Minutes
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS

January 14, 2010

I. **CALL TO ORDER** - The meeting was called to order at 1:33 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.

Planning Commission Members Present – Frank Penn, Chair; Mike Owens; Ed Holmes; Derek Paulsen; Carolyn Richardson; Lynn Roche-Phillips; Joan Whitman and Marie Copeland. Patrick Brewer, Mike Cravens and William Wilson were absent.

Planning Staff Present – Chris King, Director; Bill Sallee, Barbara Rackers, Tom Martin, Chris Taylor, and Denice Bullock. Other staff members in attendance were: Hillard Newman, Division of Engineering; Bob Carpenter, Division of Building Inspection; Rochelle Boland, Department of Law; Captain Charles Bowen and Firefighter Allen Case, Division of Fire & Emergency Services; Tim Queary, Division of Streets, Roads and Forestry, and Jeff Neal, Traffic Engineering.

II. **APPROVAL OF MINUTES** – Prior Planning Commission meeting minutes of November 12, 2009 and December 10, 2009, will be considered at this time.

Planning Commission Comments - Directing the Commission's attention to the December 10, 2009, Planning Commission minutes, Mr. Owens noted that on Page 9, item B. "Appointment of Nominating Committee for Commission Officers" currently read: "*to appoint Lynn Roche-Phillips, Mike Cravens and Mike Owens to the nominating committee for Commission officers"* and it should read: "*to appoint Lynn Roche-Phillips, Mike Cravens and Ed Holmes to the nominating committee for Commission officers*." Mr. Penn noted that correction to the December 10, 2009, minutes. He asked the Commission if there were any other changes that needed to be made. There was no response.

Action - A motion was made by Ms. Roche-Phillips, seconded by Mr. Owens and carried 8-0 (Brewer, Cravens and Wilson absent) to approve the minutes of November 12, 2009, meeting and the (corrected) minutes of the December 10, 2009, meeting.

III. **POSTPONEMENTS OR WITHDRAWALS**

Planning Commission Comment – Chairman Penn asked if anyone in the audience or on the staff wished to make a request for postponement or withdrawal. There was no response.

IV. **LAND SUBDIVISION ITEMS** - The Subdivision Committee met on Thursday, January 7, 2010, at 8:30 a.m. The meeting was attended by Commission members: Derek Paulsen, Mike Owens and Mike Cravens. Committee members in attendance were: Hillard Newman, Division of Engineering; and Jeff Neal, Division of Traffic Engineering. Staff members in attendance were: Bill Sallee, Tom Martin, Chris Taylor, Cheryl Gallt and Denice Bullock, as well as Captain Charles Bowen and Firefighter 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. **CONSENT AGENDA - 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.

Requests can be made to remove items from the Consent Agenda:
(1) due to prior postponements and withdrawals,
(2) from the Planning Commission,
(3) from the audience, and
(4) from Petitioners and their representatives.

At this time, Chairman Penn requested that the Consent Agenda items be reviewed. Mr. Sallee identified the following items appearing on the Consent Agenda, and oriented the Commission to the location of these items on the regular Meeting Agenda. He noted that the Subdivision Committee had recommended conditional approval of these items. (A copy of the Consent Agenda is attached as an appendix to these minutes).

1. PLAN 2010-1P: HILLENMEYER (GREENDALE ROAD) (AMD) (3/30/10)* - located at 745 Greendale Road and 2801 Sandersville Road. (Council District 2) **(Hall-Harmon)**

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

Note: The purpose of this amendment is to revise the detention areas in Area A and Area B.

The Subdivision Committee Recommended: Approval, subject to the following requirements:
1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers, and floodplain area.
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. Department of Environmental Quality's approval of environmentally sensitive areas.
5. Greenspace Planner's approval of the treatment of greenways and greenspace.
6. Denote the source of contour information.
7. Denote the proposed easement.
8. Denote the construction access.
9. Denote the general description of the trees.
10. Denote the private utilities providers.
11. Denote the average lot size for single family lots.
12. Denote the acreage in the proposed right-of-way.
13. Denote the lineal feet of the proposed streets.
14. Denote: No development or Improvement Plans for the streets adjacent to and including lots 15-52, 63-101, 116-144 and 166-180 shall be approved until cemetery protection measures have been determined.
15. Review by the Technical Committee prior to certification.

