

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

October 13, 2022

- 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 September 8, 2022 minutes will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, October 6, 2022, at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Frank Penn, Headley Bell, and Janice Meyer. Committee members present were Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Gallt, Autumn Goderwis, Daniel Crum, Paula Schumacher, and Greg Lengal, Division of Fire and Emergency Services. 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.

1. Final Subdivision Plans

- a. PLN-FRP-22-00034: BLUEGRASS ASPENDALE, LEXINGTON FAYETTE URBAN COUNTY HOUSING AUTHORITY (12/4/2022)* - located at 572 PEMBERTON STREET AND 551 SHROPSHIRE AVENUE, LEXINGTON, KY
Council District: 1
Project Contact: Prime Engineering

Note: The purpose of this plat is to create 12 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. 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. United States Postal Service Office's approval of kiosk locations or easement.
9. Addition of maintenance note per Article 5-4(g) of the Land Subdivision Regulations.
10. Denote no access to Shropshire Avenue from Lots 1-11.
11. Denote Lots 1 and 12 shall be developed in accordance with an approved final development plan.
12. Denote number of street trees per lot.
13. Denote tree protection areas.
14. Discuss sanitary sewer easement release on Lot 1.
15. Discuss configuration of Lot 12.
16. Provided Planning Commission grants requested waiver to Articles 4-7(c), 4-8,6-2(a), and 6-6(b) of the Land Subdivision Regulations.

2. Development Plans

- a. PLN-MJDP-17-00097: WINBURN LAND COMPANY INC., UNIT 3 (KINGSTON HALL) (12/4/2022)* - located at 1098 ASPIRATION DRIVE, LEXINGTON, KY
Council District: 12
Project Contact: EA Partners

Note: This plan was originally approved on October 26, 2017. The applicant has asked for an extension of approval.

Note: This plan requires the posting of a sign and affidavit of such.

The Subdivision Committee recommended: **Approval** of the requested extension, subject to the following conditions:

1. Provided the Urban County Council rezones the property ED; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Department of Environmental Quality's approval of environmentally sensitive areas.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

6. Denote timing of completion of frontage along Aspiration Drive shall be determined at final development plan.
7. Denote timing to remove platted 300' building line shall be determined at final development plan and denote platted building line on property.
8. Denote status of sanitary sewer service shall be determined at final development plan.

- b. PLN-MJDP-22-00045: DISTILLERY DISTRICT WEST (U-HAUL, LEXINGTON) (AMD)
(10/30/2022)* - located at 1158 and 1170 MANCHESTER STREET, LEXINGTON, KY
Council District: 11
Project Contact: Civil & Environmental Consultants, Inc.

Note: The purpose of this amendment is to add a building to the development.

Note: This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with Article 19 and Article 21 of the Zoning Ordinance.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
 10. United States Postal Service Office's approval of kiosk locations or easement.
 11. Addition of all information and notes required by Article 21 of the Zoning Ordinance.
 12. Discuss timing of completion of the parking lot per the approved development plan.
 13. Discuss compliance with Article 19 of the Zoning Ordinance.
- c. PLN-MJDP-22-00050: HILLENMEYER APARTMENTS (ARTISAN APARTMENTS) (12/4/2022)* -
located at 2601 & 2651 SANDERSVILLE ROAD, LEXINGTON, KY
Council District: 2
Project Contact: EA Partners

Note: The purpose of this plan is to add two apartment buildings with 48 dwelling units and associated parking spaces.

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 landscaping 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. Greenspace planner's approval of the treatment of greenways and greenspace.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

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. United States Postal Service Office's approval of kiosk locations or easement.
 11. Addition of street cross section location for Citation Boulevard.
 12. Revise buildings type 3 and 4 to comply with the Multi-Family Design Guidelines.
 13. Complete the numbering of buildings for new structures.
 14. Denote location of access points across Sandersville Road.
 15. Addition of total for site statistics (Phase 1 & Phase 2).
- d. PLN-MJDP-22-00051: NEWTOWN SPRINGS, LOTS 7 & 8 (12/4/2022) – located at 1432 and 1448 NEWTOWN PASS, LEXINGTON, KY
Council District: 1
Project Contact: EA Partners

Note: The purpose of this plan is to depict buildings and parking layouts on lots 7 & 8.

