

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

March 8, 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 February 8, 2018, 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, March 1, 2018, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, 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; Cheryl Gallt; Denice Bullock; Jimmy Emmons; Scott Thompson; Captain Greg Lengal & Captain Joshua Thiel, Division of Fire & Emergency Services; Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission.

1. *All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.*
2. *All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.*

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria:

- (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
- (2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
- (3) no discussion of the item is desired by the Commission, and
- (4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
- (5) the matter does not involve a waiver of the Land Subdivision Regulations.

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

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

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

1. FINAL SUBDIVISION PLANS

- a. **PLN-MJSUB-17-00048: THE GARDEN OF HARTLAND, UNIT 3 (AMD) (5/31/18)*** - located at 5116 IVYBRIDGE DRIVE.
Council District 12
Project Contact: Wes Witt

Note: The Planning Commission indefinitely postponed this item at October 12, 2017, meeting. The purpose of this amendment is to subdivide one lot into two lots.

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

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

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Document release of Ashland Oil easement.
9. Denote monument information, per Article 6 of the Land Subdivision Regulations.
10. Provided the Planning Commission grants a waiver of the required lot frontage.
11. Discuss provision of sanitary sewer service to Lots 5116 and 5121.
12. Discuss engineer's certification.
13. Discuss Urban County Engineers certification.
14. Discuss the need for Improvement Plan(s).

Note: The applicant has requested this item be placed on the docket for consideration.

2. DEVELOPMENT PLANS

- a. PLN-MJDP-17-00109: FULLER ET AL PROPERTY & MEADOWTHORPE COMMERCIAL BUSINESS CTR, LOT 3 (AMD) (03/08/2018)*- 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, January 11, 2017 and February 8, 2018, meetings. The purpose of this amendment is to construct a gymnasium/indoor recreation facility.

Note: The revised plan removes the indoor recreation facility.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the proposed angle parking, access easement and proposed gate.

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. Revise note #13.
12. Denote reciprocal parking and access.
13. Discuss known stormwater problem and impact of proposed development.
14. Discuss angle parking, access easement and proposed gate.

- b. PLN-MJDP-17-00114: LEXINGTON INDUSTRIAL FOUNDATION (BAUMANN PAPER COMPANY) (03/08/2018)*- 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, January 11, 2018 and February 8, 2018, meetings. At the request of the applicant, the Subdivision Committee recommended postponement of this item at their December 7, 2017, January 4, 2018 and February 1, 2018 and March 1, 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:

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

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.

- c. PLN-MJDP-18-00009: ELLERSLIE PLACE, LOTS 2 & 2A (THE MIDLANDS) (AMD) (4/29/18)* - located at 222 MIDLAND AVE AND 225 WALTON AVE, LEXINGTON, KY
Council District: 3
Project Contact: Milestone Design

Note: The purpose of this amendment is to revise the parking and building on Lot 2A.

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. Provide detailed exhibit with information regarding floorplan and elevations to Division of Planning to ensure compliance with Article 28-5(h) of the Zoning Ordinance.

- d. PLN-MJDP-18-00010: BLUEGRASS EXECUTIVE PARK, UNIT 1-C, SEC. 1, BLOCK E & SEC. 2, BLOCK E (PROFESSIONAL OFFICE PROJECT) (4/29/18)* - located at 2140 EXECUTIVE DR AND 2189, 2193, 2197, 2201 & 2205 THUNDERSTICK DR, LEXINGTON, KY
Council District: 6
Project Contact: Vision Engineering

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.

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

9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Addition of record plat consolidation.

- e. PLN-MJDP-18-00011: LEXMARK INTERNATIONAL (AMD) (4/29/18)* - located at 791 FREIGHT BLVD, LEXINGTON, KY
Council District 1
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise the parking and circulation.

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. 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Denote record plat information for all lots on the Lexmark Property.

