

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

August 9, 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 June 28, 2018 and July 12, 2018, meetings 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, August 2, 2018, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Frank Penn and Mike Owens. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade; Tom Martin; Cheryl Gallt; Hal Baillie; Denice Bullock; Captain Greg Lengal and Captain Joshua Thiel, Division of Fire & Emergency Services; and 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 Subdivision Committee 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 PLAN

- a. PLN-MJSUB-18-00020: LEXMARK INTERNATIONAL (AMAZON - DKY2) (9/30/18)* - located at 740 W. NEW CIRCLE ROAD, LEXINGTON, KY.
Council District 1
Project Contact: CESO, Inc.

Note: The purpose of this plat 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 and floodplain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.

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6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Correct location of access easement per Cabinet R Slide 499.
8. Denote the actual width and direction of the street cross-sections (Newtown Pike, New Circle Road and access easement) on plan face.
9. Addition of maintenance note for access easement per Article 5-4(h)(l)(4) of the Land Subdivision Regulations for private access easement.
10. Addition of existing and proposed easements.
11. Addition of floodplain information and 25' setback.
12. Identify the building line setback using a different line type to clarify the location.
13. Correct surveyor's certification per Article 5-4(h)(2) of the Land Subdivision Regulations.
14. Denote area of amendment on vicinity map.
15. Denote location of Legacy Trail easement (LFUCG) on plan face using a different line type or hatching to clarify the location.
16. Denote location of 100' electrical and communication easement.
17. Addition of "General Notes" on plan.
18. Document compliance with Article 3-2(c) of the Land Subdivision Regulations (Lynn Imaging account).
19. Provided the Planning Commission grants the requested waiver to the Land Subdivision Regulations.

2. PRELIMINARY SUBDIVISION PLANS

- a. PLN-MJSUB-18-00017: EASTLAND PARKWAY SUBDIVISION, TRACT 1-C, BLOCK B, LOT 2 (9/2/18)* - located at 1540 EASTLAND PARKWAY, LEXINGTON, KY
Council District 6
Project Contact: ECSI

Note: The Planning Commission postponed this item at their July 12, 2018, meeting.

The Subdivision Committee Recommended: **Postponement**. There were concerns with the location of the proposed street.

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. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree preservation plan and required street tree information.
5. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
6. Denote access point for construction vehicles on plan.
7. Denote maintenance responsibility note for the existing access easement.
8. Denote proposed lots with solid lines.
9. Delete Note #9 regarding Street trees.
10. Discuss the need for two utility and sanitary sewer easements through Lots 2 and 7.
11. Discuss access to frontage road on Lot 3.

- b. PLN-MJSUB-18-00018: PENINSULA (9/30/18)* - located at 478 AND 480 SQUIRES ROAD, LEXINGTON, KY.
Council District 7
Project Contact: EA Partners

Note: The purpose of this amendment is to revise the street and lotting layout.

The Subdivision Committee Recommended: **Postponement** to ensure revisions are submitted to the staff prior to the Planning Commission meeting.

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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. 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.

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11. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
12. Denote asbestos construction debris removal shall be addressed through the Infrastructure Improvement Plan process.
13. Denote cemetery protection shall comply with Article 3 of the Zoning Ordinance.
14. Denote flood protection elevation (FPE) where appropriate.
15. Denote known areas of construction debris to be removed.
16. Denote number of dwelling units within conditional zoning restricted area in site statistics.
17. Complete townhouse internal pedestrian system and delete Note #12.
18. Adjust rear townhouses to meet offset requirements.
19. Addition of note addressing timing of Squires Road relocation.
20. Denote HOA ownership and maintenance status of Lots 243, 244 and 246.
21. Discuss location of stormwater basin on Lots 59 and 73.
22. Discuss tree protection plan relative to inventory.
23. Discuss the townhouse access spacing and need for a waiver.
24. Discuss proposed dumpster location.
25. Discuss creation of common open space interior to townhouse development.

3. DEVELOPMENT PLANS

- a. PLN-MJDP-18-00055: PIPER DEVELOPMENT (THE PAIN TREATMENT CENTER OF THE BLUEGRASS) (AMD) (9/30/18)* - located at 280 PASADENA DRIVE, LEXINGTON, KY.
Council District 10
Project Contact: Denham Blythe Company

Note: The purpose of this amendment is to add a new parking lot.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping 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. Remove name and address of developer from purpose of amendment note and list separately.
8. Denote area of amendment with a solid line.
9. Remove shading and add striping for parking lot to delineate spaces and drive aisle.
10. Clarify street cross-sections C-C (sidewalk both sides) on plan face.
11. Addition of Tree Protection Plan, per Article 26 of the Zoning Ordinance.
12. Addition of all the development plan information, including lots and site statistics and Note #12 from the previously approved development plan (DP 95-27).
13. Denote Board of Adjustment's approval of parking lot prior to certification, including date and case number.

