

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

December 14, 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 November 9, 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, December 7, 2017 at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Frank Penn, Mike Owens, 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: Jim Duncan; Traci Wade; Chris Woodall; Tom Martin; Chris Taylor; Jimmy Emmons; Cheryl Gallt; Parker Sherwood; Denice Bullock; Captain Greg Legal & Lieutenant 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-17-00066: NDC PROPERTY, UNIT 1A, LOT 21 F (WELLINGTON) (AMD) (02/04/2018)*- located at 351 MEIJER WAY, LEXINGTON, KY. (Council District 9)
Project Contact: Vision Engineering

Note: The purpose of this amendment is to subdivide one lot into two lots, and to create storm and sanitary sewer easements, as well as two access easements.

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).
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic

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Engineer.

7. Lotting scale needs to be 1" = 100' or less.

- b. PLN-MJSUB-17-00067: HAMBURG PLACE MALL, UNIT 1, PARCEL 2, OUTLOT 5 (AMD) (02/04/2018)*- located at 2145 SIR BARTON WAY, LEXINGTON, KY. (Council District 6)
Project Contact: Vision Engineering

Note: The purpose of this amendment is to subdivide Parcel 2 into two lots to create Outlot 5, and to create a sanitary storm easement and access easement.

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).
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. Lotting scale needs to be 1" = 100' or less.
9. Resolve sewer line relocation (private vs. public).

- c. PLN-MJSUB-17-00068: BLACKFORD PROPERTY, PHASE 3, UNIT 1-M (02/04/2018)*- located at 3221 BAY SPRINGS PARK, LEXINGTON, KY. (Council District 12)
Project Contact: EA Partners

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Clarify the number of lots in site statistics (greenway/HOA).
8. Denote width of UE that crosses southern portion of the lot.
9. Clarify sanitary sewer easement intersections and crossings.
10. Exactions to the approval of the Division of Planning.
11. Resolve floating 15' storm sewer easement.

- d. PLN-MJSUB-17-00069: TUSCANY, UNIT 9-D (02/04/2018)*- located at 2045 COVINGTON DR, LEXINGTON, KY. (Council District 6)
Project Contact: EA Partners

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. 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. Denote driveway location on Lots 66 & 131.
8. Clarify storm and sanitary sewer easement on Lot 131.

- e. PLN-MJSUB-17-00070: TUSCANY, UNIT 9-E (02/04/2018)*- located at 2045 COVINGTON DR, LEXINGTON, KY. (Council District 6)
Project Contact: EA Partners

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

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

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7. Denote driveway location on Lots 106 & 115.

- f. PLN-MJSUB-17-00071: BLACKFORD PROPERTY, PHASE 3, UNIT 1-N (02/04/2018)*- located at 3221 BAY SPRINGS PARK, LEXINGTON, KY. (Council District 12)
Project Contact: EA Partners

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Remove "future" from Phase 3, Unit 1-P.
7. Clarify adjacent property (greenway vs. HOA open space).
8. Denote driveway location on Lot 17.
9. Exactions to the approval of the Division of Planning.

- g. PLN-MJSUB-17-00072: BLACKFORD PROPERTY, PHASE 3, UNIT 1-P (02/04/2018)*- located at 3221 BAY SPRINGS PARK, LEXINGTON, KY. (Council District 12)
Project Contact: EA Partners

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Exactions to the approval of the Division of Planning.

- h. PLN-MJSUB-17-00073: TUSCANY, UNIT 9-F (02/04/2018)*- located at 2045 COVINGTON DR, LEXINGTON, KY. (Council District 6)
Project Contact: EA Partners

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. 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. Denote driveway location on Lots 97 & 105.

2. DEVELOPMENT PLANS

- a. PLN-MJDP-17-00070: ZANDALE SHOPPING CENTER & GREENLEAF MOTOR LODGE PROPERTIES (AMD) (12/14/17)* - located at 2280 Nicholasville Road. (Council District 4)
Project Contact: Brandstetter Carrol

Note: The Planning Commission postponed this item at their August 10, 2017; September 14, 2017; October 12, 2017, and November 9, 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.

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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.

