.
16. Discuss building and lake conflict.
17. Discuss existing and proposed floor area ratio and lot coverage.

- d. DP 2008-21: DENTON FARM, PHASE 3 & 4 (AMD.) (4/24/08)* – located at 3900-4070 Richmond Road.
(Council District 7) **(Strand Associates)**

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to revise the single family lot layout for Phase 3 & 4, to increase the number of condominium units, and to update site statistics.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of the tree preservation plan.
5. Division of Waste Management's approval of refuse collection.
6. Addition of recorded street names, to the approval of e911 staff.
7. Addition of note number 26 and detention basin information from previous plan.
8. Revise Planning Commission certification.

- e. DP 2008-22: LOCHMERE ESTATES (MAPLE RIDGE) (AMD.) (4/24/08)* – located on Lochmere Place.
(Council District 6) **(Eagle Engineering)**

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to modify the access point to one lot.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
5. Approval of street names and addresses per e911 staff.
6. Correct exaction information for 45 buildable lots.
7. Place site statistics within a box.

- f. DP 2008-26: HAMBURG PLACE MALL, UNIT 2, LOT B-4 (AMD. #28) (5/15/08)*- located at 1915 Star Shoot Parkway. (Council District 6) **(Barrett Partners)**

Note: The purpose of this amendment is to add 8,500 square feet of buildable area and to revise the associated parking for Lot B-4.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of the tree preservation plan.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.

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7. Division of Waste Management's approval of refuse collection.
 8. Approval of street names and addresses per e911 staff.
 9. Addition of provided interior landscaping statistics.
 10. Complete P-1/B-6P zoning boundary (display with dashed lines).
 11. Clarify bounds of drainage easement.
 12. Clarify off-street parking requirements (gross floor area) for the B-6P and P-1 zones.
- g. DP 2008-27: SYLVIA TAYLOR MILBURN PROPERTY (AMD.) (5/15/08)* - located at 767 and 771 Lane Allen Road.
(Council District 10) **(EA Partners)**

Note: The purpose of this amendment is to reflect the existing site conditions.

The Subdivision Committee Recommended: Postponement. There were questions regarding the number of access points to Lane Allen Road and the ability to meet parking requirements for the uses for this location.

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

1. Urban County Engineer's acceptance of drainage, floodplain information, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
 3. Building Inspection's approval of landscape buffers.
 4. Urban Forester's approval of the tree preservation plan.
 5. Environmental Planner's approval of environmentally sensitive areas.
 6. Approval of street names and addresses per e911 staff.
 7. Identify "Parking Floor Area" in site statistics.
 8. Identify uses (Retail, office, restaurant, etc.)
 9. Discuss sign placement (10' setback).
 10. Discuss new access proposed.
 11. Discuss deletion of handicapped parking in front of building.
 12. Discuss driveway shown on adjacent property.
 13. Discuss compliance with off-street parking requirements (office uses).
- h. DP 2008-28: PATCHEN VILLAGE (AMD.) (5/15/08)* - located at 153 and 154 Patchen Drive.
(Council District 7) **(Carman and Associates)**

Note: The purpose of this amendment is to revise parking between buildings 1, 5 and 6; to add buildable area; and to revise site statistics.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
 3. Building Inspection's approval of landscape buffers.
 4. Division of Fire's approval of emergency access and fire hydrant locations.
 5. Approval of street names and addresses per e911 staff.
 6. Place site statistics within a box.
 7. Dimension proposed plaza.
 8. Denote number of seats in restaurant in parking statistics.
- i. DP 2008-29: MILLER AND BIRD, UNIT 1-A, BLOCK D, LOT 1 (AMD.) (WENDY'S) (5/15/08)* - located at 2575 Nicholasville Road. (Council District 4) **(JR Miller and Associates)**

Note: The purpose of this amendment is to construct a new 3,500 square-foot restaurant.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of the tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Waste Management's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Label as an "Amended Development Plan."
9. Clarify extent of concrete area on rear of property.
10. Clarify interior landscape area conflict with building envelope.
11. Clarify interior landscape areas in site statistics.
12. Remove signs from plan face, and add a note referencing to Article 17.

