

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

October 12, 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 September 14, 2017, 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, October 5, 2017 at 8:30 a.m. The meeting was attended by Commission members: Frank Penn, Karen Mundy, Carolyn Plumlee, Will Berkley and Headley Bell. Committee members in attendance were: Hillard Newman, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade; Tom Martin; Cheryl Gallt; Denise Bullock; Captain Greg Lengal and Joshua Thiel, Division of Fire & Emergency Services; Tracy Jones, 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-17-00048: THE GARDEN OF HARTLAND, UNIT 3 (AMD) (10/12/17)* - located at 5116 Ivybridge Drive. (Council District 12) **(Wes Witt)**

Note: The Planning Commission postponed this item at their August 10, 2017 and September 14, 2017, meetings. The purpose of this amendment is to subdivide one lot into two lots.

The Subdivision Committee Recommended: **Postponement**. There are some questions regarding the ability to provide sanitary sewer service to a proposed new lot.

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.

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

5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 8. Document release of Ashland Oil easement.
 9. Denote monument information, per Article 6 of the Land Subdivision Regulations.
 10. Provided the Planning Commission grants a waiver of the required lot frontage.
 11. Discuss provision of sanitary sewer service to Lots 5116 and 5121.
 12. Discuss engineer's certification.
 13. Discuss Urban County Engineers certification.
 14. Discuss the need for Improvement Plan(s).
- b. PLN-MJSUB-17-00055: NDC PROPERTY, UNIT 5 (11/30/17)* - located at 551 Vincent Way.
(Council District 9) **(EA Partners)**

The Subdivision Committee Recommended: **Postponement**. There were some questions concerning the closure of Vincent Way and the number of discussion items.

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. Denote purpose of amendment note on plan.
 9. Denote typical lot size or identify dimensions on plan.
 10. Denote private utility providers.
 11. Delete note #8.
 12. Denote there shall be no amendments required for a final development plan for alterations or additions to the single family homes.
 13. Discuss landscape buffer adjacent to existing single family homes per the approved final development plan.
 14. Discuss Vincent Way closure timing and consolidation to adjoining properties.
 15. Discuss driveway location on Lots 1, 2 and 15.
 16. Discuss house orientation on Lots 1, 13, 14 and 15.
 17. Discuss maintenance of open space (Lot 16).
 18. Discuss easement conflict and/or buildability of Lot 9.
 19. Discuss existing stormwater improvements and their adequacy.
- c. PLN-MJSUB-17-00056: BROOKHAVEN SUBDIVISION, UNIT 1-F, BLOCK A, LOT 1-E (AMD) (11/30/17)* - located at 2434 Nicholasville Road. (Council District 4) **(Banks Engineering)**

Note: The purpose of this amendment is to subdivide one lot into three 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. Landscape Examiner'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. Addition of conditional zoning restrictions on plan face.
 8. Amend Lot 1 to meet the frontage requirements of the B-3 zone.
- d. PLN-MJSUB-17-00057: WILLIAMS PROPERTY, LOTS 1 & 2 (AMD) (11/30/17)* - located at 3401 and 3409 Country Club Drive. (Council District 7) **(EA Partners)**

Note: The purpose of this amendment is to subdivide Lots 1 and 2 into three lots and add an access easement to all lots created.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.

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2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner'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. Addition of conditional zoning restrictions to plan.
 8. Addition of note #2 from plat Cab. R, Sl. 418 (landscape note).
 9. Denote setback per the approved final development plan single family lots.
 10. Revise note #10 to specify exact waiver granted under Article 6-8(b)(f) of the Land Subdivision Regulations.
 11. Resolve sanitary sewer access for Lot 19.
 12. Resolve orientation of homes on Lots 1 and 19, per previous plat at time of final development plan.
 13. Provided the Planning Commission grants a waiver to Article 6-2(a) & 6-6 of the Land Subdivision Regulations.
- e. PLN-MJSUB-17-00058: SEBASTIAN PROPERTY, UNIT 2A (11/30/17)* - located at 2944 Trailwood Lane (a portion of).
(Council District 2) **(EA Partners)**

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner'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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 8. Denote all proposed and existing easements.
 9. Denote remaining of property per plat R-405.
 10. Identify adjacent property with dashed lines.
- f. PLN-MJSUB-17-00060: PARKER'S LANDING, UNIT 4, LOT 85 (AMD) (11/30/17)* - located at 1296 Cape Cod Circle.
(Council District 10) **(Vision Engineering)**

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

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner'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. Delete note #12.
 9. Resolve sanitary sewer service to the lot to the approval of the Division of Engineering.
 10. Denote street tree quantity per lot and type per Article 6-10 of the Land Subdivision Regulations.
 11. Correct note #11 to reflect Article 6-10 of the Land Subdivision Regulations.
- g. PLN-MJSUB-16-00009: GOODLOE'S (OR KELLER'S) SUBDIVISION, LOT 12 (AMD) (1/2/18)* - located at 140 Indiana Avenue. (Council District 3) **(Endris Engineering)**

Note: The purpose of this amendment is to subdivide one lot into three lots. The Planning Commission originally approved this plan on September 8, 2016, 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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Denote property located in the infill/redevelopment in site statistics.
7. Addition of building line setback.
8. Complete owner's certification reference to sanitary sewer.
9. Denote that redevelopment of these lots must comply with the Downtown Streetscape Plan.
10. Denote "driveway agreement" maintenance responsibilities.

