

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

February 14, 2019

- 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 January 10, 2019, 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, February 7, 2019, at 8:30 a.m. The meeting was attended by Commission members: Carolyn Plumlee, Mike Owens, Will Berkley and Karen Mundy. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Casey Kaucher & Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Gallt, Lauren Hedge, Denice Bullock, Captain Greg Lengal and Firefighter Embry Beatty, Division of Fire & Emergency Services; & Tracy Jones and Chad Edwards, 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-FRP-19-00001: RED MILE SQUARE, INC., TRACT D, LOT 3 (AMD) (4/7/19)* - located at 1151 UNITY DRIVE, LEXINGTON, KY.
Council District 11
Project Contact: Endris Engineering

Note: The purpose of this amendment is to subdivide one lot into 17 lots, and create easements as denoted with two asterisks (**) on the plan.

The Subdivision Committee did not review this plan.

The Technical Committee and Staff Recommends: **Postponement**. There was a question regarding compliance with the required open space for the R-1T zone.

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.
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. Addition of street cross-section on plan.
8. Provided the Planning Commission makes a finding on the access easement.
9. Discuss open space for Lot 31, per Article 8-10(o)(3) of the Zoning Ordinance.

- b. PLN-MJSUB-18-00016: GOODPASTOR & GOODWIN PROPERTY (SUNSET ACRES) (JAMES K. & SUSAN D. THORNBERRY PROPERTY) (AMD) (4/22/19)* - located at 3459, 3501, 3513 HALEY ROAD, LEXINGTON, KY Council District 12
Project Contact: Thoroughbred Engineers

Note: This development plan requires the posting of a sign, and an affidavit of such. The purpose of this amendment is to subdivide three lots (211.26 total acreages) into five lots (Tract 1B-49.97 acres; Tract 2B-40.04 acres; Tract 3B-40.54 acres; Tract 4B-40.00 acres and Tract 5B-40.71 acres) in an A-R zone.

The Planning Commission approved this item at their May 10, 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. 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. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote all non-buildable areas.
8. Denote adjacent property with dashed lines.
9. Correct owner's certification.
10. Correct 300' setback on Lots 1B & 4B.
11. Correct Planning Commission certification.
12. Denote KYDOT's approval of proposed access to Lot 5B (Haley Road).
13. Remove old property line notations from plan.
14. Addition of Urban County Engineer Certification.
15. Remove side yard setback from plan.
16. Provided the Planning Commission grants the requested waiver to required frontage for Lots 1B and 4B per Article 6-4(c) of the Land Subdivision Regulations.

The Planning Commission also granted a waiver to Article 6-4(c) Subdivision Regulations, pertaining to the required street frontage for the subdivision of three Agricultural Rural (A-R) lots into five lots for the following reasons:

1. Granting the requested waiver will not adversely affect public health, welfare and safety as the lots are limited to agricultural use and will not be utilized by the general public on a consistent basis.
2. Granting the waiver is consistent with the intent of Article 1-5(a) of the Land Subdivision Regulations for Exceptional Hardship.
3. Granting the waiver is consistent with Article 6-4(j) of the Land Subdivision Regulations governing subdivisions in the A-R zone.

This recommendation was made subject to the following additional requirements:

- a. The existing driveways to be utilized as the access easements shall be reconstructed to the approval of the Divisions of Traffic Engineering and Engineering prior to certification of the final record plat.
- b. Maintenance responsibilities for the access easements shall be denoted on the final record plat.

Findings for appropriateness of access easements as sole access for certain lots:

1. Allowing each of the single lots to be accessed only via the access easement is appropriate for the proposed subdivision and consistent with Article 1-5(a) the Land Subdivision Regulations.

Note: The applicant is requesting a continued discussion to reduce the driveway from 14' wide to 10' wide.

The Subdivision Committee Recommended: **Postponement**, due to lack of representation at the Subdivision Committee meeting.

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

2. PRELIMINARY SUBDIVISION PLAN

- a. PLN-MJSUB-19-00001: COVENTRY (BELMONT FARM), UNIT 9 (4/7/19)* - located at 2450 GEORGETOWN ROAD, LEXINGTON, KY.
Council District 2
Project Contact: EA Partners

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Denote the site is within the Royal Springs Aquifer.
8. Resolve timing of completion and dedication of Huntly Place.