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13. Resolve building size and building envelope conflict with interior landscaping areas.
14. Denote resolution of stormwater requirements.

- j. DP 2008-30: MANCHESTER DEVELOPMENT, LLC (AMD.) (5/15/08)* - located at 855-941 Manchester Street.
(Council District 2) **(Pohl, Rosa, Pohl)**

Note: The purpose of this amendment is to add an existing building to the industrial mixed use development; add off-street parking; and delineate future Phase 2.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
 3. Building Inspection's approval of landscape buffers.
 4. Urban Forester's approval of the tree preservation plan.
 5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
 6. Environmental Planner's approval of environmentally sensitive areas.
 7. Division of Fire's approval of emergency access and fire hydrant locations.
 8. Division of Waste Management's approval of refuse collection.
 9. Approval of street names and addresses per e911 staff.
 10. Clearly define Phase 1 and Phase 2 portions of the plan, including site statistics.
 11. Label "Interior Area" as "Interior Landscape Area" in site statistics.
 12. Clarify note regarding 20' front yard variance (along Manchester Street).
 13. Denote as an "Amended Final Development Plan" in plan title.
 14. Document off-site parking arrangements, as necessary.
 15. Provided the Board of Adjustment grants approval of the night clubs prior to certification, or revise the uses accordingly.
 16. Denote Manchester Street improvements.
- k. DP 2008-31: MAN O' WAR DEVELOPMENT, UNIT 2-A, LOT A-18 & LOT A-19 (AMD.) (5/15/08)* - located at 1925 Justice Drive. (Council District 6) **(Summit Engineering)**

Note: The purpose of this amendment for Lot A-19 is to revise parking and circulation.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
 3. Building Inspection's approval of landscape buffers.
 4. Urban Forester's approval of the tree preservation plan.
 5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
 6. Division of Fire's approval of emergency access and fire hydrant locations.
 7. Division of Waste Management's approval of refuse collection.
 8. Approval of street names and addresses per e911 staff.
 9. Clarify plan as a "Final Development Plan" for A-18 and A-19 (only) in title block.
 10. Identify latest development plan information for adjacent Malone's restaurant property.
 11. Addition of site statistics for Preliminary Development Plan portion.
 12. Clarify note number 9.
 13. Graphically depict compliance with Article 12-7(b) of the Zoning Ordinance.
 14. Denote approval of dimensional variance (50' setback) prior to certification.
 15. Clarify required 50' setbacks (B-6P zone).
 16. Clarify purpose of amendment note.
 17. Add vicinity sketch.
- l. DP 2008-32: FURCOLOW PROPERTY (GREENHOUSE APTS.) (AMD. #3) (5/15/08)* - located at 3543 Tates Creek Road. (Council District 4) **(Wheat and Ladenburger)**

Note: The purpose of this amendment is to convert the existing clubhouse into one residential unit.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Environmental Planner's approval of environmentally sensitive areas.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Approval of street names and addresses per e911 staff.

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7. Addition of Tates Creek Road and Macadam Drive cross-sections.
8. Label floodplain information and steep slopes.
9. Correct date information.
10. Delete previous design firm information.

- m. DP 2008-33: INTERCHANGE SERVICE CENTER, LOT 2-A (AMD.) (5/15/08)* - located at 2290 Elkhorn Road.
(Council District 6) **(Wheat and Ladenburger)**

Note: The purpose of this amendment is to add buildable square footage.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscape buffers.
4. Urban Forester's approval of the tree preservation plan.
5. Division of Waste Management's approval of refuse collection.
6. Approval of street names and addresses per e911 staff.
7. Clarify "existing and proposed" floor area.
8. Delete sign from plan face.
9. Revise note number 8 to the approval of the Division of Traffic Engineering.
10. Revise note number 7 to the approval of the Division of Traffic Engineering.

