

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

April 13, 2017

- 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** – There are no minutes to consider.
- 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, April 6, 2017, at 8:30 a.m. The meeting was attended by Commission members: Karen Mundy, Carolyn Plumlee, Joe Smith, Frank Penn and Mike Owens. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Casey Kaucher, Division of Traffic Engineering. Staff members in attendance were: Bill Saltee; Tom Martin; Jimmy Emmons; Denice Bullock; Chris Bronczyk; Cheryl Gallt; Captain Greg Lengal and Lieutenant Joshua Thiel, Division of Fire & Emergency Services; and Andrea Brown, 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 staff no later than two days prior to the meeting. The Chair will announce his/her decision at the outset of the hearing.

1. FINAL SUBDIVISION PLANS

- a. PLN-MJSUB-17-00002: LEXINGTON MALL (CROSSFIT MAXIMUS) (AMD) (4/13/17)* - located at 2397 Richmond Road. (Council District 5) **(Abbie Jones Consulting)**

Note: The Planning Commission postponed this item at their February 9, 2017 and March 9, 2017, meetings. The purpose of this amendment is to subdivide one lot into two, and re-route a utility easement.

The Subdivision Committee Recommended: Postponement. This is a two-lot subdivision, but only one lot has been depicted on this plat.

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.
4. Addressing Office's approval of street names and addresses.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.

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

6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 8. Addition of site statistics (lot acreage, frontage, zoning, number of lots).
 9. Revise proposed 10' sanitary sewer easement to meet the 15' minimum requirement, per the Engineering Manuals.
 10. Addition of access easement maintenance note as required by Art. 5-4(h)(1) of the Subdivision Regulations.
 11. Denote reciprocal parking and access for the-proposed lots.
 12. Revise Land Surveyor and Urban County Engineer's certification, and discuss possible need for a waiver from the Planning Commission.
 13. Extend sidewalk easement onto remaining tract (Lot 2)-previously denoted on Cabinet R, Slide 385.
 14. Discuss sanitary sewer service to new lot, and possible waiver.
 15. Correct Planning Commission certification to reflect "major" certification, per the Land Subdivision Regulations.
 16. Provided the Planning Commission makes a finding on the access easement (private driveway), per Article 6-8(m) of the Land Subdivision Regulations.
 17. Include all of Tract A (Lot 2) on plat, per Article 5-4 of the Land Subdivision Regulations.
- b. PLN-MJSUB-17-00013: COVEY RIDGE DEVELOPMENT CO. (LOT 1) (AMD) (5/7/17)* - located at 5531 Athens Booneboro Road. (Council District 12) **(S. Mark McCain, RLA)**

Note: The Planning Commission postponed this item at their March 9, 2017, meeting. The purpose of this amendment is to subdivide one lot into two lots and add an access easement.

The Subdivision Committee Recommended: **Approval**, 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.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 9. Remove parking/access conflict and label all lots that are referenced in note #9.
 10. Complete note #6 referencing "Chapter 16 of the Code Ordinance."
 11. Correct plan title to "Amended."
 12. Addition of name and address of owner/developer on plan.
 13. Provided the Planning Commission grants the requested waiver to Article 6-6 of the Land Subdivision Regulations.
- c. PLN-MJSUB-17-00015: HILLENMEYER PROPERTY WEST, UNIT 3, SEC. A (6/4/17)* - located at 2801 Sandersville Road. (Council District 2) **(Hall-Harmon Engineers, Inc.)**
- The Subdivision Committee Recommended: **Approval**, 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.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 9. Increase font size.
 10. Show Sandersville Road connection to Citation Boulevard.
 11. Resolve timing of construction of Mable Lane to Sandersville Road.
- d. PLN-MJSUB-17-00016: HILLENMEYER PROPERTY WEST, UNIT 3, SEC. B (6/4/17)* - located at 2801 Sandersville Road. (Council District 2) **(Hall-Harmon Engineers, Inc.)**

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.