- b. PLN-MJDP-17-00107: R. J. REYNOLDS TOBACCO CO PROPERTY (OLD WORLD TIMBER ADAPTIVE REUSE) (02/04/2018)*- located at 1195 VERSAILLES RD, LEXINGTON, KY. (Council District 2)
Project Contact: Thoroughbred Engineers

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

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. 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. Delete standard requirement notes #1-4 date and signature lines.
11. Addition of all required notes per Article 21 of the Zoning Ordinance.
12. Denote off-site parking location(s).
13. Provided the Planning Commission makes a finding the plan complies with Article 8-21(o)(4) of the Zoning Ordinance.

- c. PLN-MJDP-17-00108: DOUGLAS NORMAN PROPERTY (RYAN JOHNSON DEVELOPMENT) (02/04/2018)*- located at 1730 BRYANT RD, LEXINGTON, KY. (Council District 6)
Project Contact: Midwest Engineers

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the relocation of the access through the adjacent property, need for stormwater improvements and connection to the sanitary sewer system.

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. Denote the required parking and show the parking provided.
11. Denote proposed and existing easements.
12. Denote timing of access improvements through adjacent property and closure of current access.
13. Discuss connection to sanitary sewers as noted on ZDP 2004-6.
14. Discuss on-site improvements per ZDP 2004-6.

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- d. PLN-MJDP-17-00109: FULLER ET AL PROPERTY & MEADOWTHORPE COMMERCIAL BUSINESS CTR, LOT 3 (AMD) (02/04/2018)*- located at 1315 W. MAIN ST, LEXINGTON, KY. (Council District 2)
Project Contact: Abbie Jones Consulting

Note: The purpose of this amendment is to construct a gymnasium/indoor recreation facility.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the proposed new use on the property per the Division of Traffic Engineering and the Division of Fire, Water Control Office.

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. Denote final record plat information for property.
 11. Denote adjoining property information.
 12. Denote purpose of amendment note.
 13. Denote reciprocal parking and access.
 14. Resolve difference in new access easement as shown from the approved final development plan.
 15. Discuss known stormwater problem and impact of proposed development.
- e. PLN-MJDP-17-00110: HAMBURG PLACE MALL, UNIT 1, PARCEL 2, OUTLOT 5 (AMD) (02/04/2018)*- located at 2145 SIR BARTON WAY, LEXINGTON, KY. (Council District 6)
Project Contact: Vision Engineering

Note: The purpose of this amendment is to add 3,600 sq.ft. carwash, associated parking, and drive aisles to Parcel 3, Outlot 5.

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. 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. Dimension new building and building on Parcel 2, Outlot 4 from previous plan.
 12. Clarify site statistic totals.
 13. Resolve timing of release of easement.
- f. PLN-MJDP-17-00111: NDC PROPERTY, UNIT 1A, LOT 21F (WELLINGTON) (AMD) (02/04/2018)*- located at 351 MEIJER WAY, LEXINGTON, KY. (Council District 9)
Project Contact: Vision Engineering

Note: The purpose of this amendment is to add 3,000 sq.ft. building for a carwash and parking on Outlot 21F.

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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and

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- 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. Show boundaries of Outlot 21F as a solid dark line.
- 12. Addition of proposed and existing easements.

- g. PLN-MJDP-17-00112: B. M. COLE ESTATES (CARMAN PROPERTIES, LLC) (ALDI) (AMD) (02/04/2018)*- located at 1509 COLESBURY CIR, LEXINGTON, KY. (Council District 1)
Project Contact: CMW

Note: The purpose of this amendment is to add additional square footage to the building on Lot 1-A.

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. Department of Environmental Quality's approval of environmentally sensitive areas.
 - 7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 - 8. Division of Waste Management's approval of refuse collection locations.
 - 9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 - 10. Denote this property shall be developed in accordance with Article 19 of the Zoning Ordinance.
 - 11. Addition of note referring to Article 16 of the Code of Ordinance.
 - 12. Denote review by the Royal Springs Aquifer Committee prior to certification.
- h. PLN-MJDP-17-00113: THE HUB AT LEXINGTON II (SOUTH LIMESTONE & VIRGINIA AVENUE) (02/04/2018)*- located at 119, 121, 123 & 131 VIRGINIA AVENUE; 665, 685 & 693 S. LIMESTONE; AND 662 MAXWELTON COURT LEXINGTON, KY. (Council District 3)
Project Contact: Carman

The Subdivision Committee Recommended: **Postponement**. There were some questions about the traffic improvements to S. Limestone.