Note: The Subdivision Committee did not review the plan at the request of the applicant.

The Technical Committee recommended: Postponement. There are questions regarding the plan meeting the requirements of Article 26 of the Zoning Ordinance.

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 landscaping 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. United States Postal Service Office's approval of kiosk locations or easement.
 12. Correct development plan insert to include only the graphic depiction, not notes, etc.
 13. Depict access points across Newtown Pass.
 14. Denote access point for construction vehicles.
 15. Addition of sidewalk access to Newtown Pass from Lot 7.
 16. Addition of location of street cross-sections on plan face.
 17. Depict adjacent property boundaries with dashed lines.
 18. Addition of notes from previous development plan (MJDP-19-00067).
 19. Addition of site statistics for entire development.
 20. Addition of all conditional zoning restrictions.
 21. Document Board of Adjustment approval of extended-stay hotel on Lot 8, including parking lot lighting condition.
 22. Delete access to Citation Boulevard from Lot 7.
 23. Discuss 15' landscape buffer per Article 18 of the Zoning Ordinance.
 24. Discuss compliance with Article 26 of the Zoning Ordinance.
- e. PLN-MJDP-22-00052: SAND LAKE AND ESTES PROPERTIES, LOT 5 (AMD) (12/4/2022)* - located at 121 SAND LAKE DRIVE, LEXINGTON, KY
Council District: 7
Project Contact: EA Partners

Note: The purpose of this plan is to depict building and parking layout for a car rental shop.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

The Subdivision Committee recommended: **Postponement**. There are questions regarding the plan meeting the requirements of Article 26 of the Zoning Ordinance.

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 landscaping 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. United States Postal Service Office's approval of kiosk locations or easement.
 10. Clarify record plat designation, N-419 or S-154.
 11. Denote zone line information.
 12. Addition of 15' landscape buffer per Article 18 of the Zoning Ordinance.
 13. Denote use of the property in the site statistics.
 14. Addition of all land area from previous development plan.
 15. Addition of the site statistics for all property on the development plan.
 16. Addition of all conditional zoning restrictions.
 17. Addition of all notes from previous development plan.
 18. Discuss conflict with drainage easement and building.
 19. Discuss reciprocal parking between Lots 2 & 5 per note #16 on certified development plan.
- f. PLN-MJDP-22-00053: LEXINGTONIAN ESTATES (THE SILKS CLUB) (AMD) (12/4/2022)* - located at 1561 WINNERS CIRCLE, LEXINGTON, KY
Council District: 12
Project Contact: EA Partners

Note: The purpose of this amendment is to relocate the swimming pool, addition of three dwelling units, and update plan notes.

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 landscaping buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Greenspace Planner's approval of the treatment of greenways and greenspace.
 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. United States Postal Service Office's approval of kiosk locations or easement.
 10. Denote: Additions to townhouses by individual owners shall not require an amended final development plan, as long as they comply with the Zoning Ordinance.
 11. Resolve status of the plan for the proposed lots.
- g. PLN-MJDP-22-00054: COLLINS, ORELL, & WIGGENS, LOT 1-3 (DFAUTOMALL) AND POOLE & JEFFERSON PROPERTY (BRUCE GLEN) (AMD) (12/4/2022)* - located at 3340-3450 RICHMOND ROAD(even numbers) and 201 SQUIRES ROAD, LEXINGTON, KY
Council District: 7
Project Contact: EA Partners