2. DP 2010-1: MAN O' WAR DEVELOPMENT, UNIT 2A, LOT C-2 (PET SUITES) (AMD) (2/28/10)* - located at 2057 Bryant Road. (Council District 6) **(Summit Engineering)**

Note: The purpose of this amendment is to add 4,500 square feet of buildable area.

The Subdivision Committee Recommended: Approval, subject to the following requirements:
1. Urban County Engineer's acceptance of drainage, storm, and sanitary sewers, and the treatment of steep slopes.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas, to include the development on areas of steep slopes (greater than 15%).
7. Division of Fire's approval of emergency access and fire hydrant locations.
8. Division of Waste Management's approval of refuse collection.
9. Provide owner and developer's information.
10. Denote construction access and document access agreement with adjoining property.
11. Delete note #8.
12. Revise note #16 to indicate current NFIP map number.
13. Denote building height(s).
14. Correct owner's certification.
15. Denote location of detention.
16. Correct parking information in site statistics.
17. Provide dimensions on existing building.

In conclusion, Mr. Sallee said that the items listed on the Consent Agenda could be considered for conditional approval at this time by the Commission, unless there was a request for an item to be removed from consideration for discussion.

Planning Commission Comment – Chairman Penn asked if anyone in the audience or on the Commission wished to discuss either of the items listed on the Consent Agenda. There was no response.

Action - A motion was made by Mr. Holmes, seconded by Ms. Whitman and carried 8-0 (Brewer, Cravens and Wilson absent) to approve the items listed on the Consent Agenda.

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. DEVELOPMENT PLANS

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

a. DP 2008-131: ELLERSLIE PLACE, LOT 2 (BELL PLACE) (AMD.) (4/8/10)* - located at 225 Walton Avenue. (Council District 3) **(Barrett Partners)**

Note: The purpose of this amendment is to construct the proposed access to Midland Avenue.

Note: The Planning Commission originally approved this plan on October 9, 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 parking, circulation, access and street cross-sections.
3. Building Inspection's approval of 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 Waste Management's approval of refuse collection.
9. Approval of street names and addresses per the street addressing office.
10. Correct note number 6.
11. Addition of the required Private Access Easement maintenance note.
12. Addition of typical parking and drive aisle dimensions.
13. Addition of building dimensions, floor area and height of existing building.
14. Denote: The pedestrian access and the potential for gates will be discussed with an amended final development plan.
15. Extend the pavement 30' beyond the rail line right-of-way into the interior of the property.

Note: The applicant now requests reapproval. This plan has also been forwarded to the Planning Commission for continued discussion by the Infill & Redevelopment Senior Planner. The applicant and the IR Senior Planner met and reviewed the proposed changes to access from Midland Avenue required by the State. The proposed changes do not require any additional conditions from those approved by the Planning Commission on October 9, 2008.

The Staff Recommends: Reapproval of this plan, subject to the previous conditions.

Staff Presentation – Mr. Emmons directed the Commission's attention to the Ellerslie Place, Lot 2 (aka Bell Place) development plan. He noted that there are two renderings of the final development plan for property located at 225 Walton Avenue being shown. The first rendering references the original October 9, 2008, Planning Commission's approval and the second rendering relates to the amended final development plan that has been forwarded to the Planning Commission for continued discussion. He then said that in order to facilitate the Infill and Redevelopment activities, the Planning Commission's adoption of the 2010 Official Meeting and Filing Schedule allows the Infill and Redevelopment Planner the ability to place an item within the Infill and Redevelopment Area on the next available agenda for discussion, if needed. Without this provision this small change in the access configuration would have had to be postponed to the February meeting.

Mr. Emmons directed the Commission's attention the staff's exhibit, which shows the details of Kentucky Department of Transportation's (KDOT) striping plan for Midland Avenue and the previously approved and currently proposed access design for the subject property. He stated that the subject property extends from Walton Avenue to Midland Avenue. The applicant is proposing to add a right turn lane approximately 145 feet in width at Midland Avenue, as well as a redesign of the access into Midland Avenue to clearly show that this entrance will be a right-in and right-out only. The current design has been requested by KYDOT. The reconfiguration of the access point shifts the access by about 50 feet. Staff is allowed to approve modifications of up to 25 feet, which is the reason this change had to be referred back to the Commission.