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. Correct plan title.
 - 11. Delete notes #14 and #15.
 - 12. Clearly denote FAR and lot coverage per Article 21 of the Zoning Ordinance.
 - 13. Provided the Planning Commission makes a finding to approve the Area Context and Character Study.
 - 14. Discuss stormwater management and water quality requirements.
 - 15. Discuss timing of right-of-way improvements.
- i. PLN-MJDP-17-00114: LEXINGTON INDUSTRIAL FOUNDATION (BAUMANN PAPER COMPANY) (02/04/2018)*- located at 1601 BAUMANN DR, LEXINGTON, KY. (Council District 2)
Project Contact: Gabbert Consulting Co., LLC

Note: At the request of the applicant, the Subdivision Committee recommended postponement of this plan for one-month.

The Technical Committee and Staff Recommended: **Postponement**. There were some questions regarding the plan's compliance with Article 21 of the Zoning Ordinance and parking per Article 8-22.

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

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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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Addition of written scale.
11. Correct plan title.
12. Name, address and phone number of plan preparer.
13. Identify boundary of property as solid dark lines with bearings and distances.
14. Denote deed book and page or record plat of property in plan title.
15. Denote topography contours at 2 foot intervals.
16. Denote access for construction vehicles.
17. Addition of street cross-section.
18. Denote height of building in feet on plan.
19. Denote floor area for each building in site statistics, lot coverage & FAR per Article 21 requirements.
20. Dimension all buildings.
21. Improve clarity of vicinity map.
22. Denote use of existing building.
23. Document compliance with Article 21-7(b)(3) of the Zoning Ordinance (copies of post-certification).
24. Delete note #1.
25. Denote as Final Development Plan.

- j. PLN-MJDP-17-00115: COLDSTREAM RESEARCH CAMPUS, UNIT 2A, LOT 11 (HAMPTON INN) (AMD) (02/04/2018)*- located at 1801 NEWTOWN PIKE, LEXINGTON, KY. (Council District 2)
Project Contact: Strand Associates

Note: The purpose of this amendment is to add an additional motel and parking to the site.

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. Revise note #15 to reflect current Articles in the Zoning Ordinance.
13. Revise special note #6 to reflect current note on DP 2007-17.
14. Document compliance with the required review by the Design Review Committee per Article 8-24(o)(7).
15. Add Unit 2A to plan title.
16. Denote review by the Royal Springs Aquifer Committee prior to certification.
17. Denote drainage easement per the amended final record plat.
18. Resolve timing of the building line and scenic easement conflict resolution on Aristides Boulevard frontage.

- k. PLN-MJDP-17-00116: ADAMS/BRIGHTON 3050 & CADENTOWN SUBDIVISION, LOTS 3 & 4 (AMD) (02/04/2018)*- located at 3050 HELMSDALE PLACE, LEXINGTON, KY. (Council District 6)
Project Contact: EA Partners

Note: The purpose of this amendment is to add mail and maintenance building, recycling area and reconfigure parking area.

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.

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4. Addressing Office's approval of street names and addresses.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
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. Remove amendment number from plan title.
10. Denote proposed sanitary sewer easements for buildings closest to Campbell Lane.
11. Clarify construction access in note #8.
12. Modify note #12 to address current amendment.
13. Denote cross access easement location per note #13.
14. Delete "proposed" and add "existing" to note #18.
15. Denote density in site statistics to document compliance with Article 9 open space requirements.
16. Label existing mailbox location.
17. Update trail connection labels to reflect built conditions.

- I. PLN-MJDP-16-00039: LIBERTY HEIGHTS SUBDIVISION, BLOCK C, LOTS 4-10 & LOTS 44-47 (3/5/18)* - located at 836 WINCHESTER ROAD, LEXINGTON, KY (Council District 5)
Project Contact: Thoroughbred Engineering

Note: The Planning Commission approved this plan at their November 10, 2016, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Consolidation of property prior to plan certification.
10. Addition of existing and proposed easements on plan.
11. Kentucky Transportation Cabinet's approval of access on Winchester Road.

Note: The applicant now requests a reapproval of the Commission's original approval.

