

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

October 10, 2019

- 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 minutes of the September 12, 2019, meeting will be considered by the Planning Commission 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, October 3, 2019, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Anthony de Movellan, Frank Penn, Headley Bell and Mike Owens. Committee members in attendance were: Vaughan Adkins, Division of Engineering and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Tom Martin; Cheryl Gallt; Hal Baillie; Denice Bullock; Valerie Friedmann, Scott Thompson; Lauren Hedge; Captain Greg Lengal, Division of Fire & Emergency Services; and Tracy Jones, 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.

Note: Requests for additional time, stating the basis for the request, must be submitted to The Subdivision Committee no later than two days prior to the meeting. The Chair will announce his/her decision at the outset of the hearing.

1. **PRELIMINARY SUBDIVISION PLAN**

- a. PLN-MJSUB-19-00006: TUSCANY, UNIT 15 (10/10/19)* - located at 1970 WINCHESTER ROAD (A PORTION OF), LEXINGTON, KY.
Council District 6
Project Contact: EA Partners

Note: The Planning Commission postponed this item at their April 11, 2019, May 9, 2019, June 13, 2019, July 11, 2019, August 8, 2019 and September 12, 2019, meetings.

The Subdivision Committee Recommends: Postponement. There were significant concerns regarding the proposed street system and future connections, and compliance with the preliminary development plan.

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.

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

3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Denote proposed and existing easements.
11. Delete note #12.
12. Depict connection of Eastmont Road to Haymaker Parkway.
13. Depict connection of Haymaker Parkway to Fortune Drive via Trade Center Drive.
14. Include remainder of adjacent land within Tuscany development on this preliminary subdivision plan.
15. Discuss connecting cul-de-sacs to provide a loop street.
16. Discuss shifting Haymaker Parkway closer to greenway to provide access to open space.
17. Discuss compliance with approved preliminary development plan.

2. **DEVELOPMENT PLANS**

- a. PLN-MJDP-19-00052: KID'S HOUSE CHILD CARE CENTER (AHLULBAYT CENTER) (AMD) (11/3/19)* - located at 1449 AND 1451 BRYAN AVE., LEXINGTON, KY.
Council District 1
Project Contact: TWC

Note: The Planning Commission postponed this item at their September 12, 2019, meeting. The purpose of this amendment is to change the proposed use and to revise the parking layout.

The Subdivision Committee Recommends: Postponement due to the parking conflict.

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 & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 8. Division of Waste Management's approval of refuse collection locations.
 9. Correct zoning in site statistics.
 10. Correct plan title to match the staff report.
 11. Documentation of account with Lynn Imaging to meet Article 21-7(b)(3) of the Zoning Ordinance.
 12. Recordation of consolidation plat prior to plan certification.
 13. Denote construction access on plan.
 14. Denote zone-to-zone screening.
 15. Denote number of seats in assembly area in site statistics to verify parking requirements.
 16. Denote proposed and existing easements on plan.
 17. Denote tree protection area from the previous plan (ZDP 2014-18).
 18. Addition of tree inventory on plan.
 19. Addition of purpose of amendment note.
 20. Complete floor area ratio in site statistics.
 21. Denote: The subject property is located in the Royal Springs Aquifer.
 22. Discuss note #15 from the previous plan (ZDP 2014-18) regarding tree planting.
 23. Discuss disclaimers and additional notes and correct typographical errors.
 24. Discuss note #15 on this plan for additional screening for change of use.
- b. PLN-MJDP-19-00053: LEXINGTON SUPERDOME (CENTRAL EQUIPMENT) (AMD) (12/2/19)* - located at 791 RED MILE RD., LEXINGTON, KY.
Council District 11
Project Contact: DLZ Kentucky, Inc.

Note: The purpose of this amendment is to depict area for underground detention and area for additional parking.

The Subdivision Committee Recommends: Postponement. There are questions regarding compliance with Article 21 of the Zoning Ordinance.

