

**AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS**

April 14, 2022

- I. **CALL TO ORDER** - The meeting will be called to order at 1:30 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **APPROVAL OF MINUTES** – The minutes of the March 10, 2022, meetings will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, April 7, 2022, at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Headley Bell, Janice Meyer, Frank Penn, and Judy Worth. Committee members in attendance were: Vaughan Adkins, Division of Engineering; and Stephen Parker, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Tom Martin, Hal Baillie, Cheryl Gallt, and Samantha Castro; Captain Greg Lengal, Division of Fire and Emergency Services; and Tracy Jones, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.
2. All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.

- A. **NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) the Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. **DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) proponents (10 minute maximum OR 3 minutes each)
 - (b) objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) petitioner's comments (5 minute maximum)
 - (b) citizen objectors (5 minute maximum)
 - (c) staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

1. FINAL RECORD PLAT

- a. PLN-FRP-22-00004: COLDSTREAM FARM, LOT 1 (AMD) (06/05/22)* - located at 920 CITATION BLVD., LEXINGTON, KY.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

Council District 2
Project Contact: EA Partners

Note: The purpose of this plat is to subdivide one lot into 2 lots and create a shared access easement.

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

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers, and flood plain information.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s).
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: This property shall be developed in accordance with the approved final development plan.
9. United States Postal Service Office's approval of kiosk locations or easement.
10. Remove owner and developer name and address out of recording stamp area.
11. Addition of access easement maintenance note.
12. Renumber notes as appropriate.
13. Denote trail access easement and note #4 regarding dedication from DP 2013-107.
14. Resolve Engineer's Certification(s).
15. Denote property is located in the Royal Springs Aquifer Recharge Area.
16. Provided the Planning Commission approves the requested waiver of Articles 4-7 and 6-6 of the Land Subdivision Regulations regarding provision of sanitary sewers.

2. **SUBDIVISION PLAN**

- a. PLN-MJSUB-21-00001: BELMONT FARM, UNIT 7 (COVENTRY) (AMD) – located at 2418 HUNTLY PL., LEXINGTON, KY.
Council District 2
Project Contact: Banks Engineering

Note: The Planning Commission originally approved this plan on August 12, 2021, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Greenspace Planner's approval of the treatment of greenways and greenspace.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Resolve compliance with Article 6-4(c) and 6-8(q)(3) for lots 124 – 128.

Note: The applicant has now requested a continued discussion in order to request a waiver of Article 6-8(q)(3) of the Land Subdivision Regulations to allow for the construction of two driveways within 50 feet of an intersection.

The Subdivision Committee Recommended: **Re-approval**, subject to the original conditions.

The Staff will report at the meeting regarding the requested waiver.

3. DEVELOPMENT PLANS

- a. PLN-MJDP-21-00004: ATKINS PROPERTY, LOTS 1A & 1B (AMD) – located at 3621 WALDEN DR., LEXINGTON, KY.
Council District 4
Project Contact: CMW

Note: The Planning Commission originally approved this plan on March 11, 2021, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike and 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 services features.
10. Division of Waste Management's approval of refuse collection locations.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Correct Commission certification.
13. Denote location of tree planting mitigation.
14. Document compliance with Multi-Family Design Standards.
15. Denote Planning Commission approval of height variance for Lot 1B only. Correct building heights in conformance with variance approval.
16. Resolve traffic calming features.
17. Provide documentation of tree planting mitigation prior to certification.

Note: The applicant has now requested a reapproval of the Planning Commission's action.

The Subdivision Committee Recommended: **Re-approval**, subject to the original conditions.

- b. PLN-MJDP-21-00067: NEWTOWN SPRINGS, UNIT 1, LOT 2 (AMD) (04/14/22)* - located at 1449 NEWTOWN CENTER WAY, LEXINGTON, KY.
Council District 1
Project Contact: Banks Engineering

Note: The purpose of this amendment is to revise the development on Lot 2 to add an automobile service station. The Planning Commission postponed this item at their December 9, 2021, January 13, 2022, February 10, 2022, and March 10, 2022 meetings.

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. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of the treatment of bike trails and pedestrian facilities.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.

