

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

July 9, 2009

- 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** – Prior Planning Commission meeting minutes of June 11, 2009, will be considered at this time.
- III. **POSTPONEMENTS OR WITHDRAWALS** – Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, July 2, 2009, at 8:30 a.m. The meeting was attended by Commission members: Mike Cravens, Mike Owens, and Carolyn Richardson. Committee members in attendance were: Chuck Saylor, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Bill Saltee, Chris Taylor, Tom Martin, Jim Marx and Barbara Rackers, as well as Rochelle Boland, Department of Law; Capts. Charles Bowen and Allen Case, Division of Fire & Emergency Services; and Bob Carpenter, Division of Building Inspection. 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 is in agreement with the Subdivision Committee recommendation and the 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 consideration of these remaining plans is as follows:

- Staff Report(s)
- Petitioner's Report(s)
- Citizen Comments – (a) in support of the request, and (b) in opposition to the request
- Rebuttal – (a) petitioner's comments, (b) citizen comments, and (c) staff comments
- Commission discusses and/or votes on the plan

1. Preliminary Plans

- a. **PLAN 2008-71P: HAMPTON SPRINGS (AMD.) (7/9/09)*** - located at 4574 Harrodsburg Road (a portion of).
(Council District 10) **(EA Partners)**

Note: The Planning Commission postponed this plan at its June 12, 2008; July 10, 2008; August 14, 2008; September 11, 2008; October 9, 2008; November 13, 2008; December 11, 2008; January 8, 2009; February 12, 2009; March 12, 2009; April 9, 2009; May 14, 2009, and June 11, 2009, meetings. The purpose of this amendment is to revise the development on the property.

The Subdivision Committee Recommended: Postponement. There were questions regarding the proposed street connection, the waiver requests, the lack of street connection to the adjoining church property, the area of fill proposed and the construction access to the site.

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. Building Inspection's approval of landscape buffer and required street tree information.
4. Approval of street addressing by e911 staff.

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

5. Urban Forester's approval of tree preservation plan.
6. Greenspace Planner's approval of the treatment of greenways and greenspace.
7. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Department of Environmental Quality's approval of environmentally sensitive areas (steep slopes).
9. Correct plan title.
10. Denote HOA dedication to the LFUCG for a greenway.
11. Discuss access to the greenway.
12. Discuss the lack of connection proposed to Rhema Way.
13. Discuss the need for a stub street to the remaining church property.
14. Discuss the requested waivers to the Subdivision Regulations.
15. Discuss construction access to this area.

2. Final Subdivision Plans

- a. PLAN 2008-76F: BOGIE ESTATE, LOT 1 (7/9/09)* - located at 5846 Old Richmond Road.
(Council District 12) **(EA Partners)**

Note: The Planning Commission postponed this plan at its July 10, 2008; August 14, 2008; September 11, 2008; October 9, 2008; November 13, 2008; December 11, 2008; January 8, 2009; February 12, 2009; March 12, 2009; April 9, 2009; May 14, 2009, and June 11, 2009, meetings. The purpose of this plat is to subdivide one 14-acre lot into two lots, consisting of one 4-acre lot zoned B-1 and one 10-acre lot zoned A-R. This subdivision also requires the posting of a sign and an affidavit of such.

The Subdivision Committee Recommended: Postponement. There were questions regarding the need for a waiver of Article 6-6(a) of the Land Subdivision Regulations concerning minimum lot size for a septic tank and right-of-way dedication.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Approval of street names and/or addresses per the street addressing office.
5. Addition of utility easements, as required by the utility companies.
6. Addition of the entire A-R zoned lot on this plan.
7. Denote buildable and non-buildable areas on proposed A-R lot.
8. Correct 300-foot building line (to scale) from right-of-way of Jacks Creek Road.
9. Kentucky Transportation Cabinet's approval of right-of-way dedication.
10. Discuss waiver to Article 6-6(a) in relation to the 10-acre rule and septic system.
11. Discuss right-of-way dedication on Jacks Creek Road.

- b. PLAN 2009-39F: RAMSEY/SULLIVAN PROPERTY, UNIT 3, SECTION 2, LOTS 33-45 (KEARNEY HALL) (AMD) (7/9/09)*
- located at Meadowsweet Lane and Kittens Joy Circle. (Council District 12) **(Foster – Roland, Inc.)**

Note: The Planning Commission postponed this plan at its May 14, 2009 and June 11, 2009, meetings. The purpose of this amendment is to reduce the building line from 20' to 10' on lot 37, reduce the original lotting scheme by one lot, show the release of the street light easement on lot 44 and create an access easement.

The Subdivision Committee Recommended: Postponement. There were questions regarding the conflict between the utilities, access and drainage easements.

