

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
September 14, 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 August 10, 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, September 7, 2023 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Headley Bell, and Mike Owens. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Cheryl Gallt, Autumn Goderwis, Paula Schumacher, Greg Lengal, Division of Fire and Emergency Services; and Tracy Jones and Brittany Smith, 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.

1. Final Subdivision Plans

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

- a. PLN-FRP-23-00019: COLEMAN PROPERTY (CLARION CONVENTION CENTER) (AMD) (10/1/23)* – located at 1950 NEWTOWN PIKE, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The Planning Commission postponed this item at the August 10, 2023 meeting.

The Subdivision Committee Recommended: **Postponement**. There are questions about required setbacks and frontages.

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.
 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. Denote: This property shall be developed in accordance with the approved final development plan.
 8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 9. United States Postal Service Office's approval of kiosk locations or easement.
 10. Correct Planning Commission certification.
 11. Correct owner's certification.
 12. Addition of Urban County Engineer's certification.
 13. Delete building information.
 14. Addition of lots 3, 4, & 6 to plat and denote parcel lines with a solid line.
 15. Addition of private utility providers per Article 5-4(e).
 16. Addition of maintenance note per Article 5-4(g).
 17. Revise access easement to provide required frontage of 40 feet.
 18. Provided the Planning Commission makes a finding on the proposed access easement.
 19. Revise plan title to match staff report.
 20. Addition of Coleman Court, Newtown Pike, and interstate cross-sections.
 21. Discuss timing of proposed building demolition.
 22. Discuss required 20' front yard setback.
- b. PLN-FRP-23-00025: WALMAC FARM (AMD) (12/5/23)* - LOCATED AT 2481 HUME BEDFORD PIKE, LEXINGTON, KY
Council District: 12
Project Contact: CAM Surveying

Note: The purpose of this plat is to subdivide 135.5 acres into two tracts of 76 acres and 59 acres.

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

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. Addition of utility easements as required by the utility companies.
5. Denote: Health Department approval for septic tanks required.
6. Denote: New access and residential development subject to PDR program approval.

2. Development Plans

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

- a. PLN-MJDP-18-00004 (AKA DP 2004-153): TRIPLE STARS PROPERTY (9/14/23)* - located at 920 OLD TODDS ROAD.
Council District: 7
Project Contact: CS International Group, Inc.

Note: The Planning Commission approved this plan at their October 14, 2004, meeting, and reapproved on February 8, 2018, subject to the following conditions. The applicant requested re-approval on November 14, 2022.

Note: The Planning Commission postponed this item at their December 8, 2022, January 12, 2023, February 9, 2023, March 9, 2023, May 11, 2023, and June 8, 2023, July 13, 2023, and August 10, 2023 meetings.

The Subdivision Committee Recommended: Postponement. There are questions regarding the plan meeting the new parking requirements and Article 8 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.
2. Urban County Traffic Engineer's approval of parking, circulation, access and street cross-sections.
3. Landscape Examiner's approval of landscaping.
4. Urban Forester's approval of tree preservation plan.
5. Denote: No building permits shall be issued until a final subdivision plan has been approved and certified by the Planning Commission.
6. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
7. Revise general note on grading to reference Article 16 of the Code of Ordinance.
8. Verify or correct owner, applicant name and information.
9. Denote: No amendments to the Final Development Plan shall be required for additions or alterations to individual townhouses provided they comply with the Zoning Ordinance.
10. Correct current zoning in the site statistics.

- b. PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) (9/14/2023)* - located at 1061 PROVIDENCE PLACE PARKWAY, LEXINGTON, KY
Council District: 12
Project Contact: Barrett Partners Inc.

Note: The purpose of this amendment is to revise the proposed development on the lot.

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

Note: The Planning Commission postponed this item at the June 8, 2023, July 13, 2023, and August 10, 2023 meetings.

The Technical Committee Recommended: Postponement. There are question regarding the compliance with Article 23A 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.