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

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

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 & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Department of Environmental Quality's approval of environmentally sensitive areas.
10. Clarify the boundary of the property with a solid dark line (Cab. N, Sl. 770).
11. Addition of adjacent property boundaries with a dashed line.
12. Denote record plat information for property being amended (Cab. I, Sl. 357).
13. Addition of topography lines.
14. Clarify area for driveway access.
15. Addition of walkways and the dimensions.
16. Clarify all parking areas (legibility).
17. Denote construction access point on plan.
18. Denote location of street cross-section on plan face.
19. Denote location of existing privacy fence to comply with property perimeter screen required by Article 18 of the Zoning Ordinance.
20. Addition of building dimensions on plan.
21. Addition of zone line on property, and adjacent properties.
22. Addition of general notes from previous plan (DP 97-64).
23. Addition of street frontage in site statistics.
24. Clarify Red Mile Road cross-section from previous plan (see notes 9 & 10).
25. Remove proposed use from site statistics (duplicate information).
26. Addition of building line from previous plan.
27. Addition of all easements from previous plan.
28. Denote location of all gates.
29. Denote access off Red Mile Road as a right-in/right-out, including the taper from previous plan.
30. Clarify cross-section for Harry Sykes Way (Red Mile Place) sidewalk on both sides.
31. Dimension access points on plan.
32. Discuss compliance with the tree canopy requirements.

- c. PLN-MJDP-19-00054: LFUCG HOUSING AUTHORITY & CONNIE GRIFFITH MANOR AND BALLARD PLACE (AMD) (12/2/19)* - located at 635 BALLARD ST. AND 650 TOWER PLZ., LEXINGTON, KY.
Council District 2
Project Contact: Sherman Carter Barnhart

Note: The purpose of this amendment is to add an elevator tower.

The Subdivision Committee Recommends: **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 landscape buffers.
4. Urban Forester's approval of tree preservation plan.
5. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
6. Correct development plan type in plan title.
7. Addition of updated signatures for Owner's certification & Commission certification and update language for Commission certification.
8. Addition of existing building and proposed elevator tower dimensions.
9. Addition of height of proposed elevator tower.
10. Correction of typos in notes.
11. Denote location of cross-section on face of plan.
12. Remove old plan numbers and signatures from certifications.
13. Update street names.

- d. PLN-MJDP-19-00055: SOUTH PARK SHOPPING CENTER (AMD) (12/2/19)* - located at 3220 NICHOLASVILLE RD. AND 210 & 240 CANARY RD., LEXINGTON, KY.
Council District 4
Project Contact: CMW

Note: The purpose of this amendment is to add building square footage and associated parking, modify the shopping center entrance from Canary Road and to revise site statistics.

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The Subdivision Committee Recommends: **Postponement** due to compliance with Article 12 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 landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 8. Division of Waste Management's approval of refuse collection locations.
 9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 10. Resolve timing of consolidation plat to resolve conflict of existing property line.
 11. Resolve process to re-plat property change building setback (note #19).
 12. Resolve sidewalk along Canary Road to connect transit stop along Nicholasville Road to the buildings within the shopping center.
 13. Discuss options for 15' landscape buffer/property perimeter screening (note #20) per Article 18 of the Zoning Ordinance.
 14. Discuss compliance with Articles 12-8(h) & 12-8(i) of the Zoning Ordinance.
- e. PLN-MJDP-19-00057: ANDERSON 2 SUBDIVISION (AMD) (1/1/20)* - located at 425 CHILESBURG RD., LEXINGTON, KY.
Council District 7
Project Contact: Barrett Partners

Note: The purpose of this amendment is to revise the layout of Units 24-75. This plan requires the posting of a sign and an affidavit of such.

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

1. Urban County Engineer's acceptance of drainage, and 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 landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
 7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 8. Division of Waste Management's approval of refuse collection locations.
 9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 10. United States Postal Service Office's approval of kiosk locations or easement.
 11. Addition of existing trees, including tree protection area(s).
 12. Provided the Planning Commission makes a finding the plan complies with the EAMP.
- f. PLN-MJDP-19-00058: ROLLIE BISHOP CARROLL, SR., PROPERTY (12/2/19)* - located at 375 PASADENA DR., LEXINGTON, KY.
Council District 10
Project Contact: Vision Engineering

The Subdivision Committee Recommends: **Postponement**. The plan does not meet the required R-1T rear yard setback.

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 & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. 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.