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Note: The applicant is requesting a reapproval of the plat.

The Staff Recommends **Reapproval**, subject to the conditions approved on September 8, 2016.

2. DEVELOPMENT PLANS

- a. PLN-MJDP-17-00058: HENRY CLAY SUBDIVISION (DOLLY LAND CO, LLC) (ADAPTIVE REUSE PROJECT) (10/12/17)* - located at 1400 Delaware Avenue. (Council District 5) **(MLH Civil Engineers)**

Note: The Planning Commission postponed this item at their July 13, 2017, August 10, 2017 and September 14, 2017, meetings. This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Postponement**. As submitted, this development plan does not meet the requirements of the Adaptive Re-use criteria in Article 8-21(o)(4) of the Zoning Ordinance. A rezoning of the site may be required.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 8. Division of Waste Management's approval of refuse collection locations.
 9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 10. Correct plan title to include "Henry Clay Subdivision."
 11. Addition of topography information at 5' interval.
 12. Addition of driveways across the street.
 13. Addition of construction access point on plan.
 14. Addition of location for street cross-section on plan face.
 15. Dimension drive aisles and sidewalks on plan.
 16. Dimension seating and area of outdoor patio on plan.
 17. Addition of street frontage in site statistics.
 18. Clarify grass and plantings between parking lot and public street sidewalk.
 19. Clarify pedestrian/vehicular uses and areas in front and along southern wall of existing buildings and along rear of patio area.
 20. Revise plan to include use/open space east of parking lot.
 21. Revise vicinity sketch (relocate "Delaware" label for clarity) and add "Downtown" Lexington.
 22. Addition of use of existing building and revise parking accordingly.
 23. Provided the Planning Commission makes a finding that the development plan meets the requirements of the Adaptive Re-use Project.
- b. PLN-MJDP-17-00070: ZANDALE SHOPPING CENTER & GREENLEAF MOTOR LODGE PROPERTIES (AMD) (10/12/17)* - located at 2280 Nicholasville Road. (Council District 4) **(Brandstetter Carrol)**

Note: The Planning Commission postponed this item at their August 10, 2017 and September 14, 2017, meetings. The purpose of this amendment is to remove the note restricting the drive-through lane for a fast food restaurant and to relocate the dumpster and drive-through lane.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the public safety benefit of moving the approved location of the proposed drive-through lane along Zandale Drive.

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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
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. Identify boundaries of property with bold, solid lines and adjacent property with dashed lines.
9. Clarify area of amendment on vicinity map.
10. Labeled height of contours on plan.

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

11. Dimension access points, sidewalks and drive aisles on plan.
12. Dimension all buildings on plan.
13. Denote height of building in feet on plan.
14. Addition of street frontage in site statistics for Zandale Drive, Nicholasville Road and Lowry Lane.
15. Addition of record plat designation.
16. Discuss proposed drive-through use and location near access point to Lowry Lane.
17. Discuss proposed dumpster location next to transformer and utility easement.
18. Discuss outside patio area and any proposed seating.
19. Discuss additions to internal pedestrian system.
20. Discuss proposed use in tenant space.
21. Discuss vehicular stacking area for proposed drive-through.

- c. DP 2015-6: RICHARDSON PROPERTY (AMD) (12/5/17)* - located at 150 & 300 Chilesburg Road.
(Council District 7) **(John Hill)**

Note: This property requires the posting of a sign and an affidavit of such. The purpose of this amendment is to remove 10 townhomes, to add 26 condominium units, and to add two 6-car parking garages. The Planning Commission approved this item at their February 26, 2015, 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. 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. Addition of record plat designation in title block.
10. Rotate vicinity map to match orientation of plan.
11. Denote height of building in feet.
12. Addition of building square footage in site statistics.
13. Complete exaction information to the approval of the Division of Planning prior to plan certification.
14. Correct purpose of amendment note to delete statement #4.

Note: The applicant is requesting a reapproval of the plan.

The Staff Recommends Reapproval, subject to the conditions approved on February 26, 2015.

- d. PLN-MJDP-17-00088: STEPHENS & WINSLOW SUBDIVISION (THE HUB AT LEXINGTON I) (11/1/17)* - located at 500 & 519 S. Upper Street. (Council District 3) **(Carman)**

Note: The Planning Commission continued this item at their September 14, 2017, meetings.

