

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

October 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 September 13, 2018, meeting will be considered 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, September 6, 2018, 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: Jake Stephens, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Traci Wade; Tom Martin; Cheryl Gallt; Denice Bullock; Captain Greg Lengal and Captain Josh Theil, Division of Fire & Emergency Services; and Mike Sanner, 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 PLANS

- a. PLN-MJSUB-18-00030: SHARKEY PROPERTY, UNIT 1, LOT 16 (AMD) (12/3/18)* - located at 1745 SHARKEY WAY, LEXINGTON, KY.
Council District 2
Project Contact: EA Partners

Note: The purpose of this amendment is to subdivide Lot 16 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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Addition of name and address of property owner and developer.

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

7. Addition of utility providers.
 8. Indicate minimum and maximum building line setback.
 9. Provided the Planning Commission grants the requested waiver to the Land Subdivision Regulations.
- b. PLN-MJSUB-17-00003: FULLER ET. AL. PROPERTY & MEADOWTHORPE COMMERCIAL BUSINESS CENTER, UNIT 1 (AMD) (12/25/18)* - located at 1315, 1317, 1325 and 1353 W. MAIN STREET, LEXINGTON, KY.
Council District 2
Project Contact: Abbie Jones Consulting

Note: The purpose of this amendment is to subdivide one lot from two others. The Planning Commission approved this plan at their March 9, 2017, meeting, subject to the following conditions:

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. Addition of site statistics per Art. 5-2(f) of the Land Subdivision Regulations to include Lot 2.
9. Addition of dashed line in center of Lot 5 for utility easement.
10. Addition of Owner's Certification signatures for owners of Lot 2.
11. Include Lot 2 on plat to create proposed access easement located on Lots 2 & 3.
12. Clarify Purpose of Amendment note to include creation of an easements(s) accordingly.
13. Clarify location and size of new access easement on Lots 2 & 3.
14. Resolve possible need for an access easement out the rear of Lot 5, based on public safety concerns.

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

The Subdivision Committee Recommended: **Reapproval**, subject to the conditions previously approved and changing the following conditions:

3. ~~Building Inspection's~~ Landscape Examiner's approval of landscaping and landscape buffers.
5. Urban Forester's approval of tree protection area(s) ~~and required street tree information.~~

2. PRELIMINARY SUBDIVISION PLAN

- a. PLN-MJSUB-18-00033: TUSCANY, UNIT 12 (AMD) (12/3/18)* - located at 1970 WINCHESTER ROAD, LEXINGTON, KY.
Council District 6
Project Contact: EA Partners

Note: The purpose of this amendment is to denote proposed lotting of property.

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 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Denote type(s) of proposed easement (U.E).
11. Resolve Old Rosebud Road extension alignment and Piero Way/Flying Ebony Drive intersection.

3. DEVELOPMENT PLANS

- a. PLN-MJDP-17-00070: ZANDALE SHOPPING CENTER & GREENLEAF MOTOR LODGE PROPERTIES (AMD) (10/18/18)* - located at 2280 NICHOLASVILLE ROAD, LEXINGTON, KY.
Council District 4
Project Contact: Brandstetter Carrol

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

Note: The Planning Commission postponed this item at their September 13, 2018, meeting. 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: **Disapproval**, for the following reasons:

1. The proposed use would cause traffic to increase on Lowry Lane, exacerbating a dangerous situation.
2. The proposed use would create a concern with the sight distance on Lowry Lane, thereby adding to an already dangerous traffic situation.
3. The proposed drive-through, when regulated to a specific business, is a form of "designer zoning."
4. The proposed fast food restaurant use with a drive-through is restricted through a development plan note.

- b. PLN-MJDP-18-00061: SOUTHERN & JONES PROPERTY, LLC (11/4/18)* - located at 530 MERINO STREET, LEXINGTON, KY.
Council District 3
Project Contact: TR Steel Design

Note: The Planning Commission postponed this item at their September 13, 2018, meeting. At the request of the applicant, the Subdivision Committee recommended a one-month postponement.

The Technical Committee and Staff 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. Dimension courtyard in feet on plan.
12. Clarify proposed FAR.
13. Revise Tree Protection Plan to meet Article 26 requirements.
14. Clarify proposed parking areas.
15. Denote zoning for adjacent properties.
16. Denote compliance with Article 15-7 of the Zoning Ordinance graphically, where appropriate.
17. Discuss sanitary sewer line along the western property line.
18. Discuss improvements to Poplar Street.

- c. PLN-MJDP-18-00072: BEAUMONT FOREST, UNIT 2 (KMSF PARKING EXPANSION) (11/4/18)* - located at 2405 GREATSTONE POINT, LEXINGTON, KY.
Council District 10
Project Contact: Element Design

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. Dimension retention/detention easement.
8. Addition of Board of Adjustment approval date for parking lot (PLN-BOA-18-00063).
9. Addition of note "screening & landscaping shall conform to Article 18 of the Zoning Ordinance".

- d. PLN-MJDP-18-00074: JAMES MOTOR COMPANY & KATHRYN M MCBRAYER PROPERTY (AMD) (12/3/18)* - located at 2440 RICHMOND ROAD & 2350 LAKE PARK ROAD, LEXINGTON, KY.
Council District 5
Project Contact: EA Partners

Note: The purpose of this amendment is to add 157 new parking spaces and revise existing layout.

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

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

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3. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 7. Division of Waste Management's approval of refuse collection locations.
 8. Identify area of amendment on vicinity map.
 9. Correct conditional zoning restriction note (missing #6 & #7).
- e. PLN-MJDP-18-00075: WILLOW OAK SHOPPING CENTER (MILLPOND CENTER) (AMD) (12/3/18)* - located at 3650 BOSTON ROAD, LEXINGTON, KY.
Council District 9
Project Contact: EA Partners

Note: The purpose of this amendment is to revise the development for a car wash.