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2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Building Inspection's approval of landscaping.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 9. Increase font size.
- e. PLN-MJSUB-17-00017: TUSCANY, UNIT 11-A (6/4/17)* - located at 2599 Old Rosebud Road.
(Council District 6) **(EA Partners)**

The Subdivision Committee Recommended: **Approval**, 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.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 8. Denote steep slope location on plan as shown on preliminary subdivision plan.
 9. Change vicinity map to match direction of plan.
 10. Denote that the corner lot will access the local street.
- f. PLN-MJSUB-17-00018: TUSCANY, UNIT 11-B (6/4/17)* - located at 2599 Old Rosebud Road.
(Council District 6) **(EA Partners)**

The Subdivision Committee Recommended: **Approval**, 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.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree protection area(s) and required street tree information.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
 8. Denote steep slope location on plan as shown on preliminary subdivision plan.
 9. Denote that the corner lot will access the local street.
- g. PLN-MJSUB-17-00019: MYERS PROPERTY, UNIT 1-C (AMD) (6/4/17)* - located at 2441 Fieldrush Road.
(Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to reflect the revised location of the sidewalk within the right-of-way of Fieldrush Road.

The Subdivision Committee Recommended: **Approval**, 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. Denote name and address of property owner and developer on plan.
 4. Addition of bearings and distance for right-of-way, per previous plat.
 5. Addition of site statistics (zoning, street frontage...).
 6. Addition of street address of adjacent lots on plan.
 7. Addition of cul-de-sac/eyebrow detail on plan, per previous plat.
 8. Revise Urban County Engineering's Certification, to the approval of the Division to Engineering.
 9. Resolve "owner" signature for plat.
- h. PLN-MJSUB-17-00020: HILLENMEYER PROPERTY, UNIT 2-C (6/4/17)* - located at 744 Greendale Road.
(Council District 2) **(EA Partners)**

The Subdivision Committee Recommended: **Approval**, 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.
4. Addressing Office's approval of street names and addresses.

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5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Addition of note #21 from preliminary subdivision plan and clarify applicable areas on plat.
9. Clarify vicinity map.

- i. PLN-MJSUB-17-00021: HILLENMEYER PROPERTY, UNIT 2-A (6/4/17)* - located at 744 Greendale Road.
(Council District 2) **(EA Partners)**

The Subdivision Committee Recommended: **Approval**, 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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Addition of note #21 from preliminary subdivision plan and clarify applicable areas on plat.
9. Denote Lots 1 & 90 shall not have access to Greendale Road.
10. Denote that the corner lot will access the local street.

- j. PLN-MJSUB-17-00022: HILLENMEYER PROPERTY, UNIT 2-B (6/4/17)* - located at 744 Greendale Road.
(Council District 2) **(EA Partners)**

The Subdivision Committee Recommended: **Approval**, 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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Addition of note #21 from preliminary subdivision plan and clarify applicable areas on plat.
9. Include the remnant property behind Lots 68-72 on Greendale Road on plat.

- k. PLN-MJSUB-17-00023: THE GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES) (AMD) (6/4/17)* - located at 2731 and 2751 Leestown Road. (Council District 2) **(Integrated Engineers)**

Note: The purpose of this amendment is to re-subdivide the property into six lots.

The Subdivision Committee Recommended: **Postponement**. There were some questions regarding the number of waivers required and the provision of the sanitary sewer service to the existing home.

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.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) 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. 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. Addition of control monument information per Article 5-4(d)(6) of the Subdivision Regulations.
11. Addition of all stub street information and locations.
12. Remove all consolidation symbols and information from plan.
13. Correct plan title.
14. Addition of purpose of amendment note on plan.
15. Number general notes.
16. Revise site statistics to meet the final record plat requirements.
17. Discuss need for lot frontage waiver(s).
18. Discuss need for waiver for sanitary sewer service.

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19. Discuss existing septic tank and drain field location and waiver of 10 acre requirement.

- I. PLAN 2015-105F: PATCHEN WILKES TOWNHOMES (6/26/17)* - located at 2101 Patchen Lakes Lane.
(Council District 6) **(Eagle Engineering)**

Note: The Planning Commission originally approved this plan on October 8, 2015, 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. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Denote Amended Final Development Plan for townhomes' certification prior to plat recordation for Lots 1-8.
10. Denote Board of Adjustment's Administrative Appeal approval (A-2015-56).

Note: This plan has not been certified and Commission approval has since expired. The applicant is now requesting reapproval of the plan.

The Staff Recommended: **Reapproval**, subject to the original conditions approved at the October 8, 2015, meeting.