In conclusion, Mr. Emmons said that the staff has reviewed the proposed changes to the access to Midland Avenue, and agrees with the reapproval request. He said that the proposed changes do not require any additional conditions from those originally approved by the Planning Commission on October 9, 2008.

Planning Commission Questions – Ms. Roche-Phillips asked if there is an aerial photograph available showing Lewis Street and how close the existing structure is to the site. Mr. Emmons noted that in reviewing the aerial photograph, Lewis Street is not shown. The existing structure on the site is oriented to Walton Avenue and not Midland Avenue. Ms. Roche-Phillips then asked the location of the granite/stone company. Mr. Emmons said that the granite/stone company has their storage facility near/or the corner of Midland Avenue and Winchester Road. Ms. Roche-Phillips asked if the staff could estimate the location of the granite/stone company. Mr. Emmons pointed out on the aerial photograph the location of the access, as well as the location of the granite/stone company.

Mr. Owens asked if the proposed turn lane will be a right-in and right-out only. Mr. Emmons said that with the original approval, the turn lane was intended to be a right-in and right-out; and since that time, the applicant has met with the Kentucky Department of Transportation (KDOT), who is in favor of the proposed changes in access from Midland Avenue. Mr. Owens said that in looking at the original rendering, the access could have been a full access or a right-

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in and right-out access. Mr. Emmons agreed and said that at the time this item was originally approved, the State's striping plan was not known.

Mr. Penn asked if the sight distance will be a problem. Mr. Emmons replied that there will not be a problem with the sight distance.

Representation – Tony Barrett, Barrett Partners, was present representing the applicant. He said that they have met with KDOT and, over time, the configuration being shown was deemed to be appropriate. He then said that they are in agreement with the staff's recommendations, and requested approval.

Planning Commission Questions – Mr. Penn asked if this item has gone before the Technical Committee. Mr. Emmons replied that the continued discussion had not been, but the Technical Committee members' signoffs are listed in the conditions. He added that KDOT is in agreement with the proposed access, and they (KDOT) have requested this type of design.

Ms. Roche-Phillips asked, if this plan is reapproved, if the approval will be for the entire Ellerslie Place project; and, if so, when it will expire. Mr. Emmons said that the applicant will only have approval to construct the proposed entrance onto Midland Avenue, as well as the original development along Walton Avenue. He then said that when the Commission approved the zone change for this property, there was a conceptual development plan submitted. The applicant will need to come back to the Planning Commission with a final development plan for the entire Ellerslie Place project prior to any commencement of additional building construction. Mr. Sallee said that as part of the improvements, the development plan also shows a detention basin, which could be constructed along with the proposed access point.

Mr. Penn asked if the construction of the detention basin has been approved. Mr. Emmons replied affirmatively, and pointed out the location of the detention basin on the rendering.

Ms. Copeland asked the zoning of the property. Mr. Emmons said that the property is currently zoned Mixed-Use 3.

Ms. Roche-Phillips asked if the applicant is taking advantage of the topography near the sinkhole. Mr. Barrett said that the detention basin is located at the low end of the site; and at this time, it is uncertain if there is a sinkhole or former pond on site. He then said that further geological studies would need to be conducted to determine whether or not there is a sinkhole in the area of the closed contours of the land. Mr. Barrett said that during the original approval, there were questions as to why the applicant wanted to create this entrance, and he noted that they want to: 1) coordinate the entrance with the work being provided by the City or State along Midland Avenue; and 2) to demonstrate to potential investors how the access will work. He then said that due to the configuration of the Lexington Cut Stone and the existing entrance, they are having difficulty illustrating what their vision of the entrance will be to investors.

Mr. Owens said that the purpose of this amendment is to construct the proposed access to Midland Avenue, and asked if the detention basin is also being approved. Mr. Emmons said that the detention basin was a part of the development plan. Mr. Owens then asked if the detention basin was approved with the original development plan. Mr. Barrett said that the detention basin and the entrance were on the originally approved development plan.

Audience Comment – Mr. Penn asked if anyone in the audience wished to discuss this request. There was no response.

