

URBAN COUNTY PLANNING COMMISSION

SUBDIVISION ITEMS

May 12, 2022

- I. **CALL TO ORDER** – Chair Frank Penn called the meeting to order at 1:34 pm in the Council Chambers, Urban County Government Building 200 East Main Street, Lexington, Kentucky.
- II. **ATTENDANCE** – Planning Commission members present: Headley Bell, Zach Davis, Anthony de Movellan, Janice Meyer, Robin Michler, Graham Pohl, Frank Penn, and Judy Worth.
Planning Staff members present: Jim Duncan, Director, Traci Wade, Tom Martin, Cheryl Gallt, Stephanie Cunningham, and Paula Schumacher. Other staff members present: Vaughan Adkins, Engineering; Stephen Parker, Division of Traffic Engineering; Captain Greg Lengal, Division of Fire and Emergency Services; and Tracy Jones, Department of Law.
- III. **APPROVAL OF MINUTES** – None at this time.

IV. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponement and withdrawal were considered at this time.

- A. PLN-MJDP-22-00024: TRINITY FLATS (RACE AND MIDLAND) (07/03/22)* - 143, 155 MIDLAND AVE., 133-164 RACE ST., 495, 501 E Short St., LEXINGTON, KY.
Council District 1
Project Contact: CMW

Note: The purpose of this plan is to depict a multi-family residential building and parking layout for 245 dwelling units.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. 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 green space.
9. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections 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. Resolve closure of Race St. right-of-way.
14. Resolve detention and water quality requirements.
15. Resolve connection to the Northeastern Park.

Applicant Representation: Adam Bender-Sanders of CMW, asked for a one month postponement so the developer can work more on conditions #13 and #15.

Action- Mr. Pohl made a motion, seconded by Ms. Meyer, and carried 8-0, to postpone PLN-MJDP-22-00024: TRINITY FLATS (RACE AND MIDLAND) to the June 9, 2022 meeting.

Ms. Barksdale joined the meeting at 1:37p.m.

- V. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Performance bonds were considered at this time.
Action- Mr. Michler made a motion, seconded by Ms. Worth, and carried 9-0 to accept the performance bond memo dated May 12, 2022 from the Division of Engineering.

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

- VI. LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, May 5, 2022, at 8:30 a.m. The meeting was attended by Commission members 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, and Cheryl Gallt; 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.

Ms. Wade announced the following items appearing on the consent agenda:

- a. PLN-MJDP-20-00013: COLDSTREAM RESEARCH CAMPUS, UNIT 2-B, SEC 1, LOTS 26 (PIRAMAL PHARMA SOLUTION EXPANSION PROJECT) (AMD) – located AT 1575 McGRATHIANA PARKWAY, LEXINGTON, KY
Council District 2
Project Contact: Strand Associates, Inc.

Note: The Planning Commission approved this plan on June 11, 2020, 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 bike trails and pedestrian facilities.
8. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
9. Division of Waste Management's approval of refuse collection locations.
10. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
11. United States Postal Service Office's approval of kiosk locations or easement.
12. Addition of access points for construction vehicles.
13. Clarify the height on existing and proposed buildings.
14. Addition of building line setback per recorded plat Cab. L, Sl. 349.
15. Dimension ingress and egress on McGrathiana Parkway.
16. Clarify open space requirement per Article 8-24(k) of the Zoning Ordinance and note #16.
17. Denote floor area ratio in site statistics per Article 8-24(i) of the Zoning Ordinance.

18. Contour intervals shall be at 2 feet per Article 21-6(b) of the Zoning Ordinance.
19. Document compliance with required Design Guidelines and Committee approval per Article 8-24(o)(7) of the Zoning Ordinance.
20. Review by the Royal Spring Aquifer Committee prior to certification.

Note: The applicant requested reapproval of the Planning Commission action, since the plan has expired.

The Subdivision Committee recommended: **Reapproval**, subject to the original conditions.