- m. PLN-MJSUB-17-00027 (AKA: PLAN 2006-151F): GLEN CREEK, UNIT 3-C, SECTION 1 (DOVE CREEK) (7/4/17)* –
located at 1145 Appian Crossing Way. (Council District 8) **(Thoroughbred Engineering)**

Note: The Planning Commission originally approved this plan on August 10, 2006, 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. Approval of street names by e911 staff.
5. Urban Forester's approval of tree preservation plan.
6. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Correct adjacent property information.
8. Provided all appropriate access easements are recorded to serve the properties.
9. Provided the Planning Commission makes a finding according to Article 6-8(m) and grants a waiver of Article 6-4(c) of the Land Subdivision Regulations.

The Planning Commission made a finding to Article 6-8(m) and granted a waiver of Article 6-4(c) of the Land Subdivision Regulations, for the following reasons:

- a. The proposed use of access easements is consistent with previously approved plans utilizing access easements as approved by the Planning Commission on a final development plan.
- b. Requiring public streets at this time would constitute an undue hardship for the applicant.

Note: The Planning Commission reapproved this plan on October 11, 2012, subject to the original conditions, modifying the following conditions:

3. Building Inspection's approval of landscaping ~~and required street tree information~~.
5. Urban Forester's approval of tree ~~preservation~~ protection plan and required street tree information.

Note: This plan has not been certified and Commission approval has since expired. The applicant is now requesting reapproval of the plan.

The Staff Recommends: **Reapproval**, subject to the conditions approved for this plat at the October 11, 2012, meeting.

- n. PLAN 2015-138F: ZANDALE SHOPPING CENTER, LOTS 2 & 4 (AMD) (6/21/17)* - located at 2220 & 2230 Nicholasville Road. (Council District 4) **(Endris Engineering)**

Note: The purpose of this amendment is to subdivide one lot into two lots and create a utility easement. The Planning Commission originally approved this plan on December 10, 2015, 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. Building Inspection's approval of landscaping.
4. Addressing Office's approval of street names and addresses.

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5. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Department of Environmental Quality's approval of environmentally sensitive areas (steep slopes).
7. Correct plan title by adding "Amended."
8. Resolve location of "as-built drainage easement" that crosses the property not included as part of this plat.
9. Resolve timing of release of existing "20' drainage easement – PC 'F', Sl. 532" prior to recording.

Note: This plan has not been certified and Commission approval has since expired. The applicant is now requesting reapproval of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions approved at the December 10, 2015, meeting, adding one additional condition:

10. Denote as an "Amended" Final Record Plat in title block.
- o. PLAN 2016-2F: PATCHEN PLACE SUBDIVISION, UNIT 1 (6/21/17)* - located at 2800 and 2890 Richmond Road. (Council District 5) **(Endris Engineering)**

Note: The purpose of this plat is to show the reconfiguration from three lots to four lots; to dedicate the service road right-of-way and create new utility easements. The Planning Commission originally approved this plan on February 11, 2016, 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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
6. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
7. If approved, denote date and ordinance of Gribbin Drive right-of-way closure, or revise plan boundaries.
8. Resolve compliance with the Richmond Road Landscape Corridor Ordinance.

Note: This plan has not been certified and Commission approval has since expired. The applicant is now requesting reapproval of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions approved at the February 11, 2016, meeting, adding one additional condition:

9. Revise plan preparer information on plan (removing Wheat & Ladenburger).

2. **DEVELOPMENT PLANS**

- a. PLN-MJDP-17-00006: LEXINGTON MALL (CROSSFIT MAXIMUS) (AMD #21) (4/13/17)* - located at 2397 Richmond Road. (Council District 5) **(Abbie Jones Consulting)**

Note: The Planning Commission postponed this item at their February 9, 2017 and March 9, 2017, meetings. The purpose of this amendment is to add 20,000 sq. ft. of buildable area and revise parking.

The Subdivision Committee Recommended: **Postponement**. The proposed development plan lacks the necessary information required by Article 21-6 of the Zoning Ordinance, and the latest development plan has not been used in preparation for this amendment.

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. 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 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. Complete Parcel A property line information (using solid lines) as required by Art. 21-6(a)(2) of the Zoning Ordinance.
11. Correct plan title.
12. Revise all out lot information, per Lexington Mall Amd. #19 & Amd. #20.