- f. PLN-MJDP-17-00120: GOLD CIRCLE (TARGET-NICHOLASVILLE & REYNOLDS) (OUTLOT, LOT 1-B) (AMD) (5/22/18)* – located at 131 W. REYNOLDS ROAD, LEXINGTON, KY.
Council District 9
Project Contact: The Roberts Group

Note: The purpose of this amendment is to denote the development of Lot 1B. The Planning Commission approved this plan at their January 11, 2018, 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. 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.

Note: The applicant now requests a continued discussion of the Planning Commissions prior approval.

The Subdivision Committee Recommended: **Approval**, subject to the original conditions previously approved by the Planning Commission, changing condition #10 to read:

10. Document compliance with Article 18 VUA requirements of the Zoning Ordinance prior to ~~certification~~ issuance of Certificate of Occupancy.

- g. PLN-MJDP-16-00062: HAMBURG PLACE MALL (HAMBURG PAVILION DEVELOPMENT) (AMD) (5/22/18)* - located at 1940 AND 1970 PAVILION WAY; 2130 SIR BARTON WAY & 1915 AND 1937 STAR SHOOT PARKWAY, LEXINGTON, KY.
Council District 6
Project Contact: Foresite Group, Inc.

Note: The purpose of this amendment is to add 54,651 square feet of buildable area and to reduce the parking by 185 spaces. The Planning Commission approved this plan at their February 9, 2017, meeting, 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. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.

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

5. Urban Forester's approval of tree 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 Art. 21-7(b)(3) of the Zoning Ordinance, prior to plan certification.
11. Identify plan boundary with solid dark lines, per Article 21-6(a)(2) of the Zoning Ordinance.
12. Enlarge vicinity map and denote site location.
13. Dimension existing and proposed driveways, walkways, parking areas, points of ingress and egress, per the previous approved development plan.
14. Dimension proposed drive-through lane on Building T-4 and indicate stacking area on plan.
15. Addition of tree protection plan information and document compliance with Article 26 (20%) canopy requirements for the lot proposed for amendment.
16. Addition of notes #7 & #16 from previous plan.
17. Resolve resolution of easement conflict with proposed Buildings T-1, 2 & 3.
18. Resolve detention basin conflict with proposed Buildings T-1, 2 & 3.

The Planning Commission's original approval has expired. The applicant now requests a reapproval of this plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the same conditions as previously required by the Commission, replacing condition #3 with the following new condition:

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

- h. DP 2011-41: BLACKFORD PROPERTY, PHASE 1, UNIT 5 & PHASE 3 (AMD) (5/22/18)* - located on BLACKFORD PARKWAY, LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

Note: The Planning Commission approved this plan at their June 23, 2011, meeting, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Approval of street addresses as per e911 staff.
5. Urban Forester's approval of tree protection plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike and 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's approval of emergency access and fire hydrant locations.
10. Provided the Planning Commission makes a finding that the plan is in compliance with the EAMP.
11. Resolve the details of the greenway connection at Lots 391 & 392.
12. Resolve tree preservation area conflict with the EAMP storm water plans (remove T.P.A).
13. Resolve the extent of the sinkhole (identify closed contour area).
14. Denote: No development of Lots 412-416 until Blackford Parkway is constructed.
15. Denote: No vehicular access to Walnut Grove Lane or Deer Haven Lane.

Note: This plan was certified on October 19, 2011. The Planning Commission granted approval of an extension of their previous approval at their October 9, 2014, meeting. They also made a finding, required by Article 4-4(d)(1) of the Land Subdivision Regulations, which states that "progress has been made in the physical construction of improvements" in order to grant that extension.

The applicant now requests a reapproval for the Preliminary Subdivision Plan portion of this plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the same conditions as previously required by the Commission, replacing condition #3 with the following new condition:

3. 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.

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

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.....	March 15, 2018
Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 22, 2018
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 28, 2018
Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	March 29, 2018
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 5, 2018
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	April 5, 2018
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	April 12, 2018

X. **ADJOURNMENT**