- b. PLN-MJDP-18-00056: HILLENMEYER EAST (AMD) (9/30/18)* - located at 745 AND 803 GREENDALE ROAD, LEXINGTON, KY.
Council District 2
Project Contact: EA Partners

Note: The purpose of this amendment is to revise the Preliminary Subdivision Plan with a Final Development Plan for the apartments.

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. Addition of open space utility access note.
13. Remove Note #9 and update detention area maintenance notes per the Engineering Stormwater Manuals.

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14. Correct Tree Protection Plan notes.
15. Resolve access to Lots 202 & 203 adjacent to the cemetery.
16. Resolve timing of completion of Sandersville Road to Citation Boulevard and traffic signal.
17. Resolve location of required cemetery access easement.
18. Resolve secondary access location.

- c. PLN-MJDP-18-00058: HINDA HEIGHTS SUBDIVISION, BLOCK B (OLD STONE TOWNHOMES) (9/30/18)* - located at 3009, 3013 AND 3021 TATES CREEK ROAD, LEXINGTON, KY.

Council District 4

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 and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Correct plan type.
12. Denote Final Record Plat information.
13. Denote dimensions of driveways and sidewalks.
14. Dimensions parking spaces on south portion of site.
15. Denote private open space per lot (R-1T requirement) on plan face.
16. Discuss circulation within the site.
17. Discuss timing of findings for access easement per the Land Subdivision Regulations.
18. Discuss enhanced landscaping along Bates Creek Road frontage.

- d. PLN-MJDP-18-00059: HAMBURG PLACE OFFICE PARK, LOT 12C (AMD) (9/30/18)* - located at 1770 VENDOR WAY, LEXINGTON, KY.

Council District 6

Project Contact: Vision Engineering

Note: The purpose of this amendment is to increase the number of rooms in the hotel.

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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
4. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
5. Addition of topography.
6. Dimension parking spaces and drive lanes.
7. Correct Planning Commission certification.

- e. DP 2015-90: MARATHON OIL CO. (SPEEDWAY SUPER AMERICA, LLC) (AMD) (10/23/18)* - located at 140 MERCER ROAD, LEXINGTON, KY.

Council District 2

Project Contact: McBride Dale

Note: The purpose of this amendment is to add a fueling station for commercial trucks behind the existing gas station and convenience store. The Planning Commission originally approved this plan on October 8, 2015 and reapproved it on April 13, 2017, 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.

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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.
10. Restore and clarify all information for convenience store and site from previous plan.
11. Denote property description of adjoining Lot 2.
12. Reduce size of landscape island at northeast corner of convenience store to place it outside of easement.
13. Denote tree protection area as identified on current development plan.
14. Revise dimensions of storage shed to include gross area.
15. Resolve pedestrian access to Lot 2.
16. Resolve stormwater detention necessary for the proposed use.
17. Resolve 52' wide apron onto Mercer Road from convenience store lot.

Note: This plan has not been certified and the Commission's approval has since expired. The applicant is now requesting reapproval of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions approved at the October 8, 2015, meeting and changing the following condition:

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

- f. PLN-MJDP-17-00034: NEWTOWN SPRINGS (A PORTION OF TRACT 2) (10/23/18)* - located at 564 ASBURY LANE, LEXINGTON, KY.
Council District 4
Project Contact: Eagle Engineering

Note: The Planning Commission originally approved this plan on May 11, 2017, 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.
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 B-1 area and site statistics to reflect current approved/certified plan(s) in that portion of the property.
13. Identify building dimensions for pool house and clubhouse building proposed.
14. Denote: The apartment buildings shall be constructed in substantial compliance with the exhibit on file with Division(s) of Planning and Building Inspection.
14. Resolve timing of connection of street connection to Hollow Creek Road.
15. Resolve area not a part of this plan (asst. living facility, B-6P area, etc.).
16. Resolve parking proposed (off-street) for clubhouse use, and document compliance with Zoning Ordinance minimum requirements.

Note: This plan has not been certified and the Commission's approval has since expired. The applicant is now requesting reapproval of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions approved at the May 11, 2017, meeting, 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.

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

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

VII. 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.

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VIII. **NEXT MEETING DATES**

Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	August 16, 2018
Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	August 23, 2018
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	August 29, 2018
Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	August 30, 2018
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	September 6, 2018
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	September 6, 2018
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	September 13, 2018

X. **ADJOURNMENT**