The Staff Recommends: **Reapproval**, subject to the original conditions #1-10 previously approved by the Planning Commission, and the following revised condition:

11. Kentucky Transportation Cabinet's approval of right-in/right-out access on Winchester Road or removal of access point.

- m. PLAN 2014-51F: JOHNSON SUBDIVISION, LOT 26 (AMD) (3/5/18)* - located at 455-457 N. MARTIN LUTHER KING BOULEVARD LEXINGTON, KY. (Council District 1)
Project Contact: Randy Martin

Note: The purpose of this amendment is to subdivide one lot into two lots. The Planning Commission approved this item on August 14, 2014 and reapproved it on July 14, 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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
7. Denote date of plan preparation.
8. Denote addresses on lots.
9. Denote the front yard building line per the Zoning Ordinance.
10. Document existence of separate sewer laterals prior to certification.
11. Increase size of street cross-section (for legibility).
12. Denote that the structure will be a duplex (one unit per lot).
13. Document compliance with building code for separation prior to certification.
14. Addition of storm water easement.

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

Note: The applicant now requests a reapproval of the Commission's original approval.

The Staff Recommends: Reapproval, subject to the original conditions previously approved by the Planning Commission.

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

- V. ZONING ITEMS** - The Zoning Committee met on Thursday, December 7, 2017 at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Mike Cravens, Carolyn Richardson, and Bill Wilson. The Committee members reviewed applications and made recommendations as noted.

A. ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS

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

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

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

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

The procedure for these hearings is as follows:

- Staff Reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum) (3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s)

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

1. ANDERSON LURADANE, LLC ZONING MAP AMENDMENT & SULLIVAN PARK & DEVEREUX SUBDIVISION ZONING DEVELOPMENT PLAN

Note: The Planning Commission postponed this item at their November 30, 2017, meeting.

- a. PLN-MAR-17-00039: ANDERSON LURADANE, LLC (12/31/17)*- petition for a zone map amendment from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 0.92 net (1.06 gross) acres, for properties located at 135, 137 & 139 American Avenue and 112, 114, 116 & 118 Burley Avenue. Dimensional variances are also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

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

Related to the proposed rezoning, the 2013 Comprehensive Plan Goals and Objectives recommend expanding housing choices (Theme A., Goal #1); supporting infill and redevelopment as a strategic component of growth, including compact and contiguous growth (Theme A., Goal #2 and Theme E., Goal #1b); providing for well-designed neighborhoods and communities (Theme A., Goal #3); reducing Lexington's carbon footprint (Theme B, Goal #2); and improving a desirable community by working to achieve an effective and comprehensive transportation system (Theme D., Goal #1). *Chapter 7: Maintaining a Balance between Planning for Urban Uses and Safeguarding Rural Land* of the 2013 Plan also address specific recommendations for Infill and Redevelopment within Lexington-Fayette County.

The applicant proposes redeveloping the subject properties with a combination of single-family residences and multi-family dwelling units, as well as associated off-street parking. The corollary development plan depicts 26 dwelling units, with 31 bedrooms, which represents a density of 28.38 dwelling units per net acre. Numerous dimensional variances are requested in conjunction with the requested zone change for the subject properties.

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

The Zoning Committee Recommended: **Postponement**.

The Staff Recommends: **Postponement**, for the following reasons:

1. Currently, the proposed corollary development plan is a hybrid between a group residential development and individual R-4 zoned lots. This creates a myriad of regulatory compliance issues that must be addressed for both types of plans. The staff would like to explore other options with the petitioner to create a plan that supports the 2013 Comprehensive Plan's policy statements, goals and objectives.
2. The compatibility of the High Density Apartment (R-4) zone for the subject property should be further discussed with the petitioner, especially in light of the limited infrastructure within the neighborhood, the need to achieve an effective and comprehensive transportation system, the land use patterns of the neighborhood and the desire to provide context sensitive development that respect's the immediate area's design features.

b. REQUESTED VARIANCES

1. Reduce the required front yard along American Avenue from 20 feet to 8 feet
2. Reduce the required rear yard from 10 feet to 5 feet at 112 and 118 Burley Avenue
3. Eliminate the zone-to-zone screening requirement.

The Zoning Committee recommended: **Postponement**, per the staff recommendations.

