

LD & T MINUTES

JUNE 8, 2000

DOCKET NO. 10-14-83

Project Name: Blankenbaker Crossing II and III
Location: South of Commonwealth Drive, east of Old Blankenbaker Road, north of Rehl Road, and west of Tucker Station Road, and being in the City of Jeffersontown.
Developer: NTS Development Company
Engineer: Sabak, Wilson, and Lingo
Request: Revised Preliminary Subdivision Plan
Existing Zoning: PEC
Proposed Buildable Lots: 31
Gross Acreage: 199.7
Staff Case Manager: Ken Baker, Planner II.

BACKGROUND/SUMMARY

LD&T approved a partial revision of the preliminary subdivision plan for Blankenbaker Crossing II on February 24, 2000. A condition of that approval was that a revised preliminary plan be submitted and approved. This plan is intended to fulfill that required condition.

PRINCIPAL ISSUES:

1. This plan consolidates a portion of Blankenbaker Crossings II (10-14-83), Blankenbaker Crossing III (10-44-93), and a portion of Commonwealth Industrial Park (10-12-78). Numerous lots in these developments have been created by minor plat and there have been a number of revisions of preliminary plans; this has made it very confusing. This plan is intended to "clean-up" these plans so that future actions that take place within these developments are less confusing. The intent is that lots will be created by this revised preliminary plan, and additional lots could be created from it by minor plat if necessary.
2. The portion of the approved preliminary plan under consideration for Blankenbaker Crossing II approved 42 lots. Blankenbaker Crossing III originally approved 19 lots. The portion of the approved preliminary plan under consideration for Commonwealth Industrial Park involved approximately 26 approved lots. These plans, or portions thereof, included 87 lots; this proposed plan shows 32 lots.
3. Lot 1X is a spite-strip lot. This was discussed at pre-LD&T on May 25, 2000, and the case was deferred as a result. Access on Plantside Drive to the large adjacent tract that fronts on Blankenbaker Road (currently owned by Offutt) should have been granted. The applicant has provided

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for an access easement across Lot 1X, on the condition that the private access be constructed at the owner's expense.

Other

3. The originally approved plan for Blankenbaker Crossing III provided a proposed 60 feet of right-of-way stubbing to the east. On the proposed plan, it is shown at an access and utility easement and part of an irregularly-shaped lot (Lot 24). The plan should be revised to show this as right-of-way (Proposed Street A) and show the resulting new lots.
4. Lot 15 is a detention basin and it should be labeled as a non-buildable lot.
5. The plan must provide the net acreage and gross and net density for the site.
6. The plan must show the elevation and description of the bench mark used.

PROPOSED CONDITIONS OF APPROVAL

1. The development shall be in accordance with the approved Preliminary Subdivision Plan. Future subdivision of the land into a greater number of lots shall be allowed by minor subdivision plat, in accordance with the Metropolitan Subdivision Regulations. Staff are authorized to approve minor plats in an area of an approved preliminary plan and to approve the creation of more than 5 lots during a 12 month period.
2. Prior to development of each site or phase of this project, the applicant, developer, or property owner shall obtain approval of a detailed district development plan from the Planning Commission. Each plan shall be in adequate detail and subject to additional binding elements. The additional binding elements may relate, but not be limited, to the following items:
 - a. screening, buffering, landscaping, tree preservation
 - b. density, floor area, size and height of buildings
 - c. points of access and site layout with respect to on-site circulation
 - d. land uses
 - e. signage
 - f. loading berths
 - g. parking
 - h. sidewalks
 - i. site design elements relating to alternative transportation modes
 - j. outdoor lighting
 - k. minor subdivision plat approval
 - l. air pollution

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- m. the timing of construction to coincide with the availability of flood protection measures, municipal sewer and water service, and adequate fire protection
 - n. dumpsters
- 3. The applicant shall identify and submit for approval by designated DPDS staff, a plan showing the location of Tree Preservation Areas on site (exclusive of areas dedicated as public right-of-way) prior to beginning any construction procedure (i.e., clearing, grading, demolition). All construction shall be conducted in accordance with the approved Tree Preservation Plan. A partial plan may be submitted to delineate clearing necessary for preliminary site investigation. All Tree Preservation Plans must be prepared in accordance with the standards set forth by DPDS.
- 4. Before any permit (including but not limited to building, parking lot, change of use or alteration permit) is requested:
 - a. The development plan must receive full construction approval from the Jefferson County Department of Public Works and Transportation (400 Fiscal Court Building) and the Metropolitan Sewer District (700 West Liberty).
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
- 5. If a building permit is not issued within one year of the date of approval of the plan, the property shall not be used in any manner unless a revised preliminary subdivision plan is approved or an extension is granted by the Planning Commission.
- 6. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements/conditions of approval requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
- 7. A soil erosion and sedimentation control plan shall be developed and implemented in accordance with the Metropolitan Sewer District and the USDA Natural Resources Conservation Service recommendations. Documentation of the MSD's approval of the plan shall be submitted to the

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Planning Commission prior to commencement of any clearing, grading, or construction activities.

8. If work is required within the easements causing removal or damage of landscape materials, the property owner shall be responsible for replacement of materials according to the approved landscape plan.
9. Lots fronting on Blankenbaker Road shall be permitted to have entrances as follows:
 - a) Right turn in and out movements will be permitted with the approval of Department of Public Works/Kentucky Transportation Cabinet. Right turn-in access points shall include deceleration lanes, as required.
 - b) Full turning movements shall be aligned and located approximately as shown on the approved preliminary plan. The Department of Public Works/Kentucky Transportation Cabinet shall approve the final location of access points.
10. A Master Index Plan for Blankenbaker Crossing, as submitted and stamped "Received April 4, 2000, shall be kept current for the entire duration of the development process and shall show any additions or revisions of existing lots (i.e., revised plans, shifting property lines, lot consolidations, etc.).
11. Right-of-way (60 feet) shall be dedicated to provide access to tract adjacent to Lot 1X fronting on Blankenbaker Road (currently owned by Offutt), as required by Jefferson County Department of Public Works. Roadway to be constructed by others with no cost participation by NTS/Crossings Corporation.

DISCUSSION:

Staff presented the revised preliminary subdivision plan and discussed the background of this case. The primary issue for the plan concerned providing right-of-way access on Plantside Drive to the large tract adjacent to Lot 1X. Staff stated that a condition of approval had been added requiring that applicant, stated their agreement to this condition of approval. Staff also discussed that the wording for the first condition of approval had been revised to allow future subdivision of the land by minor plat. It was discussed that waivers should be granted to allow subdivision of land by minor plat in the area of an approved preliminary plan and to allow subdivision of land into more than five tracts within a one-year period.

On a motion by Commissioner Adams, the following resolution was adopted:

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RESOLVED, That the Land Development and Transportation Committee does hereby **APPROVE** the Revised Preliminary Subdivision Plan for Docket No. 10-14-83 **ON CONDITION** that the **right-of-way be dedicated to allow access for this tract.**

The vote was as follows:

YES: Commissioners Adams, Thieneman, Dulworth and Matheny.

NO: No one.

NOT PRESENT FOR THIS CASE AND NOT VOTING: Commissioners Cash and Crawford.

ABSTAINING: Commissioner Herron.

Erin Donovan and Bryan Russell were present.