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10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 11. United States Postal Service Office's approval of kiosk locations or easement.
 12. Denote revised layout in overall Newtown Springs development plan.
 13. Resolve compliance with conditional zoning restriction 3C.
 14. Discuss proposed access locations.
- c. PLN-MJDP-21-00073: KINGSTON HALL, UNIT 1, LOT 10 & KINGSTON HALL, UNIT 2, LOTS 14-18 (EAST BRIDGEFORD LAND & DEVELOPMENT CO.) (05/03/22)* - located at 2175 RUSSELL CAVE RD., LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

Note: The purpose of this amendment is to depict development of a building and associated parking on the site. The Planning Commission postponed this item at their February 10, 2022 and March 10, 2022 meetings.

Note: This plan requires the posting of a sign and an affidavit of such.

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. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of the treatment 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. United States Postal Service Office's approval of kiosk locations or easement.
 13. Correct plan title to match staff report.
 14. Denote exactions to the approval of the Division of Planning.
 15. Denote review by the Royal Springs Aquifer Committee and any recommendation(s).
 16. Provided the Planning Commission finds the plan complies with the Expansion Area Master Plan.
 17. Denote timing of construction of local street and Providence Place Parkway to the east.
 18. Correct Tree Preservation Plan note.
- d. PLN-MJDP-22-00003: BLUEGRASS STOCKYARDS, LLC (LISLE AVENUE OPERATIONS CENTER) (05/01/22)* - located at 375 LISLE INDUSTRIAL AVE., LEXINGTON, KY.
Council District 11
Project Contact: Chad Graber

Note: The purpose of this amendment is to denote the proposed building and parking layout. The Planning Commission postponed this item at the March 10, 2022, meeting.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of the treatment of bike trails and pedestrian facilities.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

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. United States Postal Service Office's approval of kiosk locations or easement.
 13. Denote boundaries of property with solid dark line and addition of bearings and distances.
 14. Revise labeling of proposed medical facility to "accessory medical clinic (for employees and their families only)."
 15. Resolve driveway access to fire water tank maintenance area.
 16. Resolve pedestrian and road infrastructure improvements as shown on PLN-MJDP-18-00099.
 17. Remove driveway access to South Forbes Road.
- e. PLN-MJDP-22-00004: LEXMARK INTERNATIONAL CORPORATION, LOT 3 (AMD) (06/05/22)* - located at 745 WEST NEW CIRCLE RD., LEXINGTON, KY.
Council District 1
Project Contact: Denham Blythe

Note: The purpose of this amendment is to add two parking areas and to depict access easement to utility substation.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of the treatment 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. Correct address on plan.
 12. Addition of record plat designation.
 13. Addition of access easement maintenance note.
- f. PLN-MJDP-22-00009: RUTTENBURG & COHEN PROPERTY (LAKEVIEW-WOODSPOINT, UNIT 2) (AMD) (05/01/22)* - located at 305-425 CODELL DR., LEXINGTON, KY.
Council District 7
Project Contact: Barrett Partners, Inc.

Note: The purpose of this amendment is to increase buildable area and reflect change of use on Lots 2-5 & 16.

The Subdivision Committee Recommended: **Postponement**, because the proposed land use of a television studio is not a permitted use in the B-3 zone. The Subdivision Committee did not review this plan, at the applicant's request.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.

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5. Urban Forester's approval of tree preservation plan.
 6. Bike & Pedestrian Planner's approval of the treatment 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. Addition of bearings and distances for all property lines.
 10. Addition of record plat designation.
 11. Correct orientation of vicinity map to match plan.
 12. Dimension existing and proposed driveways.
 13. Addition of parking space depth.
 14. Addition of construction vehicle access.
 15. Depict location of street cross-section on plan face.
 16. Addition of uses on all lots.
 17. Denote: No grading, stripping, excavation, filling or other disturbance of the natural ground cover shall take place prior to approval of an erosion control plan. Such plan must be submitted in accordance with Chapter 16 of the Code of Ordinances. The acceptance of the erosion control plan is to obtain a Land Disturbance Permit.
 18. Discuss consolidation of lots that have buildings crossing property lines.
 19. Discuss proposed land use of a television studio in the B-3 zone.
- g. PLN-MJDP-22-00014: HAMBURG EAST, TRACT 4, LOT 2 "BELHURST" (07/05/22)* - located at 2585 POLO CLUB BLVD, LEXINGTON, KY.
Council District 12
Project Contact: EA Partners

Note: The purpose of this amendment is to depict development of 79 townhouses on the property.

Note: This plan requires the posting of a sign and an affidavit of such.