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13. Addition of location and dimensions of existing and proposed driveways, walk ways, parking areas, ingress and egress.
 14. Denote construction access location on plan.
 15. Denote building height in feet on plan for new building.
 16. Addition of all information from previous development plan Lexington Mall Amd. #11 & Amd. #15 (DP 2005-118 and DP 2015-60).
 17. Denote steep slope information, including topography on plan.
 18. Addition of all existing and proposed utilities on Parcel A.
 19. Clarify use of perimeter areas adjacent to building.
 20. Correct site statistics.
 21. Correct notes #2 & #3.
 22. Addition of record plat information per proposed amended plat.
 23. Addition of tree canopy information for Parcel A, as required by Art. 26 of the Zoning Ordinance.
 24. Discuss pedestrian access to new proposed building from Woodhill Drive.
- b. PLN-MJDP-17-00015: ETHINGTON & ETHINGTON PROPERTY, TRACT 1 (5/7/17)* - located at 4145 and 4235 Harrodsburg Road. (Council District 10) **(Vision Engineering)**

The Subdivision Committee made no recommendation.

The Technical Committee and Staff Recommended: **Postponement**. There were some questions regarding timing of the public infrastructure and tree preservation 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.
 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 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 the Capacity Assurance Program requirements, prior to plan certification.
 12. Addition of required 10' building line on all R-1T lots.
 13. Delete proposed and existing zone site statistics table.
 14. Denote lot coverage and floor area ratio for the B-1 area.
 15. Denote townhome dimensions and height in feet on plan.
 16. Addition of TPP per Article 26 of the Zoning Ordinance.
 17. Discuss timing of Madrone Way construction.
 18. Discuss timing of Syringa Drive construction.
 19. Discuss landscaping adjacent to Harrodsburg Road.
 20. Discuss sidewalk improvements to Harrodsburg Road.
 21. Discuss proposed stormwater detention location(s).
 22. Discuss architectural details and orientation for B-1 buildings.
 23. Discuss landscaping along access easement (B-1 to R-1T).
 24. Discuss exterior lighting in the B-1 area.
 25. Discuss timing of median closure on Harrodsburg Road.
- c. PLN-MJDP-17-00018: WEBB PROPERTIES, UNIT 1 (REGENCY DEVELOPMENT) (KROGER STORE L-352) (AMD) (6/4/17)* - located at 150 W. Lowry Lane. (Council District 10) **(The Roberts Group)**

Note: The purpose of this amendment is to add an 8 stall clicklist and 1,875 sq. ft. building expansion for the existing grocery store.

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. 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 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.

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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. Update note #21 (2017).

- d. PLN-MJDP-17-00019: MAPLELEAF SUBDIVISION, LOT 10 (THRIVE CHURCH) (AMD) (6/4/17)* - located at 3162 Mapleleaf Drive. (Council District 7) **(Brandstetter Carroll, Inc.)**

Note: The purpose of this amendment is to revise the building footprint, vehicular circulation and parking provided for Lot 10 and the overall site statistics.

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. 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 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. Correct type of plan to "Major" in title block.
11. Clarify area of amendment on vicinity map.
12. Addition of contour lines on area of amendment.
13. Dimension walkways on plan.
14. Denote construction access point on plan.
15. Denote height of building in feet on plan.
16. Update flood insurance rate map reference.
17. Addition of arrows identifying traffic flow at entrance to Mapleleaf Drive.
18. Clarify area labeled "8" on south side of building.
19. Improve plan legibility (notes and metes & bounds description).
20. Denote the use of Lot 10 (church, retail & restaurants), including area for outdoor seating and required parking generator, accordingly.

- e. PLN-MJDP-17-00020: EMBRACE UNITED METHODIST CHURCH (AMD) (6/4/17)* - located at 1001, 1003, 1015 and 1021 N. Limestone. (Council District 1) **(Vision Engineering)**

Note: The purpose of this amendment is to add one dwelling unit.

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. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
6. Correct note #17 to reference the recorded minor consolidation plat.
7. Denote approval of the Royal Springs Wellhead Protection prior to certification.

- f. PLN-MJDP-17-00021: JOE MONTGOMERY PROPERTY (PALOMAR CENTER) (AMD #20) (6/4/17)* - located at 3735 Palomar Centre Drive. (Council District 10) **(GRW Engineering)**

Note: The purpose of this amendment is to build a restaurant with a drive-through and relocate the above ground stormwater detention to an underground storm vaults.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers and geotechnical report.
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 preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas and geotechnical report.
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.

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

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. Denote address of plan preparer on plan.
12. Remove copyright information from plan.
13. Denote Board of Adjustment's approval of variance on plan.
14. Addition of tree preservation plan as required by Article 26 of the Zoning Ordinance.
15. Denote zoning on parcel to be developed.
16. Denote tree protection information on plan.
17. Denote address of property in title block.
18. Resolve timing of the building easement conflict resolution.