Action - A motion was made by Ms. Roche-Phillips, seconded by Ms. Richardson, and carried 8-0 (Brewer, Cravens and Wilson absent) to reapprove DP 2008-131, subject to the original conditions listed on the agenda, to include the modified access onto Midland Avenue and recognize the detention basin, as shown on the plan.

C. PERFORMANCE BONDS AND LETTERS OF CREDIT – A motion was made by Mr. Owens, seconded by Ms. Roche-Phillips, and carried 8-0 (Brewer, Cravens and Wilson absent) to approve the release and call of bonds as detailed in the memorandum dated January 14, 2010, from Ron St. Clair, Division of Engineering.

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

A. PFR 2009-7: FAYETTE COUNTY PUBLIC SCHOOLS – a public facilities review of acquisition of property located at 1126 Russell Cave Road for use as a storage/warehouse facility.

Staff Presentation – Ms. Rackers stated that the Fayette County Public Schools (FCPS) has requested a Public Facility Review for property located at 1126 Russell Cave Road. She directed the Commission's attention to the rendering of the overall area, and noted that the subject site is adjacent to the railroad tracks that cross Russell Cave Road and is in the general vicinity of the Legends ball park (Apple Bee's Park). She then stated that the subject site is currently zoned I-1 and it is surrounded by residential (R-3) and commercial (B-3) and Light Industrial (I-1) zoning. She noted the location of Faith

Street, which is adjacent to the railroad tracks and Kees Road, which provides a connection to North Broadway byway of Twelfth Street.

Ms. Rackers then directed the Commission's attention to the site plan and stated that the subject site is 4.66 acres in size and the existing building square footage is 101,065. This warehouse storage facility was used by the IBM/Lexmark Corporation until 2005, and since that time has been used by other tenants. She noted that the warehouse building includes offices, storage areas, and work areas. She said that the access into the property will be from Russell Cave Road via a shared access with the adjoining property located at 1124 Russell Cave Road. There are 74 parking spaces on site, as well as loading dock space.

Ms. Rackers said that the 2007 Comprehensive Plan recommends Warehouse/Wholesale land use, and these uses include such activities as bulk storage; wholesale; retailers that do not depend on walk-in business, and larger item sales, such as boats. She then said that the land uses allowed in the I-1 zone are those allowed in the B-4 zone, which corresponds to the 2007 Comprehensive Plan recommendation for the property. As required by KRS 100.324(4), the staff had reviewed the 2007 Comprehensive Plan. There are three Goals and thirteen Objectives that are in support of this proposed use of the property, which are listed in the staff report.

Ms. Rackers stated that, according to Property Valuation Administrator (PVA) records, this property is listed as a storage warehouse. This was validated by an employee of the FCPS Department of Physical Support Services, who also said that this site was used by IBM/Lexmark as a warehouse storage facility up until 2005, and after that time other entities had used the site for the same purpose. She said that the FCPS wants to use this site for their Logistical Services Warehouse Division to store furniture, books and other items for the school district. This site will be used as the receiving and distribution center for Fayette County Public Schools, as well as for their Purchasing Department.

Ms. Rackers stated that in December 2008, FCPS had requested a Public Facility Review for their bus facility located on Miles Point Way. The move to Miles Point Way was due to the construction of the new football stadium at Lafayette High School, which resulted in the elimination of storage space for buses and necessitated moving them elsewhere in Lexington. Demolition of buildings at Lafayette also resulted in a loss of storage space, and FCPS now has storage locations throughout the city. A representative of the Department of Physical Services had stated that the warehouse storage facility (1126 Russell Cave) is large enough to accommodate all of the storage needs of FCPS.

Ms. Rackers then stated that a small portion of the warehouse building will be converted to and used as office space for 25 employees of the FCPS, likely for their Purchasing Department. She said that these employees will be present half a day (7:00 a.m until 1:30 p.m.), which will require at least 25 parking spaces. She then said that overall there are 74 parking spaces on site, as well as the loading dock spaces, and even though this proposal does not meet the Zoning Ordinance requirements, there are more than enough parking spaces being provided at this time, unless a request for new construction were submitted.

