

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
October 10, 2024

- 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 8, 2024 and August 22, 2024 minutes will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponements and withdrawals will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, October 3, 2024 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Mike Owens, Judy Worth, and Frank Penn. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were Traci Wade, Daniel Crum, Cheryl Gallt, Paula Schumacher; Greg Lengal and Embry Beaty; 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.

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

1. Final Subdivision Plans

- a. PLN-FRP-24-00030: BLUEGRASS STOCKYARD, LLC PROPERTY (KENTUCKY UTILITIES, LISLE AVENUE OPERATIONS CENTER) (AMD) (11/3/24)* – located at 375 LISLE INDUSTRIAL AVENUE, LEXINGTON, KY
Council District: 11
Project Contact: Endris Engineering

Note: The purpose of this amendment is to subdivide one lot into two lots and dedicate right-of-way along Lisle Industrial Road.

Note: The applicant has submitted a waiver request.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Addressing Office's approval of street names and addresses.
4. Urban Forester's approval of tree protection area(s) and required street tree information.
5. Department of Environmental Quality's approval of environmentally sensitive areas.
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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
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 or easement.
11. Correct plan title to match staff report.
12. Denote no access to South Forbes Road.
13. Discuss South Forbes Road improvements.

2. Development Plans

- a. PLN-MJDP-24-00068: ZEE FAULKNER PROPERTY (AMD) (12/2/24)* - located at 509 EAST MAIN STREET, LEXINGTON, KY
Council District: 3
Project Contact: EA Partners

Note: The purpose of this amendment is to reflect revised conditional zoning restrictions adopted by the Urban County Council.

The Subdivision Committee Recommended: **Postponement**.

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.
6. Division of Waste Management's approval of refuse collection locations.
7. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
8. United States Postal Service Office's approval of kiosk locations or easement.
9. Denote: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.
10. Correct conditional zoning restrictions.

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11. Dimension garage, covered porches, garden area, parking spaces, sidewalks, vehicular access point, and landscape buffers.
12. Denote floor area ratio, provided vehicular and bicycle parking, open space, and proposed use.
13. Remove Note #1 which duplicates conditional zoning restrictions.
14. Denote: No building permits shall be issued unless and until a final development plan is approved by the Planning Commission.
15. Denote existing and proposed easements.
16. Discuss possible 15' tall landscape screening along rear and side yards.

- b. PLN-MJDP-24-00046: GIVENS PROPERTY, LOT 5 (CITY BBQ) (AMD) (10/10/24)* - located at 2210 GEORGETOWN ROAD, LEXINGTON, KY
Council District: 2
Project Contact: CESO, Inc.

Note: The purpose of this amendment is to depict development of Outlot 5 for a restaurant.

Note: The Planning Commission postponed this item at the August 8, 2024 and September 12, 2024 meetings.

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. United States Postal Service Office's approval of kiosk locations or easement.
13. Correct plan title to match staff report.
14. Remove 2 decimals points in all numbers in site statistics.
15. Delete Note #23.
16. Addition of site information and statistics for Lots 3 and 4.
17. Correct Floor Area Ratio (FAR) calculation for Lot 1 in site statistics.
18. Depict location of street cross-sections on plan face.
19. Remove miscellaneous notes on Lots 4 & 6.
20. Correct type of plan to "Amended Final Development Plan".

- c. PLN-MJDP-24-00069: COLDSTREAM RESEARCH CAMPUS, UNIT 2B, SECTION 2, LOT 25B (METRO EMPLOYEES CREDIT UNION) (AMD) (12/2/24)* - located at 1565 MCGRATHIANA PARKWAY, LEXINGTON, KY
Council District: 2
Project Contact: Palmer Engineering

Note: The purpose of this amendment is to depict building and parking layout on the property.

The Subdivision Committee Recommended: **Approval**, subject to the following revised 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, 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: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.
14. Remove copyright note from the block.
15. Correct graphic scale.
16. Addition of lot coverage and in building square footage in site statistics.
17. Denote review and recommendation of the Royal Springs Aquifer Committee.

d. PLN-MJDP-24-00070: MELODY VILLAGE, UNIT 3-C, BLOCK C, LOT 12 (FREEDOM SENIOR APARTMENTS) (AMD) (12/2/24)* - located at 2001 NICK LOOP & 3743 RED RIVER DRIVE, LEXINGTON, KY

Council District: 8

Project Contact: Qk4

Note: The purpose of this amendment is to depict a building of 46,315 square feet, new parking and circulation, and update conditional zoning restrictions.