The Staff Recommends: **Postponement**, for the following reasons:

- a. Generally, when a variance is requested, one of the findings required to grant the variance must be based on special circumstances applicable to the property/properties that would serve as a justification for the variance. "Special circumstances" are typically understood to be physiographic in nature that would prevent a structure or structures from being constructed at the required setback. That situation does not appear to exist with this request; and, until further, more detailed reasoning is provided for needing the variances, the staff is unable to support the applicant's request.
- b. In reviewing the proposed variances for this zone change request, it was discovered that a fourth variance is needed that was not requested. A postponement will allow the applicant to apply for a side yard variance for 112 and 118 Burley Avenue, as described in the body of this report, and to provide the necessary notification to surrounding property owners.
- c. PLN-MJDP-17-00106 SULLIVAN PARK & DEVEREUX SUBDIVISION (12/31/17)* - located at 135, 137 & 139 American Avenue and 112, 114, 116 & 118 Burley Avenue.
Project Contact: Barrett Partners

Note: The Planning Commission postponed this item at their November 30, 2017, meeting.

The Subdivision Committee Recommended: **Postponement**. There are still questions regarding compliance with Article 8-13 of the Zoning Ordinance as well as concerns with the stormwater management.

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

1. Provided the Urban County Council rezones the property R-4; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Denote height of building in feet on plan.
6. Denote compliance with Article 15-7 shall be determined at time of final development plan.
7. Denote pedestrian access to American Avenue.
8. Demonstrate compliance with open space required.
9. Provided the Planning Commission grants the requested variance to Article 18.
10. Discuss compliance with R-4 zone requirements.
11. Discuss note #12.
12. Discuss water quality/stormwater improvements per the Engineering Manuals.
13. Discuss improvements to Burley and American Avenues.

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

A. **PUBLIC HEARINGS ON SUBDIVISION REGULATIONS AMEMENDMENTS**

1. **SRA 2017-4: AMENDMENT TO ARTICLE 6 TO UPDATE STANDARD CROSS SECTIONS TO REFLECT ON-STREET PARKING LIMITATIONS AND TO DELETE NEO-TRADITIONAL STANDARDS**

REQUESTED BY: Lexington-Fayette Urban County Council

PROPOSED TEXT: Copies are available from the staff.

The Subdivision Committee recommended: **Approval**.

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

The Staff Recommends: **Approval of the Staff Alternative Text**, for the following reasons:

1. The proposed text amendment to Article 6 of the Land Subdivision Regulations will maintain standard right-of-way widths, but restrict on-street parking to maintain large vehicle clearance within residential subdivisions. In this regard, the public health, safety and welfare of the community is preserved and the general intent of the regulations to "encourage the development of sound, healthful and economically stable residential areas; to provide for safe, convenient and efficient traffic circulation; and to provide for the overall harmonious development of the community in accordance with the adopted Comprehensive Plan" is upheld.
2. The proposed text amendment to Article 6 will allow for traffic calming measures in accordance with the LFUCG *Neighborhood Traffic Management Manual* to be integrated into all street designs in order to improve overall public safety by ensuring safe operating speeds. Traffic calming measures will also help to facilitate context sensitive design that results in a safe multi-modal street network.

2. **SRA 2017-5: AMENDMENT TO ARTICLE 5-4(B) TO INCREASE ALLOWABLE PLAT SIZE**

REQUESTED BY: Lexington-Fayette County Clerk's Office

PROPOSED TEXT: (Note: Text ~~dashed through~~ indicates a deletion, and text underlined indicates an addition to the existing Land Subdivision Regulations.)

5-4(b) MATERIALS

5-4(b) MATERIALS - The final plan shall be prepared on mylar or other material capable of clear reproduction using the ozalid print process. The sheet size may not exceed 24" x 36"~~17" x 22"~~, and all plan information will be shown clearly and legibly. In addition, the final plan shall be submitted in digital format containing the information required by the Division of Engineering. In all cases, the mylar submission shall be considered the official submission.

The Subdivision Committee recommended: **Approval**.

The Staff Recommended: **Approval**, for the following reasons:

1. The proposed text revision to Article 5-4(b) will allow for plats to be a maximum of 24"x36" providing for better clarity and presentation of the required information.
2. The proposed addition will maintain public health and safety, consistent with the intent of the Land Subdivision Regulations.