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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. Provided the Planning Commission finds the plan complies with the Expansion Area Master Plan.
 14. Addition of purpose of amendment note.
 15. Addition of topography lines at 2' intervals.
 16. Denote proposed and existing easements.
 17. Provide typical townhome details for middle and end units.
 18. Denote proposed Development Standards, including lot size and setbacks per Article 23A-2(i) of the Zoning Ordinance.
 19. Denote Exactions to the approval of the Division of Planning.
 20. Denote orientation of residential dwelling units along Providence Place Parkway, per Article 23A-2(j) of the Zoning Ordinance.
 21. Discuss stormwater management.
 22. Discuss proposed access points to Providence Place Parkway.
 23. Discuss landscape buffer along northern RSA boundary and compliance with Article 23A-2(f) of the Zoning Ordinance.
 24. Discuss compliance with supportive use regulations established in Article 23A-10(j)(12) of the Zoning Ordinance.
- c. PLN-MJDP-23-00032: HOMER C. RATLIFF PROPERTY (AMD) (9/14/2023)* - located at 938 MANCHESTER STREET, LEXINGTON, KY
Council District: 11
Project Contact: Anne Rouse/Earthcycle Design

Note: The purpose of this amendment is to depict adaptive reuse of the site and to denote compliance with the Adaptive Reuse Project criteria.

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

Note: The Planning Commission postponed this item at the June 8, 2023 and July 13, 2023, and August 10, 2023 meetings.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding the compliance with the conditional zoning restrictions per Article 6-7 of the Zoning Ordinance.

Should the 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. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Greenspace planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Revise square footage of buildings in site statistics to meet dimensions.

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13. Clarify rear property boundary.
14. Provided the Planning Commission makes a finding that the plan complies with the Adaptive Reuse Project criteria.
15. Discuss proposed land uses and compliance with Article 8-21 of Zoning Ordinance.
16. Discuss compliance with conditional zoning restrictions.

- d. PLN-MJDP-23-00037: NEWTOWN COPORATION INDUSTRIAL PARK (ABC STORAGE) (AMD) (9/14/2023)* - located at 673 KENNEDY ROAD, LEXINGTON, KY
Council District: 1
Project Contact: Geisler Domigan Engineering, PLLC

Note: The purpose of this plan is to show buildings and parking circulation.

Note: The Planning Commission postponed this item at the July 13, 2023 and August 10, 2023 meetings.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding meeting the requirements of Article 21 of the Zoning Ordinance, as well as Articles 16, 18, and 20.

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.
11. Remove consolidation line and bearings & dimensions.
12. Move bearings and distances on property boundaries to the outside of lot for legibility.
13. Addition and dimension of driveways and walkways on existing buildings.
14. Dimension all buildings.
15. Addition of floor area and open space in site statistics.
16. Addition of tree protection plan per Article 26 of the Zoning Ordinance.
17. Addition of 10% tree canopy per Article 26-5 of the Zoning Ordinance.
18. Addition of dashed lines for adjacent property and street.
19. Denote review of property with Royal Springs Aquifer Committee.
20. Discuss compliance Articles 16, 18, & 20 of the Zoning Ordinance.

- e. PLN-MJDP-23-00047: FOX PROPERTY, LOT 4 (AMD) (11/5/2023)* - located at 2400 VERSAILLES ROAD, LEXINGTON, KY
Council District: 10
Project Contact: Vision Engineering

Note: The purpose of this plan amendment is to depict revised conditional zoning restrictions and new building and parking layout.

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

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

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. 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. Addition of existing and proposed easements.
 14. Depict access into the structure for interior order point.
 15. Denote: Access to the property from Versailles Road is subject to the approval by the Kentucky Transportation Cabinet.
 16. Remove proposed benches and statue from floodway.
- f. PLN-MJDP-23-00048: BLUEGRASS BUSINESS PARK (PEMBERTON FARM, LOT 1) (AMD) (11/5/2023)*
- located at 2201 INNOVATION DRIVE, LEXINGTON, KY
Council District: 2
Project Contact: Denham-Blythe Company

Note: The purpose of this amendment is to depict proposed building additions and the reconfiguration of the parking lot.