3. DEVELOPMENT PLANS

- a. PLN-MJDP-18-00075: WILLOW OAK SHOPPING CENTER (MILLPOND CENTER) (AMD) (2/14/19)* - located at 3650 BOSTON ROAD, LEXINGTON, KY.
Council District 9
Project Contact: EA Partners

Note: The Planning Commission postponed this item at their October 11, 2018, November 8, 2018, December 13, 2018 and January 10, 2019, meetings. 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.
- b. PLN-MJDP-18-00076: BLACKFORD PROPERTY, PHASE 3 (AMD) (2/14/19)* - located at 3221 BAY SPRINGS PARK AND 3385 BLACKFORD PARKWAY, LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

Note: The Planning Commission postponed this item at their October 11, 2018, November 8, 2018, and December 13, 2018 and January 10, 2019, meetings. 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.

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

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.
- c. PLN-MJDP-18-00098: ATKINS PROPERTY, LOT 12 (WATTS FARM) (AMD) (2/24/19)* - located at 3609 WALDEN DRIVE, LEXINGTON, KY.
Council District 4
Project Contact: EA Partners

Note: The Planning Commission postponed this item at their January 10, 2019, meetings. The purpose of this amendment is to add additional building square footage and reconfigure the parking.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the proposed development and the lack of information and zoning restrictions listed from the previous plan.

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. 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 all information from previous development plan (DP 2007-88).
 12. Addition of record plat designation (Cabinet L, Slide 715).
 13. Denote access point for construction vehicles.
 14. Denote height of building in feet on plan.
 15. Denote use on property.
 16. Addition of "zoning restriction note".
 17. Discuss compliance with conditional zoning restrictions.
- d. PLN-MJDP-18-00099: BLUEGRASS STOCKYARDS PROPERTY (2/24/19)* - located at 375 LISLE INDUSTRIAL AVENUE, LEXINGTON, KY.
Council District 2
Project Contact: AGE Engineering Services, Inc.

Note: The Planning Commission postponed this item at their January 10, 2019, meetings.

The Subdivision Committee Recommended: **Referral to the Full Commission**. There were some questions regarding compliance with Article 8-22(o)(4) of the Zoning Ordinance and lack of adequate infrastructure to serve the proposed use.

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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
12. Dimension all buildings.
13. Dimension court yards, swimming pool and pool house.
14. Denote Floor Area Ratio (FAR) per Article 21 of the Zoning Ordinance.

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

15. Remove survey notes and manhole elevations.
16. Denote height of retaining wall in feet.
17. Denote cross-sections for S. Forbes Road and Lisle Industrial Avenue.
18. Denote front building setback line.
19. Remove proposed access to S. Forbes Road.
20. Discuss compliance with Article 8-22(o)(4) of the Zoning Ordinance, specifically (a) locational, (c) building setback and (e) mixed-use requirements.
21. Discuss stormwater management.
22. Discuss the adequacy of the area infrastructure to support a residential use.
23. Discuss timing to resolve sanitary sewer conflict with proposed buildings.

- e. PLN-MJDP-19-00001: EASTWOOD UNIT 6, SECTION 2, LOT 6 (AMD) (4/7/19)* - located at 2472 FORTUNE DRIVE, LEXINGTON, KY.
Council District 6
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise the parking layout, increase the lot coverage, and decrease the building square footage.

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. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
6. Division of Waste Management's approval of refuse collection locations.

- f. PLN-MJDP-19-00004: TRADELAND GARDEN (REALTY UNLIMITED BLUE GRASS, LLC) (4/7/19)* - located at 1760 N. BROADWAY ROAD, LEXINGTON, KY.
Council District 1
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. 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. Denote the Royal Springs Aquifer Committee's consideration and/or approval prior to certification.
9. Proposed access to the approval of KYDOT and the Division of Traffic Engineering.
10. Revise note #5 to include standard note per the Division of Engineering.
11. Remove gravel area depicted in northeast corner of site.
12. Addition of note resolving the timing of development and/or improvements, and proposed use of the property.

- g. PLN-MJDP-19-00006: HAMBURG PLACE MALL, UNIT 1, PARCEL 2, OUTLOT 6 (FIRESTONE COMPLETE AUTO CARE) (AMD) (4/7/19)* - located at 2155 PAUL JONES WAY AND 2145 SIR BARTON WAY, LEXINGTON, KY.
Council District 6
Project Contact: Gresham Smith

Note: The purpose of this amendment is to add building square footage and parking on Parcel 2, Outlot 6.

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.

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

10. Addition of bearings and distances on plan.
11. Label existing and proposed easements on property.
12. Resolve timing of record plat to create the Outlot 6 of Parcel 2.
13. Resolve parking lot circulation.

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.

VIII. **NEXT MEETING DATES**

Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	February 21, 2019
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	February 27, 2019
Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	February 28, 2019
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 7, 2019
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	March 7, 2019
Subdivision and Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	March 14, 2019

IX. **ADJOURNMENT**