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10. Combine site and lot statistics in one chart and remove miscellaneous information.
11. Denote height of buildings in feet on plan.
12. Addition of access easement maintenance note.
13. Revise plan to meet the required R-1T rear yard setback.
14. Revise open space calculations to meet requirements of Article 8-10(o)(3) for Lots #4 and #5.
15. Discuss note #10 from previous plan (PLN-MJDP-18-00084) "Resolve gas line easement conflict".
16. Discuss note #12 from previous plan (PLN-MJDP-18-00084) "Termination of private access easement".
17. Discuss plan status (PSP).

- g. PLN-MJDP-19-00059: ZANDALE SHOPPING CENTER & GREENLEAF MOTOR LODGE PROPERTIES (AMD) (12/2/19)* - located at 125 E. LOWRY LN., LEXINGTON, KY.
Council District 4
Project Contact: Brandstetter Carrol

Note: The purpose of this amendment is to depict development of a restaurant with a drive-through.

The Subdivision Committee Recommends: **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 landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
7. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
8. Division of Waste Management's approval of refuse collection locations.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Resolve extent and timing of traffic control measures.

- h. PLN-MJDP-17-00084: GREENDALE HILLS, UNIT 3 (12/10/19)* - located at 1201 GREENDALE RD., LEXINGTON, KY.
Council District 9
Project Contact: Barrett Partners

Note: The Planning Commission originally approved this plan on August 24, 2017, subject to the following conditions:

1. Provided the Urban County Council rezones the property B-6P; otherwise, any Commission action of approval is null and void.
2. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and floodplain information.
3. Urban County Traffic Engineer's approval of parking, circulation, access, and street cross-sections.
4. Urban Forester's approval of tree inventory map.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Addition of conditional zoning restrictions.
8. Revise plan to comply with Article 12-8(b) of the Zoning Ordinance.
9. Revise plan to comply with Article 12-8(f) of the Zoning Ordinance for loading areas.
10. The following will be development plan notes:
 - a. Maximum building height of 35 feet.
 - b. Maximum building size of 35,000 square feet per building.
 - c. Along Cielo Vista Road, from driveway west to the Washington property line at 715 Cielo Vista Road, developer will plant/build a three-foot solid fence, and a three-foot hedge, and one tree every twenty feet.
 - d. Along Cielo Vista Road, from the driveway east to the intersection with Mulundy Way and along Lucille Drive, developer will plant/build a three-foot open fence (for example a picket fence) or a three foot hedge, plus one tree every thirty feet.
 - e. Along Lucille Drive, the landscape area shall average at least 10 feet in width, and shall be a minimum of 6 feet in width.

The Subdivision Committee Recommends: **Reapproval**, subject to the conditions previously approved, but removing condition #1 which has been met.

- i. PLN-MJDP-19-00056: PLEASANT RIDGE SUBDIVISION, LOT 126 (REAPPROVAL OF ZDP 90-79) (12/2/19)* - located at 2184 LIBERTY RD., LEXINGTON, KY.
Council District 6
Project Contact: MLH Civil Engineers

The Subdivision Committee Recommends: **Postponement** due to the concern with the development activity that is occurring on the property.

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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. 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 the Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Delete reference to R-1B zone.
13. Denote floor area ratio (FAR) per Article 21 of the Zoning Ordinance.
14. Denote height of buildings in feet.
15. Delete original note #5.
16. Discuss pedestrian connection to right-of-way.
17. Discuss sanitary sewer status and original note #8.
18. Discuss stormwater facilities.
19. Discuss area of recent fill activity.

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.

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

VI. STAFF ITEMS – The Chair will announce that any item a Staff member would like to present will be heard at this time.

- a. PLN-FRP-19-00031: PRESTON SUBDIVISION, LOT 28 (AMD) (11/3/19)* - located at 546 AND 548 MARYLAND AVE., LEXINGTON, KY.
Council District 2
Project Contact: Cam Surveying

The 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 stormwater, 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.

- a. PLN-MJDP-19-00057: ANDERSON 2 SUBDIVISION (AMD) (1/1/20)* - located at 425 CHILESBERG RD., LEXINGTON, KY.
Council District 7
Project Contact: Barrett Partners

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., 3 rd Floor Phoenix Building.....	October 17, 2019
Special Meeting - ZOTA 2019-5 Public Hearing , Monday, 1:30 p.m., 2 nd Floor Council Chambers.....	October 21, 2019
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	October 24, 2019
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	October 30, 2019
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	November 7, 2019
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building).....	November 7, 2019
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	November 14, 2019

IX. ADJOURNMENT

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