- g. PLN-MJDP-17-00024: MELBOURNE INDUSTRIAL PARK, UNIT 1-G, LOT 12-B (6/4/17)* - located at 892 Nandino Boulevard. (Council District 1) **(Vision Engineering)**

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. 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 preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Denote review by the Royal Springs Aquifer Committee prior to certification.
10. Show access on adjacent properties.
11. Addition of sidewalk to building.
12. Resolve need for a finished floor elevation per plat information shown in Cabinet N, Slide 493.

- h. PLN-MJDP-17-00025: BOONE CREEK OUTDOORS (6/4/17)* - located at 8291 and 8385 Old Richmond Road and 8385 Durbin Lane (a portion of). (Council District 12) **(Barrett Partners)**

The Subdivision Committee Recommended: **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. 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 preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
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. Document that all tree canopy platforms are on property zoned A-N, with mutually agreed upon survey equipment.
10. Document the removal of off-site elements of the tree canopy tour.

- i. PLN-MJDP-17-00026: HAWKINS, HAYDEN, RECTOR PROPERTY (BAPTIST HEALTH) (AMD) (6/4/17)* - located at 2100 and 2108 Nicholasville Road. (Council District 4) **(CMW)**

Note: The purpose of this amendment is to revise the layout for the building and parking on Lot 1.

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. 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 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. Division of Environmental Quality's approval of geotechnical report and denote location of sinkhole.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. Revise Purpose of amendment note.

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12. Increase the font size for the numerical dimensions in the street cross-section on plan.
13. Denote parking requirements of buildings in site statistics.
14. Revise size of detention for new development area to the approval of the Division of Engineering.

- j. PLN-MJDP-17-00027: TATTERSALLS SQUARE, LOT 2 (AMD) (6/4/17)* - located at 867 S. Broadway.
(Council District 11) **(CMW)**

Note: The purpose of this amendment is to change the use of the building on Lot 2, modify the location of an access point and move a dumpster location.

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. 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 preservation plan.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Division of Waste Management's approval of refuse collection locations.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. Identify boundary of property with a solid line.

- k. PLN-MJDP-17-00028: SHOPPERS CHOICE (IGA ROMANY ROAD) (AMD) (6/4/17)* - located at 344 Romany Road and 357 Duke Road. (Council District 5) **(Eagle Engineering)**

Note: The purpose of this amendment is to add 1,287 sq. ft. of buildable area.

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. 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 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. Denote zone-to-zone screening for adjacent properties on plan, or denote approved variance(s).
11. Reduce front building canopy, location to meet 10' setback, or denote approved variance.
12. Clarify or remove note #15.
13. Resolve loading dock enclosure's conflict with existing 18' sanitary sewer & U. E.
14. Provided the Planning Commission makes a finding on the tree canopy.

- l. PLN-MJDP-17-00030: MASTERSON STATION CENTER (CITATION VILLAGE) (AMD) (6/4/17)* - located at 2632 and 2656 Abigail Way. (Council District 2) **(EA Partners)**

Note: The purpose of this amendment is to add a right-in/right-out access point to Leestown Road.

The Subdivision Committee Recommended: **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. Building Inspection's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
6. Addition of outdoor seating (patio) area in site statistics for Outlots 1 & 2 restaurants.
7. Addition of building on Outlot 4 with gas pumps, with dimensions (per site statistics).
8. Addition of walkways on Outlots 3 & 5 (as per Outlots 1 & 2).
9. Provided the Planning Commission grants a waiver to Article 6-8(q)(3)(b) of the Land Subdivision Regulations.

- m. DP 2015-90: MARATHON OIL CO. (SPEEDWAY SUPER AMERICA, LLC) (AMD) (6/21/17)*- located at 140 Mercer Road. (Council District 2) **(McBride Dale)**

Note: The purpose of this amendment is to add a fueling station for commercial trucks behind the existing gas station and convenience store. The Planning Commission originally approved this plan on October 8, 2015, 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. 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 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. Restore and clarify all information for convenience store and site from previous plan.
11. Denote property description of adjoining Lot 2.
12. Reduce size of landscape island at northeast corner of convenience store to place it outside of easement.
13. Denote tree protection area as identified on current development plan.
14. Revise dimensions of storage shed to include gross area.
15. Resolve pedestrian access to Lot 2.
16. Resolve stormwater detention necessary for the proposed use.
17. Resolve 52' wide apron onto Mercer Road from convenience store lot.