The Subdivision Committee Recommended: **Approval**, 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. 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. Improve legibility of street cut-through markings for Innovation Drive and Georgetown Road on plan face.
 13. Denote any recommendations per the Royal Springs Aquifer Committee review.
 14. Denote Floor Area Ratio as a ratio per Article 21 of the Zoning Ordinance.
 15. Resolve pedestrian access to right-of-way.
 16. Resolve timing of right-of-way closure for Innovation Drive cul-de-sac and dedication of right-of-way.
- g. PLN-MJDP-23-00049: HAMBURG PLACE FARM, LOT 5F (PLAUDIT PLACE) (AMD) (11/5/23)* - located at 1872 PLAUDIT PLACE, LEXINGTON, KY
Council District: 6
Project Contact: Thoroughbred Engineering
Note: The purpose of this amendment is to add 3,750 square feet to the existing building and revise parking layout.

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The Subdivision Committee Recommended: **Postponement**. There are questions regarding the circulation around the rear of the building.

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. 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 Capacity Assurance Program requirements, prior to plan certification.
 11. Correct site statistics to include new square footage.
 12. Denote pedestrian access to right-of-way.
 13. Denote compliance with open space per Article 20 of the Zoning Ordinance.
 14. Modify area of detention basin on Lot 5E.
- h. PLN-MJDP-23-00050: WOLF RUN INDUSTRIAL PARK, BLOCK A, LOT 1 (FRANKFORT COURT STORAGE FACILITY) (AMD) (11/5/23)* - located at 2262 FRANKFORT COURT, LEXINGTON, KY
Council District: 11
Project Contact: RMJE

Note: The purpose of this amendment is to depict layout and circulation for 53 storage units.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding meeting Article 21 of the Zoning Ordinance and Old Frankfort Pike Landscape Ordinance.

Should this plan be approved, the following requirements 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. 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. Addition of written scale.
14. Correct plan title to match staff report.
15. Correct plan type "Amended Final Development".
16. Boundaries of property should be solid bold line and adjacent property boundaries should be dashed.
17. Addition of adjacent property information.
18. Dimension access points and parking.
19. Denote height of building in feet.

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20. Denote the DBH (diameter at breast height) of all trees per Article 26 of the Zoning Ordinance.
21. Denote farm entrance from Old Frankfort Pike to be removed.
22. Discuss the type and size of oak tree(s) on plan.
23. Discuss Old Frankfort Pike Landscape Ordinance relationship to open usable space.
24. Discuss how to resolve conflict between building and retention easement.
25. Discuss gates to be located 40' from property boundary.

- i. PLN-MJDP-23-00051: HOSPITALITY MOTOR INNS, INC. (AMD) (11/5/2023)* - located at 2143 N.BRODWAY, LEXINGTON, KY
Council District: 6
Project Contact: Earthcycle Design

Note: The purpose of this amendment is to add 2,513 square feet addition to the building and a solar energy field.

The Subdivision Committee Recommended: **Approval**, 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. 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.

- 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.

IX. MEETING DATES FOR August and September

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

Work Session, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building	September 21, 2023
Technical Committee, Wednesday, 8:30 a.m., 7th Floor Conference Room, Phoenix Building.....	September 27, 2023
Zoning Items Public Hearing , Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building	September 28, 2023
Subdivision Committee, Thursday, 8:30 a.m., 3 rd Floor Conference Room, Phoenix Building.....	October 5, 2023
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....	October 5, 2023
Subdivision Items Public Hearing , Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....	October 12, 2023

X. ADJOURNMENT

TW/TM/CG/PS

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