

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
February 9, 2023

- 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 January 12, 2023 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, February 2, 2023 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale and Judy Worth. 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, Cheryl Gallt, Hal Baillie, Autumn Goderwis, Sam Castro, Paula Schumacher, Greg Lengal, Division of Fire and Emergency Services; Tracy Jones and Brittany Smith, Department of Law; and Doug Burton, Division of Engineering. 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. **Development Plans**

- a. PLN-MJDP-20-00074: CHEROKEE PARK SUBDIVISION, LOT 1 & SURBURBAN COURT SUBDIVISION, BLOCK A, LOTS 1 & 2 (2/26/23)* located at 1729, 1733, & 1737 NICHOLASVILLE ROAD, LEXINGTON, KY
Council District: 3
Project Contact: EA Partners

Note: The purpose of this amendment is to revise the development of the property.

The Subdivision Committee Recommended: **Postponement**. There are questions about the extent of the variances needed to meet Articles 8-12 and 15-7, and the lack of a tree preservation plan per Article 26-4(c).

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 and 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. United States Postal Service Office's approval of kiosk locations or easement.
 12. Revise plan title to match staff report.
 13. Denote specific compliance with Article 15-7 Infill & Redevelopment regulations for new residential construction.
 14. Provided the Board of Adjustment grants the requested variances for side yard, rear yard, and building height.
 15. Provided the Planning Commission grants the requested tree canopy variance per Article 26.
 16. Denote required 6' fence per Article 18 adjacent to the P-1 and R-1C zones.
 17. Discuss compliance with Nicholasville Road Access and Land Use Plan.
 18. Discuss compliance with Article 18 zone-to-zone screening adjacent to R-1C zone.
 19. Discuss use of building materials and building articulation adjacent to H-1 overlay zoned properties.
 20. Discuss possible relocation assistance to eligible residents.
 21. Discuss missing Tree Inventory Map and Tree Preservation Plan information.
 22. Discuss location of useable open space.
- b. PLN-MJDP-21-00031: EAST HIGH MULTI-USE PROJECT (4/9/23)* - located at 227 EAST HIGH STREET, LEXINGTON, KY
Council District 3
Project Contact: Peter Tate

Note: The purpose of this plan is to add one single-family dwelling unit to an existing commercial property.

Note: The Planning Commission originally approved this plan at their August 12, 2021 meeting, and the applicant requested re-approval on January 13, 2023.

The Subdivision Committee Recommended: **Re-approval**, subject to the following requirements:

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.

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5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Department of Environmental Quality's approval of environmentally sensitive areas.
 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. United States Postal Service Office's approval of kiosk locations or easement.
 12. Correct boundary measurements on plan for 1" = 15' scale.
 13. Denote sidewalk width.
 14. Addition of deleted information on right side of plan face.
 15. Clarify floor area ratio in site statistics per Article 21 of the Zoning Ordinance.
 16. Resolve parking layout functionality to meet the requirements of Article 16 & 18 of the Zoning Ordinance.
 17. Resolve compliance with Article 8-17(o)(2) setback requirements and possible variance.
 18. Resolve compliance with Downtown Streetscape Master Plan.
- c. PLN-MJDP-22-000045: DISTILLERY DISTRICT WEST (U-HAUL LEXINGTON) (AMD) (2/26/23)* - located at 1158 & 1170 MANCHESTER STREET, LEXINGTON, KY
Council District: 11
Project Contact: Abbie Jones Consulting

Note: The purpose of this amendment is to revise use 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 applicant's compliance with Article 19 of the Zoning Ordinance.

1. Urban County Engineer's acceptance of drainage, storm, 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. 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 proposed apartment building.
14. Addition of contour lines.
15. Denote pedestrian access to public right-of-way.
16. Dimension 1170 building.
17. Revise note #6 to meet current requirements.
18. Discuss proposed apartment building compliance with Article 19 of the Zoning Ordinance.
19. Discuss display of rental vehicles and trailers.
20. Discuss reciprocal parking with the western area of the development.
21. Discuss timing of proposed right-of-way dedication.
22. Discuss timing or phasing of 1158 site improvements.

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- d. PLN-MJDP-22-00062: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY (THE FOUNTAINS AT PALOMAR)(AMD)(2/9/2023)* - located at 3801 HARRODSBURG ROAD, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering
Note: The purpose of this amendment is to revise the building, parking, and circulation on Lots 1, 4, 6, & 8.

The Subdivision Committee Recommended: **Postponement**.

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. 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. Denote time of proposed turn lane construction on Harrodsburg Road.
 14. Discuss enhanced vehicular use area (VUA) screening along Man O' War Boulevard.
 15. Discuss proposed loading dock and compactor at rear of proposed building on Lot 8, and impact on existing access easement and traffic movement through the site.
- e. PLN-MJDP-22-00074: LEXINGTON MALL, LOT 6A (TIDAL WAVE AUTO SPA) (AMD) (2/26/23) - located at 2401 RICHMOND ROAD, LEXINGTON, KY
Council District: 5
Project Contact: Paulson Mitchell Inc.