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

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 dimensions for loading dock, trash area and M.E.P
11. Provided the Planning Commission adopts the required context study as part of its approval of the development plan.
12. Denote: Board of Adjustment's approval of parking variance prior to plan certification.
13. Denote context study neighborhood integration design features, per Article 8-16(o)(3) in the required study.
14. Discuss stormwater management and water quality.

- e. PLN-MJDP-17-00092: DISTILLERY DISTRICT-WEST, UNIT 1 (ADAPTIVE RE-USE PROJECT) (MIDDLE FORK OUTDOOR KITCHEN) (AMD) (11/30/17)* - located at 1151, 1158, 1170, 1178, 1186, 1200, 1210, 1224 and 1228 Manchester Street. (Council District 2) **(Abbie Jones Consulting)**

Note: The purpose of this amendment is to add an outdoor kitchen area.

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

The Subdivision Committee Recommended: **Postponement**, due to parking concerns.

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. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Revise purpose of amendment note.
12. Correct amendment number in plan title.
13. Document off-site parking agreement prior to certification.
14. Discuss timing of parking lot construction in Phase 2.
15. Discuss timing of pedestrian improvements along Manchester Street.

- f. PLN-MJDP-17-00093: HAMBURG PLACE-B-5P & B-6P AREA HIGHWAY COMMERCIAL (TIME TO SHINE CAR WASH) (AMD) (11/30/17)* - located at 2320 Grey Lag Way. (Council District 6) **(Thoroughbred Engineering)**

Note: The purpose of this amendment is to add a self-service car wash with access drives and parking on Outlot 7.

The Subdivision Committee Recommended: **Postponement**, due to the number of conditions.

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. Landscape Examiner'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. Remove "future" over note #5.
11. Remove "fire station site" from plan face.
12. Addition of all metes and bounds on property.
13. Clarify area of amendment on vicinity map.
14. Addition of dimensions on parking area and walkways.
15. Denote construction access point on plan.
16. Addition of building dimensions on plan.
17. Addition of building height on plan.
18. Denote location and dimensions of vacuum units.
19. Correct date on Planning Commission certification.
20. Correct plan number in site statistics for Outlot 7.
21. Denote Board of Adjustment's approval of PLN-BOA-17-00065 on plan prior to certification.
22. Revise purpose of amendment to denote car wash is "self-service".

- g. PLN-MJDP-17-00094: LEESTOWN V.A. HOUSING (11/30/17)* - located at 2250 Leestown Road (a portion of). (Council District 12) **(EA Partners)**

Note: The applicant requested postponement of this plan at the September 27, 2017, Technical Committee meeting.

The Subdivision Committee did not review this item.

The Technical Committee did not review this item.

The Staff 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.

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3. Landscape Examiner'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. Clarify ownership and maintenance of Opportunity Way.
12. Delete side yard and rear yard setback labels.
13. Addition of density of development in site statistics to determine open space requirement per Article 9 of the Zoning Ordinance.
14. Delete note #10.
15. Discuss improvements to Opportunity Way.
16. Discuss pedestrian access to school site.

- h. PLN-MJDP-17-00095: BLUEGRASS EXECUTIVE PARK, UNIT 1-C, BLOCK D, SECTION 2, LOT 1 (AMD)
(11/30/17)* - located at 2141 Executive Drive. (Council District 6) **(EA Partners)**

Note: The purpose of this amendment is to increase lot coverage to 9,000 sq. ft. for entry canopy and covered patios, and increase floor area by 400 sq. ft. for enclosed patio.

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. Landscape Examiner'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. Remove covered patio from floodplain setback.
11. Dimension entry canopy.

- i. PLN-MJDP-16-00004: NEWTOWN SPRINGS, LOT 1 (1/2/18)* - located at 1445 Newtown Center Way.
(Council District 1) **(Barrett Partners)**

Note: The Planning Commission originally approved this plan on September 8, 2016, 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 the Royal Springs Aquifer Committee's consideration and/or approval of this use prior to certification.
12. Denote: There shall be reciprocal access throughout the property.
13. Resolve circulation and use of second drive-through facility.

The Planning Commission also approved a waiver to Article 6-8(q)(3)(b) of the Land Subdivision Regulations, which governs Land Use Access, for the following reasons:

1. The applicant has demonstrated exceptional hardship, as required under Article 1-5(a) of the Land Subdivision Regulations due to the fact that a continuous median and limited accessibility to the development hinders drivers from being able to gain access to the development in a convenient, logical and orderly manner.

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2. Granting the requested waiver for the full access point will allow for desirable general development as proposed pursuant to this plan and cause no detriment to the public good by allowing for convenient and logical traffic flow within the development.

Note: The applicant is requesting a reapproval of the plan.

The Staff Recommends Reapproval, subject to the conditions approved on September 8, 2016.

- C. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Any bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

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

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**

Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	October 19, 2017
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	October 25, 2017
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	October 26, 2017
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	November 2, 2017
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	November 2, 2017
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	November 9, 2017

X. **ADJOURNMENT**