B. PUBLIC HEARINGS ON ZONING ORDINANCE TEXT AMEMENDMENTS

Note: The Planning Commission postponed this item at their November 30, 2017, meeting.

1. **ZOTA 2017-6: AMENDMENT TO ALLOW OFF-SITE AIRPORT PARKING AS A CONDITIONAL USE IN THE AGRICULTURAL RURAL (A-R) ZONE** - petition for a Zoning Ordinance text amendment to Article 8-1(d) of the Zoning Ordinance to allow off-site airport parking as a Conditional Use in the Agricultural Rural (A-R) zone.

REQUESTED BY: Steve Clark and Lexington Airport Parking

PROPOSED TEXT: (Note: Underlined text indicates an addition to the existing Zoning Ordinance.)

ARTICLE 8-1: AGRICULTURAL RURAL (A-R) ZONE

8-1(d) Conditional Uses (Permitted Only with Board of Adjustment Approval)

32. Parking lots, but only when the following conditions are met:

- a. The parking lot must have been constructed by January 1, 2017.
- b. The parking lot must be paved with an all-weather surface of either asphalt or concrete. No new paving shall be permitted to create or expand a parking lot; however, resurfacing of any existing areas shall be permitted.
- c. The parking lot must have a minimum of one-hundred (100) spaces.
- d. The parking lot must be within one and one-half (1 1/2) miles of an airport providing regular, commercial air service.
- e. Screening must be provided in accordance with the Vehicular Use Area screening requirements.
- f. Any lighting installed must be directed away from residential or agricultural uses.

The Zoning Committee Recommended: **Referral**.

The Staff Recommends: **Disapproval**, for the following reasons:

1. The proposed addition to the Zoning Ordinance to permit an off-site parking lot for a commercial airport is not consistent with the adopted Rural Land Management Plan, nor the draft update to the Plan which is to be considered by the Planning Commission within the next two months. Further, the adopted 2013 Comprehensive Plan recommends protecting the natural landscapes that make our county unique. Permitting commercial parking lots does not support this vision.

2. The Blue Grass Airport has adopted a Master Plan for the airport in 2013 that includes developing additional on-site parking. Additionally, the airport has bonds already secured to add 2,500 parking spaces in phases over the 3 to 17 years. The proposed text amendment could have a negative impact on the airport's ability to re-pay bonds for that parking by reducing potential revenue.
 3. The petitioner's proposed text amendment is not consistent with the intent of the Agricultural Rural (A-R) zone to preserve the rural character of the Rural Service Area by promoting agriculture and related uses. An off-site parking lot for a commercial airport does not purport to promote agriculture or related uses, nor does the proposed use have any specific need to be located within the rural service area due to space requirements.
2. **ZOTA 2017-8: AMENDMENT TO ARTICLE 12 - PARKING STANDARDS; LOT COVERAGE AND FLOOR AREA REQUIREMENTS; TRANSIT FACILITIES; AND DESIGN STANDARDS** – petition for a Zoning Ordinance text amendment to update the B-6P zone.

REQUESTED BY: URBAN COUNTY PLANNING COMMISSION

PROPOSED TEXT: Copies are available from the staff.

The Zoning Committee Recommended: **Approval.**

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

1. The proposed text amendment will reduce the impact of parking on land consumption, and encourage shared parking across complementary professional office, retail and residential uses.
2. The proposed text amendment will enhance the viability of existing B-6P developments by providing redevelopment opportunities that unlock additional potential to better utilize existing zoned land.
3. The proposed text amendment will encourage walkable developments and accessible transit facilities that have been long neglected in our major corridors.
4. The proposed text amendment will assist in creating a variety of employment, retail and residential opportunities throughout Lexington, improving overall housing affordability.

- C. **ANNUAL REPORT FOR THE COURTHOUSE AREA** – The Commission will hear from Keyu Yan, who will present the required Annual Report from the Courthouse Area Design Review Board.

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

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

IX. **NEXT MEETING DATES**

Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	December 20, 2017
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	January 4, 2018
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	January 4, 2018
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	January 11, 2018
Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	January 18, 2018
Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	January 25, 2018

X. **ADJOURNMENT**