

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

January 11, 2018

- 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 30, 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, January 4, 2018, at 8:30 a.m. The meeting was attended by Commission members: Carolyn Plumlee, 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; Tom Martin; Cheryl Galt; 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-17-00074: SEBASTIAN PROPERTY, UNIT 2-D (AMD) (2/18/18)* – located at 2944 TRAILWOOD LANE.
(Council District 2)
Project Contact: EA Partners

Note: The purpose of this amendment is to create 10 buildable lots and one 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. 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.

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

7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Addition of adjacent property information.
9. Addition of access easement to trail, per as-built.

- b. PLN-MJSUB-17-00075: SEBASTIAN PROPERTY, UNIT 2-E (AMD) (2/18/18)* – located at 2944 TRAILWOOD LANE. (Council District 2)
Project Contact: EA Partners

Note: The purpose of this amendment is to create 11 buildable lots and one 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. 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Addition of adjacent property information.
9. Addition of access easement to trail, per as-built.
10. Resolve dumpster and easement conflict, per DP 2015-70.

- c. PLN-MJSUB-17-00076: GOLD CIRCLE DEPARTMENT STORE, LOT 1 (LOT 1-B) (AMD) (2/18/18)* – located at 131 W. REYNOLDS ROAD. (Council District 9)
Project Contact: Endris 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, 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. Denote: This property shall be developed in accordance with the approved final development plan.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Addition of access easement note per Article 5-4(h)(1) of the Land Subdivision Regulation.
11. Denote no access to W. Reynolds Road from Lot 1-B.

- d. PLAN 2013-122F: SOUTHEND PARK, UNIT 1, SECTION 1 (3/19/18)* - located in the 700 & 800 BLOCKS OF DE ROODE STREET. (Council District 3)
Project Contact: Hall-Harmon & LFUCG Engineering

Note: The Planning Commission approved this plan at their November 14, 2013 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.
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: Lots 1-4 shall be developed in accordance with the approved Final Development Plan.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Complete owners' certification information per the Land Subdivision Regulations.
11. Provided the Planning Commission grants a waiver to Articles 4-7(d)(1) and 4-7(d)(9) of the Land Subdivision Regulations.
12. Review by Technical Committee prior to plan certification.

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Note: The Planning Commission approved a one-year extension on October 9, 2014, subject to the original conditions 1-7 & 9, noting the prior approval of the waiver by the Commission. On March 13, 2014, the Commission also approved the requested waivers to the Land Subdivision Regulations, for these reasons:

1. Not granting the waivers would constitute an exceptional hardship for the applicant by impeding the development of the affordable housing component of the project.
2. Granting the waivers will not negatively impact public health and safety, as the completion of the public improvements will be completed; and warranties on the improvements will be provided by the standard contractual procedures utilized and required by the applicant.
3. Granting the waivers complies with 1-5(c) of the Land Subdivision Regulations that encourages waivers that facilitate infill and redevelopment projects.

Note: A Section of this plat (for lots 1-4) was recorded on March 17, 2014. The Planning Commission granted a one-year extension to the unrecorded portions of this plan on October 8, 2015. The LFUCG Division of Engineering now requests another one-year extension of the prior approval for the unrecorded Section of this plat.

The staff recommends that the Commission re-approve the unrecorded section of this plat, noting the previously approved Waivers to the Land Subdivision Regulations granted by the Commission.

The Subdivision Committee Recommended: **Reapproval for the unrecorded Section of this plat**, subject to the original conditions 1-7, changing condition #3 to read: "~~Building Inspection's~~ Landscape Examiner's approval of landscaping and landscape buffers", & condition 9, and noting the prior approval of the waiver by the Commission.

2. DEVELOPMENT PLANS

- a. 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 Planning Commission postponed this item at their December 14, 2017, meeting. 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.

- b. 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: The Planning Commission postponed this item at their December 14, 2017, meeting. At the request of the applicant, the Subdivision Committee recommended postponement of this item at their December 7, 2017 and January 4, 2018, meetings.