The Subdivision Committee Recommended: **Postponement** until a revised development layout is submitted for review.

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. Addition of all building dimensions on the development plan.
 11. Addition of all sidewalk and VUA dimensions or typical.
 12. Revise site statistics to meet new B-6P requirements.
- f. PLN-MJDP-18-00076: BLACKFORD PROPERTY, PHASE 3 (AMD) (1/2/19)* - located at 3221 BAY SPRINGS PARK AND 3385 BLACKFORD PARKWAY, LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to revise layout of the remaining portion of Phase 3.

The Subdivision Committee Recommended: **Postponement** to discuss local street pattern.

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. 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. Addition of record plat designation.
 12. Provided the Planning Commission makes a finding the plan complies with the EAMP.
 13. Discuss connectivity of Wading Creek Trail and Bay Springs Park and removing cul-de-sacs.
- g. PLN-MJDP-18-00077: STONEWALL SHOPPING CENTER (AMD) (12/3/18)* - located at 3101 CLAYS MILL ROAD, LEXINGTON, KY.
Council District 9
Project Contact: CMW

Note: The purpose of this amendment is to add square footage and review the parking and pedestrian facilities.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 8. Division of Waste Management's approval of refuse collection locations.
 9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 10. Denote building line per the B-1 zone requirements (10-20).
 11. Resolve location of drive-through in detention easement to the approval of Division(s) of Engineering and Water Quality.
 12. Depict drive-through stacking for proposed restaurant.
 13. Resolve proposed location of cross access drive with 3197 Clays Mill Road.
- h. PLN-MJDP-18-00078: LEXINGTON CLINIC (LA BELLE SUBDIVISION, UNIT 1) (12/3/18)* - located at 1203, 1207, 1215, 1221 AND 1225 S. BROADWAY; 1301 DUNCAN AVENUE; 406 AND 410 GIBSON AVENUE & 437, 441, 445, 449 & 453 PARKWAY DRIVE, LEXINGTON, KY.
Council District 11
Project Contact: Carman

Note: The purpose of this amendment is to revise the development. At the request of the applicant, the Subdivision Committee recommended a one-month postponement.

The Technical Committee and Staff 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 purpose of amendment note.
 12. Addition of "amended" in plan title.
 13. Clarify bearing and distances for 1225 South Broadway (Lot 2).
 14. Denote reciprocal parking and access for Lots 1 and 2.
 15. Resolve right-of-way improvements/modification prior to certification.
 16. Delete note #18.
 17. Clearly delineate easement conflicts to be addressed.
 18. Add dimensions to existing ACS Building (Lot 2).
 19. Denote lot coverage and FAR in site statistics.
 20. Remove R-1C zone from site statistics and proposed zoning information.
- i. PLN-MJDP-18-00080: MASTERSON STATION, UNIT 8-B, SEC 2, LOT 1 (LEXINGTON TABERNACLE, INC) (AMD) (12/3/18)* - located at 130 FERNDAL PASS, LEXINGTON, KY.
Council District 2
Project Contact: T.H.E. Engineers, Inc.

Note: The purpose of this amendment is to depict the revised building and parking layout.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.

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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 adjacent property information per DP 2002-32.
 11. Addition of record plat information (Cab L, Slide 647).
 12. Dimension access drive on plan from Spring Valley Loop.
 13. Denote area for detention.
- j. PLN-MJDP-18-00081: LEESTOWN INDUSTRIAL PARK, UNIT 3 (12/3/18)* - located at 300 ALEXANDRIA DRIVE, LEXINGTON, KY.
Council District 12
Project Contact: Vision Engineering

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the access to Alexandria Drive and the removal of the access per the Preliminary Development Plan, and the lack of required TPP.

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. Addition of all information from the Preliminary Development Plan.
 11. Denote conditional zoning restrictions for the subject property.
 12. Correct the Planning Commission certification (remove approval date).
 13. Addition of tree Preservation Plan (TPP) per Article 26 of the Zoning Ordinance.
 14. Discuss proposed land use.
 15. Discuss the proposed access to Alexandria Drive.
 16. Discuss access from Over Drive per the Preliminary Development Plan.
- k. PLN-MJDP-17-00051: FULLER ET., AL., PROPERTY, LOT 3 (MEADOWTHORPE COMMUNITY BUSINESS CENTER) (1321 WEST MAIN MINI WAREHOUSES) (12/25/18)* - located at 1321 W. MAIN STREET LEXINGTON, KY.
Council District 2
Project Contact: Abbie Jones Consulting

Note: The Planning Commission approved this plan at their June 8, 2017, 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. Clarify vicinity map.
10. Clarify access across Lot 2.
11. Remove public utility providers from plan.
12. Clarify site statistics of existing and proposed building square footage.
13. Clarify dimensions on plan face.
14. Clarify parking spaces.
15. Resolve deleting and restriping of parking spaces on "city street" (right-of-way).

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

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

The Subdivision Committee Recommended: **Reapproval**, subject to the conditions previously approved and adding the following new 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.

A. **WORK SESSION** – The staff would request the Planning Commission cancel their next Work Session, October 18, 2018.

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

A. **REVIEW OF THE DRAFT 2019 MEETING & FILING SCHEDULE** - The staff would like to share the “Official Meeting and Filing Schedule for 2019” 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.

VIII. **NEXT MEETING DATES**

Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building	October 18, 2018
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	October 24, 2018
Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	October 25, 2018
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	November 1, 2018
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	November 1, 2018
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	November 8, 2018

X. **ADJOURNMENT**

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