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. 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. Denote: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.
13. Addition of tree protection map.
14. Addition of council approval date (August 27, 2024) after Note 16 referencing revised square footage.
15. Copy information in site statistics box with total column totals for the R-4 Zones.
16. Resolve the type of plan submitted (missing proposed property line).

e. PLN-MJDP-24-00071: BELMONT FARM, UNIT 7 (COVENTRY) (AMD) (12/2/24)* - located at 2329 REMINGTON WAY, LEXINGTON, KY

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

Council District: 2
Project Contact: Banks Engineering

Note: The purpose of this amendment is to depict revised building and parking layout.

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. 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. Denote review and recommendation by Royal Springs Aquifer Committee.

f. PLN-MJDP-24-00072: SANTA BARBARA SUBDIVISION, UNIT 3 (AMD) (12/2/24)* - located at 708 MILES POINT WAY, LEXINGTON, KY

Council District: 11
Project Contact: Vision Engineering

Note: The purpose of this amendment is to add buildable square footage and revise parking and circulation.

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.
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. Addition of zoning information and use in site statistics.
11. Addition of Old Frankfort landscape buffer, including planting detail.
12. Addition of tree protection plan.
13. Addition of interior sidewalks from previous plan.

g. PLN-MJDP-24-00073: MILESTONE HEIGHTS PROPERTY (12/2/24)* - located at 309, 315, 317, & 321 EAST HIGH STREET, LEXINGTON, KY

Council District: 3
Project Contact: Milestone Design Group

Note: The purpose of this plan is to create 12 buildable lots for townhouse dwelling units.

* - 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 compliance with Articles 15, 16, 20, & 21 of the Zoning Ordinance.

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 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: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction.
14. Denote engineer, registered landscape architect, or community planner responsible site design.
15. Adjust lotting scheme and layout so north is oriented to the top of the sheet.
16. Denote proposed bearings and distances for proposed internal lots.
17. Denote all existing utilities on site and adjacent to site.
18. Addition of building setback line along East High Street.
19. Addition of alley cross section and source.
20. Denote source of contours, and plat cabinet/slides for all adjoining lots.
21. Update site statistics to include lot coverage and number of dwelling units.
22. Correct owner's certification.
23. Correct Note #14.
24. Denote location of access for construction vehicles.
25. Provided the Planning Commission makes a finding for the use of access easement for access and frontage.
26. Discuss front yard wall per Article 15-4 of the Zoning Ordinance.
27. Discuss orientation of structures on Lots #1 and #7 to comply with Article 15-7 for primary entrance.
28. Discuss compliance with Article 15-7.
29. Discuss compliance with Article 16-6(b) for pedestrian connections.
30. Discuss compliance with Article 20 of the Zoning Ordinance.

- h. PLN-MJDP-24-00074: HOOVER & FORD PHILPOT EVANGELISTIC ASSOCIATION PROPERTY, LOT 4 (THE FOUNTAINS OF PALOMAR) (AMD) (12/2/24)* - located at 3855 FOUNTAINBLUE LANE, LEXINGTON, KY
Council District: 9
Project Contact: Vision Engineering

Note: The purpose of this amendment is to add building square footage and revise parking circulation.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding compliance with Section 16-6 of the Zoning Ordinance.

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.

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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. Discuss compliance with Section 16-6 of the Zoning Ordinance for corner lots.

- i. PLN-MJDP-24-00075: WILLIAM SHELY PROPERTY, UNIT 2 & HOLLOW CREEK, UNIT 1, LOT 3 (AMD) (12/2/24)* - located at 459 WEST NEW CIRCLE ROAD, LEXINGTON, KY
Council District: 1
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict additional building square footage and parking.

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. United States Postal Service Office's approval of kiosk locations or easement.
13. Addition of dimensions for all ingress & egress points.
14. Move height of building in feet in to site statistics box.
15. Denote height of existing retaining wall located in rear of building adjacent to new parking area.

3. **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. PLN-MNDP-24-00032: WIGGINS & COMPANY (CHICK-FIL-A) (AMD) (12/15/24)* - located at 2514 NICHOLASVILLE ROAD, LEXINGTON, KY

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

Council District: 3
Project Contact: Interplan, LLC

- Staff will report at the meeting.

- B. **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 October and November**

UGMP Presentation & Public Comment, Thurs., 1:30 p.m., 2nd Floor Council Chambers, Gov't Center....October 17, 2024
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center....**October 24, 2024**
Technical Committee, Wednesday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....October 30, 2024
UGMP Deliberation & Action, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Gov't CenterOctober 31, 2024
Subdivision Committee, Thursday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....November 7, 2024
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....November 7, 2024
Subdivision Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Gov't Center....**November 14, 2024**

X. **ADJOURNMENT**

TW/CG/PS

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