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

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
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. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
8. Denote: This property shall be developed in accordance with the approved final development plan.
9. Addition of general notes from previous plan.
10. Addition of street tree schedule notes.
11. Addition of flood protection elevation information from previous plan.
12. Addition of permanent overflow swale note from previous plan or amend as necessary.

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13. Addition of access easement dimensions.
14. Correct bearing and distance for lot 44 (eastern property line).
15. Correct Planning Commission certification note.
16. Correct purpose of amendment note (access easement).
17. The 6' street light easement on lot 44 must be released prior to certification of plan.
18. Denote: Street trees shall be planted prior to issuance of Certificate of Occupancy.
19. Remove amended building line from plan.
20. An amended development plan must be certified prior to certification of plan.
21. Addition of private access easement maintenance note per Article 5-4 of the Land Subdivision Regulations.
22. Addition of utilities provided per Article 5-4(e) of the Land Subdivision Regulations.
23. Discuss the access easement and storm and sanitary sewer easement and swale conflicts.

- c. PLAN 2009-60F: RAMSEY/SULLIVAN, UNIT 3, SECTION 2, LOTS 21-28 (AMD.) (9/10/09)* - located at 2509-2516 Kittens Joy Circle. (Council District 12) **(Foster - Roland)**

Note: The purpose of this amendment is to revise the lotting and to create a parking and access easement.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Addition of permanent control monuments, as required by Article 5-4(d)(6) of the Land Subdivision Regulations.
7. Number general notes (1, 2, etc.) as required by Article 5-4(f) of the Land Subdivision Regulations.
8. Addition of utility and streetlight easements, as required by the utility companies and the Urban County Traffic Engineer.
9. Denote: This property shall be developed in accordance with the approved final development plan.
10. Addition of private utilities listing per Article 5-4(e) of the Land Subdivision Regulations.
11. Addition of adjacent property information per Article 5-4 of the Land Subdivision Regulations.
12. Certification of amended final development and preliminary subdivision plan prior to certification of this plan.
13. Addition of street tree timing notes, to the approval of the Division of Building Inspection.

- d. PLAN 2005-330F: SOUTH HILL GARDENS (9/28/09)* - located at 408 and 426 South Mill Street and 421 through 437 Lawrence Street. (Council District 3) **(Wheat and Ladenburger)**

Note: The Planning Commission originally approved this plan on December 8, 2005; and reapproved it on December 14, 2006, December 13, 2007 and again on June 12, 2008, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and required street tree information.
4. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
5. Approval of street addresses as per e911 staff.
6. Urban Forester's approval of tree preservation plan.
7. Denote: There shall be no building permits issued until Final Development Plan has been approved.
8. Demonstrate compliance of existing buildings with lot requirements.
9. Increase font size on entire plan.
10. Document the minimum lot size and the square footage requirements.
11. Addition of adjoining property information and zoning.
12. Resolve landscape and buffer area for zone-to-zone screening.
13. The Planning Commission must approve a Final Development Plan prior to recordation of Section 2 (Lots 2, 7-13).
14. Revise lot layout and add easements, as appropriate, such that the proposed Home Owners Association open space is an accessory rather than principal permitted use, as necessary.

Note: The applicant requests reapproval of this plan.

The Subdivision Committee Recommended: Reapproval, subject to the previous conditions.

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3. Development Plans

- a. DP 2009-27: RAMSEY/SULLIVAN PROPERTY (AMD) (7/9/09)* - located at 2663 and 2671 Kearney Ridge Boulevard.
(Council District 12) **(Carol Goes)**

Note: The Planning Commission postponed this plan at its May 14, 2009 and June 11, 2009, meetings. The purpose of this amendment is to depict the density increase on the new layout.

The Subdivision Committee Recommended: Postponement. There were questions regarding the timing of Spurr Road improvements, given the proposed density increase; the need for noise abatement; and the existing conditional zoning restrictions.

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 parking, circulation, access and street cross-sections.
 3. Building Inspection's approval of landscaping and landscape buffers.
 4. Urban Forester's approval of tree preservation plan.
 5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Division of Fire's approval of emergency access and fire hydrant locations.
 8. Division of Solid Waste's approval of refuse collection.
 9. Addressing Office's approval of street names and addresses.
 10. Addition of conditional zoning restrictions.
 11. Addition of notes # 2, 4, 5 and 9 through 25 from prior preliminary subdivision plan.
 12. Addition of all graphic information from prior preliminary subdivision plan.
 13. Addition of typical building information and parking dimensions.
 14. Correct building coverage, floor area, and floor area ratio statistics.
 15. Denote construction access location(s).
 16. Discuss the need for noise abatement.
 17. Discuss the conditional zoning restrictions related to the required park area.
 18. Discuss the improvements proposed in proximity to the existing cemetery.
 19. Discuss single family lots being proposed.
 20. Discuss the balconies and building line conflict.
 21. Discuss the geometrics of street extensions/stream crossing proposed.
 22. Discuss the plan status.
- b. DP 2009-34: BEAUMONT FARM, UNIT 1, SECTION 1 (A PORTION OF) (AMD) (8/13/09)* - located at 3100 Beaumont Centre Circle. (Council District 10) **(EA Partners)**

Note: The Planning Commission postponed this plan at its June 11, 2009, meeting. The purpose of this amendment is to add a turn lane and access off Beaumont Centre Circle, and add a generator yard next to the dumpster location.

