

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

November 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 August 31, 2017, September 7, 2017 and October 12, 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, November 2, 2017 at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Will Berkley and Headley Bell. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Traci Wade; Tom Martin; Cheryl Gallt; Denice Bullock; Lieutenant Joshua Thiel, Division of Fire & Emergency Services; Tracy Jones & 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-17-00055: NDC PROPERTY, UNIT 5 (11/30/17)* - located at 551 Vincent Way.
(Council District 9) **(EA Partners)**

Note: The Planning Commission postponed this item at their October 12, 2017, meeting.

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.

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

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.

- b. PLN-MJSUB-17-00062: CADENTOWN (HORACE B. & TYRONA D. NELSON PROPERTY) (12/31/17)* - located at 791 Caden Lane. (Council District: 6) **(Berry Land Surveying)**

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. Urban Forester's approval of tree protection area(s) and required street tree information.
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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Resolve improvements to Caden Lane and dedicate R.O.W to the approval of Traffic Engineering.
12. Resolve sanitary sewer improvements.

- c. PLN-MJSUB-17-00063: HENRY CLAY BOULEVARD SUBDIVISION, LOTS 6 & 7 (AMD) (12/31/17)* - located at 1586 Delaware Avenue. (Council District: 5) **(Randy Martin)**

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. 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Correct typos on plan.
10. Expand utility provider information to include addresses and phones numbers.
11. Denote adjacent property information (railroad ownership) to the southeast of property.
12. Resolve sanitary sewer lateral requirement.

- d. PLN-MJSUB-17-00064: SEBASTIAN PROPERTY, UNIT 2-B (AMD) (12/31/17)* - located at 2944 Trailwood Lane. (Council District: 2) **(EA Partners)**

Note: The purpose of this amendment is to create 12 townhome lots and an HOA.

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. Urban Forester's approval of tree protection area(s) and required street tree information.

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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
10. Addition of purpose of amendment note.
11. Denote location for access easement to greenway.
12. Compete insert with street and area of amendment.
13. Denote flood protection elevations.

- e. PLN-MJSUB-17-00065: SEBASTIAN PROPERTY, UNIT 2-C (AMD) (12/31/17)* - located at 2944 Trailwood Lane.
(Council District: 2) **(EA Partners)**

Note: The purpose of this amendment is to create 8 lots and an HOA lot.

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. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
9. Addition of purpose of amendment note.
10. Compete dashed lines for adjacent property.
11. Correct insert to include street, easements and area of amendment.
12. Relocate "open space" from HOA parking area.

2. **DEVELOPMENT PLANS**

- a. PLN-MJDP-17-00058: HENRY CLAY SUBDIVISION (DOLLY LAND CO, LLC) (ADAPTIVE REUSE PROJECT)
(11/2/17)* - 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; September 14, 2017 and October 12, 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.

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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) (11/2/17)* - located at 2280 Nicholasville Road. (Council District 4) **(Brandstetter Carrol)**

Note: The Planning Commission postponed this item at their August 10, 2017; September 14, 2017 and October 12, 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.
 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. PLN-MJDP-17-00100: FOUNTAIN PLAZA (EAGLE CREEK OFFICE PLAZA), UNIT 2, LOT 12 (MEDICAL VISION INSTITUTE, PSC) (AMD) (12/31/17)* - located at 181 Prosperous Place. **(Carman)**
(Council District: 7)

Note: The purpose of this amendment is to add parking and building square footage.

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 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. Resolve existing Man o' War Boulevard landscaping and fence, and compliance with corridor landscape ordinance.
- d. PLN-MJDP-17-00101: THE TOWNHOUSES AT JEFFERSON ST., PHASE 3 (PRESTON SUBDIVISION) (12/31/17)* - located at 516 and 530 Maryland Avenue. **(Endris 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. 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.

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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. Denote construction entrance.
10. Denote height of building in feet on plan.
11. Denote compliance with Article 15-7.
12. Denote proposed and existing zoning in site statistics.
13. Resolve supplemental landscaping along western property boundary (R-1E zoning).
14. Resolve stormwater improvements.

- e. PLN-MJDP-17-00102: SHARKEY PROPERTY, UNIT 1, LOT 6-A (TIME TO SHINE CAR WASH) (12/31/17)* - located at 1776 Sharkey Way. (Council District: 2) **(Thoroughbred 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. 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. Denote address for off-site detention in note #11.
11. Correct Floor Area Ratio statistic (ratio not percentage).
12. Resolve type of landscaping adjacent to New Circle Road to the approval of the Division(s) of Planning and Environmental Quality (Landscape Examiner).

- f. PLN-MJDP-17-00103: WOODWARD-LANDER, UNIT 1-A, LOTS 142 & 155 (AMD) (12/31/17)* - located at 3180 Sandersville Road & 3104 Daly Place. (Council District: 12) **(EA Partners)**

Note: The purpose of this amendment is to revise the number of units and the parking layout.

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 and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
12. Denote access easement maintenance responsibility.
13. Denote construction entrances.
14. Denote street trees shall be planted prior to issuance of a Zoning Compliance Permit.

- g. PLN-MJDP-17-00105: TED R. OSBORN & THOMAS WOOD PROPERTY (MILLPOND, UNIT 1-B, SEC 2-A) (AKA WILLOW OAK) (12/31/17)* - located at 3900 Boston Road. (Council District: 9) **(Barrett Partners)**

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

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

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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 additional plats for property (H-738 and J-155).
12. Increase size of text on contours.
13. Denote landscaping and fence per note #14 on preliminary development plan.
14. Consolidation minor plat shall be certified and recorded prior to plan certification.
15. Resolve timing of resolution of easement conflicts.

3. MINOR SUBDIVISION PLAN

- a. PLN-MNDP-17-00038: MELROSE ADDITION, BLOCK "F", LOTS 10, 11 & 12 - located at 363 Thompson Road.
(Council District 2) **(S. Mark McCain, RLA)**

Note: The purpose of this minor amendment is to decrease the required parking by 10 spaces.

The staff is referring this plan to the Commission under Article 21-7(b)(2) of the Zoning Ordinance.

The staff will report at the meeting.

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

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

- a. **PLANNING COMMISSION WORK SESSION** – At the conclusion of today's meeting, the staff will discuss a proposed Zoning Ordinance text amendment (ZOTA) related to the Planned Shopping Center (B-6P) zone with the Planning Commission.
- b. **AMENDMENT TO THE 2017 MEETING & FILING SCHEDULE** - The Chair will announce that the Commission will consider an amendment to the "Official Meeting and Filing Schedule for 2017" at this time. The work session scheduled for November 16, 2017 is requested for cancellation.

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.....	November 16, 2017
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	November 29 2017
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	November 30, 2017
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	December 7, 2017
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	December 7, 2017
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	December 14, 2017

X. ADJOURNMENT