Ms. Rackers said that there are several easements located on the subject site; however, no encroachment agreement(s) would be necessary since the warehouse building does not encroach into any easements. She then said that there is no FEMA floodplain located either on or near the property; therefore that is not an issue. However, on the plat there is a note that references a fire safety issue with the adjoining building (1124 Russell Cave Road). She said that there is a small space that crosses the property line between these two buildings; and according to the note on the plat there should be no further occupancy of these buildings until the LFUCG Division of Fire has approved the separation of the fire protection facilities. She noted that this is not a zoning issue from which the school system would be exempt but is a life/safety issue that needs to be addressed prior to the building being occupied.

Ms. Rackers stated that even though there are residential uses along the southern portion of the property, historically the site has been used as a warehouse storage facility use of the property by FCPS as a storage building would likely create less of an impact than a commercial entity. She said that the proposed use is permitted in the I-1 zone; it meets the land use description of the 2007 Comprehensive Plan; and there are several Goals and Objectives either in support of, or are supported by, the proposed use of the property, in particular, those that are related to the revitalization and reuse of underutilized employment centers, as well as those that relate to provision of employment areas that are accessible to employees.

Ms. Rackers concluded by saying that the staff is recommending approval, subject to the following recommendation:

1. Because the notes that appear on the site plan (fire protection and building code compliance notes) related to life, health and safety issues, that they be followed as stipulated; and that any permits or modifications to building(s) that are required by those notes be obtained prior to occupancy of the property by Fayette County Public Schools.

Ms. Rackers noted that there was no one present at this meeting to represent the Fayette County Public Schools.

<u>Planning Commission Comments</u> – Given the amount of impervious surface, Ms. Copeland asked if there is a retention basin on site. Ms. Rackers said that there is a retention basin located in the southeast portion of the site. Ms. Copeland asked if that basin will be able to handle the water runoff from the property. Ms. Rackers noted that Division of Engineering could reply to that question. Ms. Copeland said that there is a large amount of runoff from this area and it should be noted that the runoff needs to be lessened or handled appropriately. Ms. Rackers said that it is only the use of the property that is changing, not any physical

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element, and she was not sure if the Commission could require additional remedies for runoff management. Ms. Copeland said that the Commission could comment on decreasing the amount runoff because it was difficult to believe that this retention basin could handle this site. Ms. Rackers commented that her concerns would be noted. Ms. Copeland said that with a past case, a larger basin was shown for the same amount of square footage, and asked if a representative of the Division of Engineering was present for comment. Ms. Rackers replied that Mr. Newman was not present.

Mr. Penn asked if there is a common wall between the two buildings (1124 and 1126 Russell Cave Road). Ms. Rackers said that there is a fire protection area between the two buildings. She said that this will need to be approved by the Lexington-Fayette Urban County Government Division of Fire prior to occupancy. Mr. Penn then asked if there could be a sprinkler system between the two buildings. Ms. Rackers noted that the staff was unsure, but there is a note on the plat that references the fire protection area. Mr. Penn asked if the FCPS had purchased this building. Ms. Rackers replied affirmatively.

Mr. Penn asked for guidance from the Department of Law, as to how the motion should be presented. Ms. Boland said that the purpose of a Public Facility Review is to determine whether and to what extent this proposal complies with the 2007 Comprehensive Plan. She then said that the staff believes that this proposal meets the 2007 Comprehensive Plan requirements; therefore, the Commission would make a motion accepting the staff report as it is presented.

<u>Action</u>: A motion was made by Ms. Richardson, seconded by Mr. Paulsen, to approve the Public Facility Review for property located at 1126 Russell Cave Road, as presented by the staff.

<u>Discussion of Motion</u> – Mr. Holmes noted his concerns with the stormwater drainage, and asked if the Commission could make a motion to make FCPS aware of the situation. Ms. Copeland responded that the goal is to reduce the amount of runoff. Mr. Holmes said that the school system needs to be aware of these concerns associated with the retention basin as new improvements are done.

Mr. Penn asked for guidance from the staff, as to how this could stay within the Commission's purview. Mr. King replied that the Commission could either 1) add additional language to the motion; or 2) make a separate motion, advising the Fayette County Public Schools to consider this type of issue in their treatment of the site. He said that the Commission can express their concern to the FCPS and request that they review this situation.

