

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

March 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 February 14, 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, March 7, 2019, at 8:30 a.m. The meeting was attended by Commission members: Carolyn Plumlee, Mike Owens, Frank Penn and Karen Mundy. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Galt, Lauren Hedge, Denise Bullock, Marc Petitfrere; Captain Greg Lengal and Firefighter Embry Beatty, 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 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 Planning Commission postponed this item at the February 7, 2019, meeting. 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.

2. PRELIMINARY SUBDIVISION PLANS

- a. PLN-MJSUB-19-00003: TUSCANY, UNIT 11, PHASE 2 (5/5/19)* - located at 1970 WINCHESTER ROAD (A PORTION OF), LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

The Subdivision Committee Recommends: **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. Department of Environmental Quality's approval of environmentally sensitive areas.
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. United States Postal Service Office's approval of kiosk locations.
9. Addition of property owner's name on the adjacent floodplain property.
10. Denote pedestrian access easement within Lot 103 (HOA lot).

- b. PLN-MJSUB-19-00004: TUSCANY, UNIT 13 (5/5/19)* - located at 1970 WINCHESTER ROAD (A PORTION OF), LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

The Subdivision Committee Recommends: **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) 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. United States Postal Service Office's approval of kiosk locations.
11. Discuss the alignment of Haymaker Parkway and Frederick Douglas High School access points.
12. Discuss proposed right-of-way into gas easement.

- c. PLN-MJSUB-19-00005: TUSCANY, UNIT 14 (5/5/19)* - located at 1970 WINCHESTER ROAD & 2599 OLD ROSEBUD ROAD (A PORTION OF), LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

The Subdivision Committee Recommends: **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. Delete note #12.

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

11. United States Postal Service Office's approval of kiosk locations.
12. Resolve Old Rosebud Road extension.
13. Resolve locations for additional pedestrian access points to the greenway.

3. DEVELOPMENT PLANS

- a. PLN-MJDP-18-00075: WILLOW OAK SHOPPING CENTER (MILLPOND CENTER) (AMD) (3/14/19)* - 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, January 10, 2019 and February 14, 2019, meetings. The purpose of this amendment is to revise the development for a car wash.

The Subdivision Committee did not make a recommendation on this plan, but previously recommended postponement on February 7, 2019.

The Staff Recommends: **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. Addition of all building dimensions on the development plan.
 11. Addition of all sidewalk and VUA dimensions or add insert for typical.
 12. Revise site statistics to meet new B-6P requirements for lot coverage, floor area ratio (FAR) and parking.
- 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, December 13, 2018, January 10, 2019 and February 7, 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 Recommends: **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. United States Postal Service Office's approval of kiosk locations.
 11. Provided the Planning Commission makes a finding the plan complies with the EAMP.
- c. PLN-MJDP-19-00003: HOOVER AND FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY (4/7/19)* - located at 3801, 3901 & 3955 HARRODSURG ROAD, LEXINGTON, KY.
Council District 6
Project Contact: GRW Engineering

The Subdivision Committee Recommends: **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.

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

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. Clarify extension of access easement to the adjoining property to the west.
 12. Resolve note #12.
 13. Resolve free-standing signage per conditional zoning restrictions.
 14. Resolve timing of landscaping improvements along the frontage.
- d. PLN-MJDP-19-00008: RICHARDSON PROPERTY (AMD) (6/4/19)* - located at 320 HANNAH TODD PLACE, LEXINGTON, KY.
Council District 7
Project Contact: ECSI, LLC

Note: This development plan requires the posting of a sign, and an affidavit of such. The purpose of this amendment is to add 9 units to the condominium building for a total of 149 units and one townhome.

The Subdivision Committee Recommends: **Postponement** due to lack of representation.

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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 5. Clarify vicinity map.
 6. Delete extraneous information on face of plan.
 7. Correct site statistics to match face of plan to correct dwelling unit totals and density.
 8. Provided the Planning Commission makes a finding the plan complies with the EAMP.
- e. PLN-MJDP-19-00010: SEBASTIAN PROPERTY, UNIT 2 (AMD) (5/5/19)* - located at 2944 TRAILWOOD LANE (A PORTION OF) LEXINGTON, KY.
Council District 2
Project Contact: EA Partners

Note: The purpose of this amendment is to realign Units 48-63 and 91-100, which will shift the common access drive; and reduce surface parking by 6 spaces.

The Subdivision Committee Recommends: **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. Division of Waste Management's approval of refuse collection locations.
- f. PLN-MJDP-19-00011: ENTERPRISE BUSINESS CENTER (AMD) (5/5/19)* - located at 817 WINCHESTER ROAD, LEXINGTON, KY.
Council District 1
Project Contact: S. Mark McCain, RLA

Note: The purpose of this amendment is to add 3 proposed buildings and a proposed expansion to the existing one-story building.

The Subdivision Committee Recommends: **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.