Note: This plan has not been certified and Commission approval has since expired. The applicant is now requesting reapproval of the plan.

The Subdivision Committee Recommended: **Reapproval**, subject to the original conditions approved at the October 8, 2015, meeting.

3. **PLAT REVOCATION**

- a. Note: The following plan is requested for revocation pursuant to KRS 100.285.

PLN-MNSUB-16-00031: ELKHORN PARK SUBDIVISION, BLOCK 10, LOTS 3 & 4 (7/3/17)* - located at 1737 and 1743 Woodlark Avenue. (Council District 1) **(Wes Witt)**

The staff will report at the meeting.

- 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. **ZONING ITEMS** - The Zoning Committee met on Thursday, March 2, 2017, at 1:30 p.m. to review zoning map amendments and Zoning Ordinance text amendments. The meeting was attended by Commission members Patrick Brewer, Mike Cravens, David Drake, Carolyn Richardson, and Bill Wilson. The Committee members reviewed applications and made recommendations as noted.

A. **ABBREVIATED PUBLIC HEARINGS ON ZONING MAP AMENDMENTS**

The staff will call for objectors to determine which petitions are eligible for abbreviated hearings.

Abbreviated public hearings will be held on petitions meeting the following criteria:

- The staff has recommended approval of the zone change petition and related plan(s)
 - The petitioner concurs with the staff recommendations
 - Petitioner waives oral presentation, but may submit written evidence for the record
- There are no objections to the petition

- B. **FULL PUBLIC HEARINGS ON ZONE MAP AMENDMENTS** – Following abbreviated hearings, the remaining petitions will be considered.

The procedure for these hearings is as follows:

- Staff 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) (3 minutes each)

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- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Hearing closed and Commission votes on zone change petition and related plan(s)

Note: Requests for additional time, stating the basis for the request, must be submitted to the staff no later than two days prior to the hearing. The Chair will announce its decision at the outset of the hearing.

1. TAYLORMADE REAL ESTATE, LLC ZONING MAP AMENDMENT & WYNNDALE SUBDIVISION ZONING DEVELOPMENT PLAN

- a. PLN-MAR-17-00006: TAYLORMADE REAL ESTATE, LLC (5/7/17)*- petition for a zone map amendment from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone, for 3.77 net (4.80 gross) acres, for property located at 1580 Higbee Mill Road (a portion of). A conditional use permit is also requested.

COMPREHENSIVE PLAN AND PROPOSED USE

The 2013 Comprehensive Plan's mission statement is to "provide flexible planning guidance to ensure that development of our community's resources and infrastructure preserves our quality of life, and fosters regional planning and economic development." The mission statement notes that this will be accomplished while protecting the environment, promoting successful, accessible neighborhoods, and preserving the unique Bluegrass landscape that has made Lexington-Fayette County the Horse Capital of the World.

The Comprehensive Plan encourages identifying opportunities for infill, redevelopment and adaptive reuse that respect the area's context and design features (Theme A, Goal #2); providing for accessible community facilities (Theme D, Goal #2); and encourages the development of underutilized and vacant land in a compact, contiguous and/or a mixed-use sustainable manner within the Urban Service Area (Theme E, Goals #1a., #1b. and #3).

The petitioner proposes a Planned Neighborhood Residential (R-3) zone for the subject property in order to construct a childcare center. A conditional use permit for this use has also been submitted in association with the requested rezoning.

The Zoning Committee Recommended: Approval.

The Staff Recommends: Approval, for the following reason:

1. A restricted Planned Neighborhood Residential (R-3) zone at this location would be in agreement with the 2013 Comprehensive Plan, for the following reasons:
 - a. The Goals and Objectives of the Plan identifying opportunities for infill, redevelopment and adaptive reuse that respect the area's context and design features (Theme A, Goal #2a.); providing accessible community facilities (Theme D, Goal #2); and encouraging the development of underutilized and vacant land in a compact, contiguous and/or a mixed-use sustainable manner within the Urban Service Area (Theme E, Goals #1a., #1b. and #3). In addition, the staff would note that the Goals and Objectives of the Plan also encourage providing for well-designed neighborhoods (Theme A, Goal #3); minimizing disruption of natural features when building new communities (Theme A, Goal #3d.); and identifying and protecting natural resources and landscapes before development occurs (Theme B, Goal #3a.).
 - b. Although not explicitly considered a "community facility" by the 2013 Comprehensive Plan, childcare centers and after-school care for children are a necessary service in support of the community's public school system, which is a designated community facility. Locating such uses near residential neighborhoods is appropriate to provide services to the immediate area in a convenient manner.
 - c. The proposed development will utilize vacant property along Man o' War Boulevard, and such higher intensity of use is appropriate along minor arterial corridors, where the direct impact on established neighborhoods can be minimized.
 - d. By improving and utilizing the existing crossing for the South Elkhorn Creek and its floodplain, rather than modifying the FEMA floodplain, the natural features of the property can be protected in a more thorough and comprehensive manner. The proposed child care center is located outside of the FEMA 100-year floodplain, and its associated setback and riparian buffer.
2. This recommendation is made subject to the approval and certification of PLN-MJDP-17-00011: Wynndale Subdivision, Lot 2B, prior to forwarding a recommendation to the Urban County Council. This certification must be accomplished within two weeks of the Planning Commission's approval.
3. Under the provisions of Article 6-7 of the Zoning Ordinance, the following use restriction is recommended via conditional zoning for the subject property:
 - a. Multi-family residential dwelling units shall be prohibited.

This restriction is appropriate because it has been offered by the applicant in order to protect the adjacent residential properties to the north of the subject property.

- b. **REQUESTED CONDITIONAL USE** – Child care center.

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The Zoning Committee Recommended: **Approval**.

The Staff Recommends: **Approval**, for the following reasons:

- a. Granting the requested conditional use will not harm the public health, safety or welfare, and will not adversely affect the character of the subject or surrounding properties. The proposed use will be situated along Man o' War Boulevard, and screened from the nearest residential uses north of that arterial by a number of trees and some vegetation currently located in and adjacent to the existing floodplain and creek which traverses the property.
- b. This use is intended to allow an existing facility in the general area to relocate and expand on the subject site. Most traffic to and from this center will utilize Man o' War Boulevard, given existing travel patterns to the CCN facility located in the Millpond Shopping Center on Boston Road by its clientele.
- c. On-site parking will be provided on the subject site, as will a very large outdoor play area for children being cared for at this child care center.
- d. All necessary public services and facilities are available and adequate to the subject site, provided sidewalks are installed as currently proposed. Sanitary sewers, fire & police protection and all public utilities are provided in this portion of the Urban Services Area, and available to this location.

This recommendation of approval is made subject to the following conditions:

1. Provided the Urban County Council rezones the property R-3; otherwise, any Commission action of approval is null and void.
 2. The subject property shall be developed according to the submitted Zoning Development Plan, or as further amended by the Planning Commission.
 3. The proposed use shall be operated in accordance with the submitted application provided by the applicant.
 4. All necessary permits, including a Zoning Compliance Permit, Fence Permit and Certificate of Occupancy, shall be obtained from the Divisions of Planning and Building Inspection prior to occupancy of this child care center.
- c. PLN-MJDP-17-00011: WYNNDALÉ SUBDIVISION, LOT 2B (5/7/17)* - located at 1580 Higbee Mill Road.
(Vision Engineering)

Note: The Planning Commission postponed this item at their March 23, 2017, meetings.

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

1. Provided the Urban County Council rezones the property R-3; 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. Clarify TPP to match 55% canopy to be provided (denote tree removal area).
8. Complete tree inventory information (tree diameters required by Article 26 of the Zoning Ordinance).
9. Addition of pedestrian access to the cross-section CC.
10. Resolve emergency access during 100-year flood event.
11. Resolve future maintenance of 20' access easement.

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

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. NEXT MEETING DATES

Planning Commission Work Session, Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	April 20, 2017
Technical Committee, Wednesday, 8:30 a.m., Planning Division Office (Phoenix Building)	April 26, 2017
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers.....	April 27, 2017
Subdivision Committee, Thursday, 8:30 a.m., Planning Division Office (Phoenix Building)	May 4, 2017
Zoning Committee, Thursday, 1:30 p.m., Planning Division Office (Phoenix Building)	May 4, 2017
Subdivision Items Public Meeting , Thursday, 1:30 p.m., 2 nd Floor Council Chambers	May 11, 2017

X. ADJOURNMENT

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