Note: The purpose of this amendment is to depict redevelopment of Lot 6A for building and parking circulation.

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

1. Urban County Engineer's acceptance of drainage, storm, 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. 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. Clarify area of amendment on vicinity map.
14. Addition of street cross-sections and location on plan face for Richmond Road per R-385.

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15. Document compliance with Article 21-7(b)(3) of the Zoning Ordinance with Lynn Imaging, 859-255-1021.
16. Clearly denote this is a self-service carwash only per B-6P requirements.

- f. PLN-MJDP-22-00079: COLEMAN PROPERTY (NEWTOWN PIKE HAMPTON INN & SUITES) (AMD) (2/26/23) - located at 1880 NEWTOWN PIKE, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The purpose of this amendment is to revise for a proposed hotel.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with the Article 16 requirements.

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. 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. Denote review by Royal Springs Aquifer Committee.
 14. Addition on access easement cross-section.
 15. Revise parking adjacent to Coleman Court to meet Article 16 requirements, by adding a landscape island.
 16. Remove parking from front yard to comply with Article 16 requirements.
- g. PLN-MJDP-22-000085: SOUTH END PARK, UNIT 2 (DAVIS PARK) (2/26/23)* - located at 525 & 530 DE ROODE STREET, LEXINGTON, KY
Council District: 11
Project Contact: Prime Engineering

Note: The purpose of this plan is to depict new multi-family development and a workforce development building.

The Subdivision Committee Recommended: **Postponement**. There are concerns regarding compliance with Article 28-4 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.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace planner's approval of the treatment of greenways and greenspace.

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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. Denote compliance with Article 15-7 for infill/redevelopment design requirements and Article 28-6 for building feature requirements.
 13. Clarify proposed use of MU-2 building in site statistics.
 14. Discuss compliance with MU-2 uses regarding the proposed workforce building.
 15. Discuss compliance with zero-foot setback requirement per Article 28-4 of the Zoning Ordinance.
- h. PLN-MJDP-23-00001: BLUEGRASS BUSINESS PARK, LOT 4 (PEMBERTON FARM)(BURKE, HOCKENSMITH, & MAGGARD)(AMD) (2/26/2023)* - located at 1900 JAGGIE FOX WAY & 2201 GEORGETOWN ROAD, LEXINGTON, KY
Council District: 2
Project Contact: SITE

Note: The purpose of this amendment is to add a new 27,600 square foot building and outdoor storage on Lot 3.

The Subdivision 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. 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. Denote review by the Royal Springs Aquifer Committee and any recommendations.
 13. Addition of tree protection area(s), noting type and circumference of trees.
 14. Resolve compliance with Article 16-6(c) and Article 18-3 (a)(2) for parking and landscaping in the Zoning Ordinance.
 15. Addition of existing and proposed easements on L-354.
 16. Label conditional zoning restrictions imposed by Ordinance No. 132-2016.
 17. Resolve access to Georgetown Road.
- i. PLN-MJDP-23-00002: JERRICO INC. PROFESSIONAL OFFICE PROJECT, LOT 2(AMD) (2/26/23)* - located at 3475 BLAZER PARKWAY, LEXINGTON, KY
Council District: 7
Project Contact: Banks Engineering

Note: The purpose of this amendment is to add additional square footage and canopy to Lot 2.

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. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.

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6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Waste Management's approval of refuse collection locations.
8. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.

- j. PLN-MJDP-23-00003: GEORGE WEST ESTATE PROPERTY (HOWARD PROPERTY) (AMD) (2/26/23)*
 - located at 4538, 4568, & 4578 GEORGETOWN ROAD, LEXINGTON, KY
 Council District: 12
 Project Contact: Vision Engineering

Note: The purpose of this amendment is to add building square footage on Lot 1.

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

1. Urban County Engineer's acceptance of drainage, and storm, 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. Urban Forester's approval of tree preservation plan.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
6. Division of Waste Management's approval of refuse collection locations.
7. Denote 25' floodplain setback on Lot 3.
8. Addition of Note #29 from 2012 certified Final Development Plan.
9. Delete "preliminary" from plan title.
10. Denote proposed detention to the approval of the Division of Engineering.
11. Denote compliance with the Georgetown Road Landscape ordinance.
12. Revise parking on Lots 2 & 3 to comply with Article 16 requirements.

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.

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.

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IX. MEETING DATES FOR February and March

Goals & Objectives Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center..... **February 16, 2023**
Technical Committee, Wednesday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building..... February 22, 2023
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center **February 23, 2023**
Subdivision Committee, Thursday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....March 2, 2023
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building..... March 2, 2023
Subdivision Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center..... **March 9, 2023**

X. ADJOURNMENT

TW/TM/CG/PS

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