- n. DP 2008-43: BLUEGRASS ASPENDALE (AMD.) (5/27/08)* - located at 563 Breckenridge Street.
(Council District 1) **(Sherman/Carter/Barnhart)**

Note: The purpose of this amendment is to reconfigure the building envelope areas and the parking layout.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of the tree preservation plan.
5. Division of Fire's approval of emergency access and fire hydrant locations.
6. Division of Solid Waste's approval of refuse collection.
7. Approval of street names and addresses per e911 staff.
8. Add amendment to title.
9. Review by the Technical Committee.

- o. DP 2007-91: LEXINGTON INDUSTRIAL FOUNDATION, UNIT 2 (AMD.) (5/25/08)* - located at 2024 & 2037 Buck Lane.
(Council District 2) **(Midwest Engineers)**

Note: The Planning Commission originally approved this plan on August 9, 2007, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm, sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Building Inspection's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Environmental Planner's approval of environmentally sensitive areas (sinkholes).
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Solid Waste's approval of refuse collection.
9. Approval of street names and addresses per e911 staff.
10. Identify dimensions of building addition.
11. Addition of adjacent property information.
12. Revise vicinity map and north orientation.
13. Denote all existing and proposed easements, including sanitary sewer easement.
14. Denote 25' floodplain setback (rear line).
15. Denote: Access easement shall be landscaped to the standard(s) of a public street.

Note: The applicant now requests a continued discussion regarding a proposal for increasing the number of lots and revising the development.

The Staff Recommended: Approval, subject to the previous conditions.

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C. MINOR PLANS – The staff is referring the following development plan to the Planning Commission for consideration.

1. DP 2008-09: BOSTON ROAD DEVELOPMENT, LLC, LOT 3 (MINOR AMD.) (4/24/08)* - located on Dylan Place just off Boston Road south of Man O' War Boulevard. (Council District 9) **(Roberts Group)**

Note: The following plan proposes to reduce the amount of parking designated in excess of the required by increasing the number of restaurant seats on the property. The applicant is also requesting to remove note number 18.

The Staff Recommends: Approval, subject to the following requirements:

1. Denote correct plan designation in title.
2. Correct site statistics.

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 Chairman will announce that any item the staff would like to present will be heard at this time.

- A. BOAR 2007-3: ALLEN R. FOSTER** (3/13/08)* – an appeal of the denial of a Certificate of Appropriateness to allow a deck to remain as built in a Planned Neighborhood Residential/Historic District Overlay (R-3/H-1) zone, on property located at 129 Ransom Avenue.

Note: The Planning Commission postponed this request at its January 17, 2008 and February 14, 2008, meetings.

The Staff Recommends: Disapproval, and that the decision of the BOAR be upheld, for the following reasons:

1. The denial of a Certificate of Appropriateness by the Board of Architectural Review is consistent with their charge in determining appropriateness of requested exterior alterations, based on the design guidelines established by the local Historic Preservation Commission, specifically Guidelines 14-4 and 39-2, as they apply to the deck at 129 Ransom Avenue and the subsequent loss of green space in the rear yard.
2. If a Certificate of Appropriateness had first been requested for the deck, as is required by Article 13 of the Zoning Ordinance for any exterior change to a property in an historic district; and if a permit had been requested from the Division of Building Inspection, as is required by Article 5 of the Ordinance, this situation would likely have been averted.

VII. STAFF ITEMS – Staff items, if any, will be considered 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 -**

Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 20, 2008
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 26, 2008
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 27, 2008
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 3, 2008
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	April 3, 2008
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	April 10, 2008

X. ADJOURNMENT

CT/CG/TM/JE/BR/BS/DB

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