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

Note: The purpose of this amendment is to depict redevelopment of the property with two structures of 51,315 square feet and parking/vehicle display area.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
 11. United States Postal Service Office's approval of kiosk locations or easement.
 12. Document compliance with conditional zoning restriction, imposed in 1995, prior to issuance of a Zoning Compliance Permit.
 13. Addition of 1995 conditional zoning to plan.
 14. Revise tree inventory plan to tree protection plan.
 15. Withdrawal of DP 2015-95 prior to certification.
 16. Resolve timing of construction of new access easement location.
 17. Resolve appropriate demarcation of access easement/ public right-of-way.
- h. PLN-MJDP-22-00055: COWGILL PARTNERS, LP PROPERTY (MEADOWCREST) (12/4/2022)*
- located at 2550 WINCHESTER ROAD, LEXINGTON, KY
Council District: 12
Project Contact: Vision Engineering

Note: The purpose of this plan is to depict development of the property.

Note: This plan requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the compliance with Article 23A-10 of the Zoning Ordinance.

Should this plan be approved, the following conditions 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 landscaping 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. United States Postal Service Office's approval of kiosk locations or easement.
12. Provided the Planning Commission finds the plan complies with the Expansion Area Master Plan.
13. Delete right-in/right-out access to Lot 1.
14. Revise parking on Lot 6 & 9 to meet Article 23A-10(j)(2) of the Zoning Ordinance.
15. Discuss Hume Road realignment and inclusion on the development plan.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

16. Discuss extension/termination of Paramount Drive at Lot 17.
17. Discuss square footage for supportive use per Article 23A-10(j)(12)(a) of the Zoning Ordinance.
18. Discuss compliance with open space requirements.

- i. PLN-MJDP-22-00058: CRESTWOOD MONTESSOURI SCHOOL (REDWOOD CO-OP SCHOOL EXPANSION) (AMD) (12/4/2022)* - located at 166 CRESTWOOD DRIVE, LEXINGTON, KY
Council District: 3
Project Contact: Midwest Engineering, INC

Note: The purpose of this amendment is to construct a new educational building.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding compliance with parking.

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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Dimension all existing structures and playground areas.
14. Denote: A geotechnical study shall be submitted to the Divisions of Engineering, Environmental Services, and Planning, prior to issuance of a Zoning Compliance Permit.
15. Denote Board of Adjustment approval of the expanded conditional use.
16. Discuss building conflict with existing stormwater facility.

- C. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Bonds or letters of credit requiring Commission action will be considered at this time. The Division of Engineering will report at the meeting.

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

VII. **STAFF ITEMS**

- A. **ARTICLE 4-5(B) IMPROVEMENT PLAN PROGRESS REPORT** - When the project engineer has completed approximately fifty percent (50%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how storm water, sanitary sewer and environmental conditions imposed by the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient meeting. The report is for information only, and no action by the Commission shall be taken; however, there shall be no issuance of the Notice to Proceed, as outlined in section 4-5(d), until the Planning Commission meeting is complete.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

VIII. **AUDIENCE ITEMS** – Citizens may bring a planning related matter before the Commission at this time for general discussion or future action. Items that will NOT be heard are those requiring the Commission's formal action, such as zoning items for early rehearing, map or text amendments; subdivision or development plans, etc. These last mentioned items must be filed in advance of this meeting in conformance with the adopted filing schedule.

IX. **MEETING DATES FOR OCTOBER AND NOVEMBER**

Work Session, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building	October 20, 2022
Technical Committee, Wednesday, 8:30 a.m., 3 rd Floor Conference Room, Phoenix Building.....	October 26, 2022
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	October 27, 2022
Subdivision Committee, Thursday, 8:30 a.m., 3 rd Floor Conference Room, Phoenix Building.....	November 3, 2022
Zoning Committee, Thursday, 1:30 p.m., 3 rd Floor Conference Room, Phoenix Building.....	November 3, 2022
Subdivision Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center....	November 10, 2022

X. **ADJOURNMENT**

TM/CG/TW/PS

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.