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:

1. Urban County Engineer's acceptance of drainage, and 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 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.
- c. PLN-MJDP-17-00117: CHARLOTTE PRICE ESTATE, LOTS 61 & 62 (ADAPTIVE REUSE PROJECT) (2/18/18)* - located at 744 BELLAIRE AVENUE. (Council District 1)
Project Contact: Vision Engineering

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. 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. Provided the Planning Commission makes a finding the plan complies with Article 8-21(o)4 of the Zoning Ordinance.
 13. Denote review by the Royal Springs Aquifer Committee prior to certification.
 14. Denote location of public art.
 15. Denote Board of Adjustment's approval prior to certification.
 16. Resolve the need for supplemental landscaping adjacent to railroad.
- d. PLN-MJDP-17-00118: LITTLE & POWELL PROPERTY (2/18/18)* – located at 757 NEWTOWN PIKE.
(Council District 1)
Project Contact: MLH Civil Engineers

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.

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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.
- e. PLN-MJDP-17-00119: CANDIA CORPORATION (TIME TO SHINE CAR WASH) (2/18/18)* – located at 1250 S. BROADWAY. (Council District 3)
Project Contact: 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. 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. Addition of access easement cross-sections.
 12. Denote location of street cross-sections.
 13. Identify adjacent property with dashed lines.
 14. Resolve status of access easement to Legion Drive.
 15. Denote landscape buffer to be a minimum of 5' around boundary of property.
 16. Resolve extent of canopy over by-pass/exit to vacuum and parking area.
- f. PLN-MJDP-17-00120: GOLD CIRCLE (TARGET-NICHOLASVILLE & REYNOLDS) (OUTLOT, LOT 1-B) (AMD) (2/18/18)* – located at 131 W. REYNOLDS ROAD. (Council District 9)
Project Contact: The Roberts Group

Note: The purpose of this amendment is to denote the development of Lot 1B.

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. Document compliance with Article 18 VUA requirements of the Zoning Ordinance prior to certification.
 11. Denote final record plat information for adjoining property.
 12. Addition of tree protection plan for Lots 1-A & 1-B.
 13. Delete construction/contractors information notes.
- g. PLN-MJDP-16-00037: HASH AND HOUNSHELL PROPERTY (3/19/18)* - located at 1411 GREENDALE ROAD. (Council District 2)
Project Contact: Vision Engineering

Note: The Planning Commission approved this item at their December 8, 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. 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.

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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 proposed and existing easements on plan.
13. Denote the Royal Springs Aquifer Committee's consideration and/or approval prior to certification.
14. Align Lucille Drive street connection to the north.
15. Resolve proposed parking area and 12' access easement for Units 17-20.
16. Document "office" uses near swimming pools will not exceed FAR limits, and account for their floor area in site statistics.
17. Provided the Planning Commission makes a finding for the access easement, per Article 6-8(m) of the Land Subdivision Regulations, or convert to private street for townhouse Units 17-20.

The Planning Commission also approved findings for the appropriateness of access easements, as sole access for certain lots, for the following reasons:

1. Allowing for four (4) townhouse lots to be accessed only via the existing access easement is appropriate for the proposed development and compliments the design and public street system proposed for the remainder of the development.
2. The property is subject to an approved final development plan, and the use of the access easement for Lots 17-20 will not negatively impact public health and safety. This would be consistent with the intent of the Land Subdivision Regulations.

Note: The applicant now requests a reapproval for this plan.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the alignment of Lucille Drive.

The Staff Recommended: **Reapproval**, subject to the same conditions as previously required by the Commission, noting the approval of the findings for the appropriateness of access easements, as sole access for certain lots; changing and adding the following conditions:

3. ~~Building Inspection's~~ Landscape Examiner's approval of landscaping and landscape buffers.
18. Discuss Lucille Drive alignment and stub street connection to the west.

- h. PLN-MJDP-16-00050: STONEWALL SHOPPING CENTER (AMD) (3/19/18)* - located at 3197 CLAYS MILL ROAD.
(Council District 9)
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict new development of a convenience store and parking. The Planning Commission approved this item at their December 8, 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. 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. Addition of tree protection areas on plan, or/and clarify new street tree planting plants in "tree canopy statistics."

Note: The applicant now requests a reapproval for this plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the same conditions as previously required by the Commission, changing the following condition:

3. ~~Building Inspection's~~ Landscape Examiner's approval of landscaping and landscape buffers.

- 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

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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	January 18, 2018
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	January 24, 2018
Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	January 25, 2018
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	February 1, 2018
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	February 1, 2018
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 8, 2018

X. ADJOURNMENT

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