* - 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. Denote purpose of amendment.
11. Denote proposed use of new buildings on the face of plan.
12. Addition of proposed and existing easements on plan.
13. Addition of building height for proposed buildings in feet.
14. Addition of floor area ratio (FAR) in the site statistics per Article 21 of the Zoning Ordinance.
15. Discuss ability to meet tree canopy requirements per Article 26 of the Zoning Ordinance.

- g. PLN-MJDP-18-00090: DISTILLERY DISTRICT - WEST, UNIT 1 (ADAPTIVE REUSE PROJECT) (AMD) (5/20/19)* - located at 1158 and 1170 MANCHESTER STREET, LEXINGTON, KY.
Council District 2
Project Contact: Vision Engineering

Note: This plan requires the posting of a sign and an affidavit of such. The purpose of this amendment is to revise the development and parking on 1158 Manchester Street. The Planning Commission approved this request at their January 10, 2019, 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. 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. Denote sidewalk on cross-sections.
13. Addition of building square footage to statistics for structure proposed on 1158 Manchester Street.
14. Correct Planning Commission certification.
15. Dimension proposed residential structure.
16. Denote internal pedestrian improvements.
17. Denote: All parking located on 1158 Manchester Street shall be constructed with this amendment.

Note: The applicant is requesting a continued discussion to revise the development plan by adjusting the layout and number of residential units.

The Subdivision Committee Recommends: Approval, subject to the following original conditions approved on January 10th, removing conditions #13, #14, #15 and modifying the following condition:

17. Denote: All parking ~~located~~ associated with on 1158 Manchester Street shall be constructed with this amendment.

- h. PLN-MJDP-18-00006: HAMBURG PLACE B-5P & B-6P AREA HIGHWAY COMMERCIAL, LOT 9 (AMD) (5/20/19)* - located at 2344 ELKHORN ROAD, LEXINGTON, KY
Council District 6
Project Contact: Vision Engineering

Note: The purpose of this amendment is to revise Outlot 9, adding multi-tenant building with drive-through, parking and vehicle circulation. The Planning Commission approved this request at their April 12, 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. Denote totals in site statistics for individual lots and outlots, and denote overall total for all lots and outlots for entire development plan.

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

Note: The applicant is requesting a continued discussion to revise the development plan by adjusting the building site area to accommodate the future tenants and work within the property easement limits.

The Subdivision Committee Recommends: **Approval**, subject to the original conditions approved by the Planning Commission on April 12, 2018.

- i. DP 2015-111: URBAN 221 (A PORTION OF) (5/20/19)* - located at 221 CORRAL STREET, LEXINGTON, KY.
Council District 1
Project Contact: Carman & Associates

Note: The Planning Commission approved this plan at their November 19, 2015, 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. Denote the date of the Board of Adjustment's approval of requested variances prior to certification.
11. Denote all existing and proposed easements.
12. Review by Technical Committee prior to plan certification.
13. Denote compliance with open space requirements.
14. Denote vehicular use area screening on surface parking lot on plan.
15. Denote location of gated entrance and details to the approval of the Division of Fire and Emergency Services.
16. Revise "building footprint edge" information on eastern corner, to match rest of plan.

On October 13, 2016, the Planning Commission reapproved this plan, subject to the following revised 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. Denote the date of the Board of Adjustment's approval of requested variances prior to certification.~~
- ~~10. 44. Denote all existing and proposed easements.~~
- ~~12. Review by Technical Committee prior to plan certification.~~
- ~~11. 43. Denote compliance with open space requirements.~~
- ~~12. 44. Denote vehicular use area screening on surface parking lot on plan.~~
- ~~13. 45. Denote location of gated entrance and details to the approval of the Division of Fire and Emergency Services.~~
- ~~14. 46. Revise "building footprint edge" information on eastern corner, to match rest of plan.~~
- ~~15. 47. Resolve the open space issue in the parking lot.~~

Note: The applicant now requests reapproval of the plan to reduce the total square footage and the height of the building. The number of units has been increased as has the required parking.

The Subdivision Committee Recommends: **Reapproval**, subject to the conditions previously reapproved on October 13, 2016, modifying the following conditions:

- ~~3. Building Inspection's Landscape Examiner's approval of landscaping and landscape buffers.~~
- ~~11. 43. Denote Clarify compliance with open space requirements.~~

- 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.

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

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

- a. **PFR 2019-1: UNIVERSITY OF KENTUCKY HEALTH CARE** – a public facility review to change the use of the existing building located on Waller Avenue from a vacant hotel for the University of Kentucky Hospital to an office, training and conference rooms and associated off-street parking at 1201 South Limestone.

The staff will report at the meeting.

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	March 21, 2019
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	March 27, 2019
Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	March 28, 2019
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 4, 2019
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	April 4, 2019
Subdivision and Zoning Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	April 11, 2019

IX. **ADJOURNMENT**

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