The Subdivision Committee Recommended: Approval, subject to the following requirements:

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. Building Inspection's approval of landscaping and landscape buffers.
 4. Urban Forester's approval of tree preservation plan.
 5. Division of Fire's approval of emergency access and fire hydrant locations.
 6. Division of Solid Waste's approval of refuse collection.
 7. Addressing Office's approval of street names and addresses.
 8. Remove the entrance to Beaumont Centre Circle, as per the approved development plan.
- c. DP 2009-44: GENERAL TELEPHONE COMPANY OF KENTUCKY, LOT 2 (9/10/09)* - located at 3695 Nicholasville Road. (Council District 4) **(Barrett Partners)**

The Subdivision Committee Recommended: Approval, subject to the following requirements:

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. Building Inspection's approval of landscaping and landscape buffers.
4. Urban Forester's approval of tree preservation plan.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Division of Fire's approval of emergency access and fire hydrant locations.
7. Division of Solid Waste's approval of refuse collection.
8. Addressing Office's approval of street names and addresses.

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9. Provide developer's information on plan.
 10. Denote construction access.
 11. Denote location of storm water detention.
 12. Addition of reciprocal parking and access note.
- d. DP 2009-45: RAMSEY/SULLIVAN (KEARNEY HALL), UNIT 3, SECTION 2, LOTS 1-44 (AMD.) (9/10/09)* - located at Kearney Ridge Lane, Meadowsweet Lane and Kittens Joy Circle. (Council District 12) **(Foster - Roland)**

Note: The purpose of this amendment is to revise the unit layout and add building envelopes.

The Subdivision Committee Recommended: Postponement. There were questions regarding the lack of information being provided from the previous plan.

Should this plan be approved, the following requirements 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. Building Inspection's approval of landscaping and landscape buffers.
 4. Urban Forester's approval of tree preservation plan.
 5. Division of Fire's approval of emergency access and fire hydrant locations.
 6. Division of Solid Waste's approval of refuse collection.
 7. Addressing Office's approval of street names and addresses.
 8. Addition of all proposed buildings, garages, driveways and private open spaces.
 9. Addition of building heights, lot coverage and floor area ratio information.
 10. Identify storm water detention locations.
 11. Clarify extent of street construction proposed.
 12. Addition of name and address for developer.
 13. Addition of all notes and information applicable from previous plan.
 14. Addition of all proposed building dimensions.
 15. Complete site statistics.
 16. Correct plan title.
 17. Clarify area of amendment.
 18. Clarify released street light easement along south property line.
 19. Resolve building envelopes and building/easement conflict.
- e. DP 2009-46: BEAUMONT FARM, UNIT 1, SECTION 5, LOT 2 (9/10/09)* - located at 956 Midnight Pass. (Council District 10) **(EA Partners)**

The Subdivision Committee Recommended: Approval, subject to the following requirements:

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. Building Inspection's approval of landscaping and landscape buffers.
4. Urban Forester's approval of tree preservation plan.
5. Bike and Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Solid Waste's approval of refuse collection.
9. Addressing Office's approval of street names and addresses.
10. Revise note #8.
11. Denote storm water facilities or revise note #5.
12. Denote construction access.
13. Denote height of building.
14. Provide complete site statistics.
15. Provided the Board of Adjustment approves the conditional use and dimensional variances.
16. List conditional zoning restrictions.
17. Document seating capacity for this use.
18. Resolve sidewalks.
19. Resolve location and timing of parking, including handicap parking locations.
20. Resolve lighting, screening and required landscape buffer.

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

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

A. **ELECTION OF OFFICERS** – With the expiration of the terms of former members Randall Vaughn and Neill Day, the Commission shall elect a new Chairperson and a Vice-Chairperson. The nominating committee appointed last month will present its slate for consideration by the Planning Commission. Nominations may also be made from the floor.

The current officers are as follows:

Chairperson	-	Vacant
Vice Chairperson	-	Vacant
Secretary	-	Frank Penn
Parliamentarian	-	Mike Cravens

VI. **STAFF ITEMS** – Staff items, if any, will be considered at this time.

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

VIII. **NEXT MEETING DATES** -

Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	July 16, 2009
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	July 23, 2009
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	July 29, 2009
Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers	July 30, 2009
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	August 6, 2009
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	August 6, 2009
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	August 13, 2009

X. **ADJOURNMENT**

CT/CG/TM/JE/BR/BS/DB/TW