Mr. Penn suggested that the motion on the floor be carried out, and then the Commission could make a second motion expressing their concerns.

The motion carried 8-0 (Brewer, Cravens and Wilson absent)

Mr. Holmes asked if Mr. King could restate his previous suggestion. Mr. King stated that in addition to communicating the previous motion to the Fayette County Public Schools, the Commission could include language regarding their concern that this site has an extensive amount of impervious surface and that Fayette County Public Schools give consideration to any improvements that could be made on the site for the management of the quantity and quality of the stormwater.

Ms. Copeland said that the goal is to have them meet the requirements of the 2007 Comprehensive Plan.

<u>Action</u>: A motion was made by Mr. Holmes, seconded by Ms. Richardson, and carried 8-0 (Brewer, Cravens and Wilson absent) to add the statement as it was presented by Mr. King.

B. <u>ELECTION OF OFFICERS</u> – The Commission's By-laws state that at the first regular meeting in January, the Commission shall elect a Chairperson, Vice-Chairperson, Secretary, and Parliamentarian. The nominating committee 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	-	Frank Penn
Vice Chairperson	-	Carolyn Richardson
Secretary	-	Mike Owens
Parliamentarian	-	Mike Cravens

<u>Nominating Committee Report</u> – Ms. Roche-Phillips stated that the nominating committee recommended the following slate of Planning Commission Officers for 2010:

<u>2010 Officer Slate</u>:

Chairperson	-	Frank Penn
Vice Chairperson	-	Carolyn Richardson
Secretary	-	Mike Owens
Parliamentarian	-	Mike Cravens

<u>Other Nominations</u> – There were no other nominations from the floor.

Action - A motion was made by Mr. Holmes, seconded by Ms. Whitman and carried 8-0 (Brewer, Cravens and Wilson absent) to approve the Planning Commission's slate of officers, as presented.

C. **DELEGATION OF SECRETARY'S DUTIES** – The Commission's past procedure for carrying out the Secretary's duties, except for signing minutes, has been to delegate that authority to the Director of the Division of Planning and his staff. The Chair will request the Commission consider taking action on this matter.

Planning Commission Comments – Mr. Penn stated that, in past, procedure the Planning Commission has delegated the secretary's duties to the Director of the Division of Planning and his staff, for signing of development plans and such. He requested that the Commission consider taking action on this matter.

Action - A motion was made by Ms. Roche-Phillips to delegate the Secretary's duties to the Director of the Division of Planning and his staff.

Ms. Roche-Phillips withdrew her motion.

Mr. Penn said that the action is delegating the secretary's duties to the Director of the Division of Planning with the exception of signing of the minutes.

Action - A motion was made by Ms. Copeland, seconded by Ms. Richardson and carried 8-0 (Brewer, Cravens and Wilson absent) to delegate the Secretary's duties to the Director of the Division of Planning and his staff, with the exception of signing the minutes.

VI. **STAFF ITEMS**

A. **APA AUDIO CONFERENCE** - Ms. Rackers reminded the Commission that there would be an APA audio-conference in the Division of Planning Conference Room on Wednesday, January 20, 2010, beginning at 4:00 p.m. The title of this conference is "Performance Measurement in Transportation Planning" and will count toward 1.5 hours of training credit for the Planning Commission members, as well as staff.

B. **DIRECTOR'S COMMENTS** – Mr. King said that with the conclusion of 2009 schedule, the Planning Commission is now back on a regular schedule of meetings. He noted that there is a work session scheduled for January 21, 2010; and during this time, there will be a presentation given by a consulting firm regarding the Complete Streets Project.

VII. **AUDIENCE ITEMS** – There were none offered.

VIII. **NEXT MEETING DATES -**

Work Session, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... January 21, 2010
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building) .... January 27, 2010
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... **January 28, 2010**
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building) .... February 4, 2010
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building) .... February 4, 2010
Subdivision Items Public Meeting, Thursday, 1:30 p.m., 2nd Floor Council Chambers .... **February 11, 2010**

IX. **ADJOURNMENT** - There being no further business, Chairman Penn adjourned the meeting at 2:11 p.m.

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Frank Penn, Chair

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Mike Owens, Secretary

CT/CG/TM/WLS/BR/SDB

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