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. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of the treatment 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. United States Postal Service Office's approval of kiosk locations or easement.
 12. Provided the Planning Commission makes a finding the plan complies with the Expansion Area Master Plan.
 13. Denote density of EAR-2 zones based on gross acreage.
 14. Denote Exactions to the approval of the Division of Planning.
 15. Discuss proposed townhouse façade material.
- h. PLN-MJDP-22-00015: COLDSTREAM FARM, LOT 1 (AMD) (06/05/22)* - located at 920 CITATION BLVD., LEXINGTON, KY.
Council District 2
Project Contact: Denham Blythe

Note: The purpose of this amendment is to depict building and parking layout on eastern portion of property.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of the treatment 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. United States Postal Service Office's approval of kiosk locations or easement.
 13. Discuss proposed trail easement and timing of dedication.
 14. Discuss encroachment of drive aisle into proposed trail easement.
- i. PLN-MJDP-22-00016: SEBASTIAN PROPERTY, UNIT 3 (AMD) (06/05/22)* - located at 2826 LEESTOWN RD, LEXINGTON, KY.
Council District 2
Project Contact: EA Partners

Note: The purpose of this amendment is to revise lotting and add townhomes.

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. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Department of Environmental Quality's approval of environmentally sensitive areas.
 7. Bike & Pedestrian Planner's approval of the treatment 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. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
 11. United States Postal Service Office's approval of kiosk locations or easement.
 12. Dimension open space areas for townhouses and document compliance with Article 8-10(o) (3).
 13. Denote shared access easements between single-family lots and townhome lots, and maintenance responsibility.
 14. Discuss proposed building envelope relative to setbacks and easement conflicts.
 15. Discuss sidewalks adjacent to access easements for townhomes.
- j. PLN-MJDP-22-00017: MAN O' WAR DEVELOPMENT, PHASE 2, UNIT 2-A (AMD) (06/05/22)* - located at 1940, 1956, 1988 & 1990 BRYANT RD. & 1975 JUSTICE RD., LEXINGTON, KY.
Council District 6

Project

Contact: Thoroughbred Engineering

Note: The purpose of this amendment is to add five commercial buildings, a hotel, and multi-family dwellings with associated parking.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

The Subdivision Committee Recommended: **Postponement**. There were questions regarding pedestrian circulation and the multi-modal plan required by Article 12. The Subdivision Committee did not review this plan, at the applicant's request.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Bike & Pedestrian Planner's approval of the treatment of bike trails and pedestrian facilities.
7. Greenspace Planner's approval of the treatment of greenways and greenspace.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Complete Tree Preservation Plan information.
13. Denote number of apartment units.
14. Delete Note #14 (duplicate).
15. Delete Note #10 and indicate location of all required open space.
16. Denote height of buildings in feet in the site statistics.
17. Addition of metes and bounds information along site boundary.
18. Addition of contour information.
19. Denote Buildings 1-5 as commercial/retail and correct site statistics.
20. Delete survey information.
21. Submit multi-modal plan per Article 12-8(h) of the Zoning Ordinance.
22. Document compliance with required open space.
23. Discuss proposed access alignment near Plaudit Place.
24. Discuss compliance with Article 12-8(f) for loading areas.
25. Discuss compliance with Article 12-8(i) for transit facilities.

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

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

- a. **PFR 2022-3: BLUEGRASS AIRPORT** – a Public Facility Review to construct four new hangers, a “Fuel Farm,” and an addition to the terminal; to improve Gumbert Road; and to install solar roof arrays on property located at 4000 Terminal Drive.

VII. STAFF ITEMS

- a. **ARTICLE 4-5(B) IMPROVEMENT PLAN PROGRESS REPORT** - When the project engineer has completed approximately fifty percent (50%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how stormwater, sanitary sewer and environmental conditions imposed by the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient meeting. The report is for information only, and no action by the Commission shall be taken; however, there shall be no issuance of the Notice To Proceed, as outlined in section 4-5(d), until the Planning Commission meeting is complete.

There are none.

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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. **MEETING DATES FOR MARCH AND APRIL 2022**

Work Session, Thursday, 1:30 p.m., 3rd Floor Phoenix Building April 21, 2022
Technical Committee, Wednesday, 8:30 a.m., 3rd Floor Phoenix Building..... April 27, 2022
Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center. **April 28, 2022**
Subdivision Committee, Thursday, 8:30 a.m., 3rd Floor Phoenix Building..... May 5, 2022
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Phoenix Building May 5, 2022
Subdivision Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Ctr **May 12, 2022**

X. **ADJOURNMENT**

TLW/AG/TM/CG/sc

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.