- b. PLN-MJDP-22-00008: LEXINGTON CLINIC - located at 1221 SOUTH BROADWAY, LEXINGTON, KY
Council District 11
Project Contact: Carman

Note: The Planning Commission approved this plan on March 10, 2022, 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. Dimension access off Gibson Avenue.
14. Dimension walkways.
15. Clarify note labeling of permeable pavement system (Note #11).
16. Denote height of building #2 in feet.
17. Addition of floodplain information and 25' building setback.
18. Addition of vegetative buffer.
19. Remove and relocate on place face construction access (Parkway Drive).
20. Improve legibility of building line setback in B-1 zone.
21. Denote that certification of PLN-MJDP-21-00068 is required prior to certification of this plan.
22. Denote Floodplain Appeals Committee decision and/or compliance with Article 19 of the Zoning Ordinance.
23. Provided the Planning Commission makes a finding the plan complies with Article 8-16(o)(3) of the Zoning Ordinance.

Note: The applicant requested a continued discussion in order to add 2,000 square feet of building square footage.

The Subdivision Committee recommended: **Approval**, subject to the original conditions.

- c. 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

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

Note: The purpose of this amendment is to add five commercial buildings, a hotel, and multi-family dwellings with associated parking. The Planning Commission postponed this item at their April 14, 2022, meeting.

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. 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. Correct square footage total for the proposed hotel in the site statistics.
 13. Correct site statistics for lot coverage and FAR.
 14. Denote parking space, aisle, and access dimensions in the parking garages.
- d. PLN-MJDP-22-00018: BURKE, HOCKENSMITH & MAGGARD PROPERTY, UNIT 2-A (BOILING SPRINGS PHASE 2) (AMD) (07/03/22)* - located at 1713 JAGGIE FOX WAY, LEXINGTON, KY
Council District 2
Project Contact: Banks Engineering

Note: The purpose of this plan is to depict the proposed bus washing facility.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
 2. Urban County Traffic Engineer's approval of street cross-sections and access.
 3. Landscape Examiner's approval of landscaping and landscape buffers.
 4. Addressing Office's approval of street names and addresses.
 5. Urban Forester's approval of tree preservation plan.
 6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
- e. PLN-MJDP-22-00019: LUCILLE C. LITTLE PROPERTY UNIT 1-C LOT 12 (07/03/22)* - located at 724 ALLENRIDGE POINT, LEXINGTON, KY
Council District 11
Project Contact: Midwest Engineering

Note: The purpose of this plan is to depict building and parking layout for Lot 12.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. 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.

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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. United States Postal Service Office's approval of kiosk locations or easement.
 11. Revise 25' building line to 20' per plat M-162.
 12. Addition of record plat information on adjacent properties.
- f. PLN-MJDP-22-00021: RML- CITATION (HILLENMEYER INTEREST, LTD) LOT 1 (AMD) (07/03/22)*- located at 2640 SANDERSVILLE RD., LEXINGTON, KY
Council District 2
Project Contact: RMJE

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. 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.
 10. Addition of property boundaries for all of the development.
 11. Addition of all building dimensions for all of the development.
 12. Addition of dimensions on all sidewalks.
 13. Clarify area of amendment by showing property boundaries on vicinity map.
 14. Addition of information from MJDP-21-00049 for Lot 2.
 15. Addition of street cross section on plan face for Citation Boulevard.
 16. Addition of dimensions on driveways for existing and proposed on all of the development plan.
 17. Addition of construction access point.
 18. Addition of easements of existing and proposed on Lots 1, 2 and 3 per plat S-163.
 19. Addition of Lot numbers and addresses for all lots on the development plan.
 20. Update totals in the site statistics information.
 21. Depict all information from insert to overall plan.
- g. PLN-MJDP-22-00022: RML - CITATION (HILLENMEYER INTEREST, LTD) LOT 2 (07/03/22)* - located at 2670 SANDERSVILLE RD., LEXINGTON, KY.
Council District 2
Project Contact: RMJE

Note: The purpose of this plan is to depict a convenience store, gas pumps with canopy, drive-thru facility, and parking layout.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. 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.

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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. Addition of street cross section on plan face.
 11. Clarify area of amendment by showing property boundaries on vicinity map.
 12. Addition of all proposed and existing easements for Lots 1, 2 and 3 per plat S-163.
 13. Addition of adjacent property information and complete all property information for per overall development.
 14. Dimension all walkways.
 15. Clarify totals in site statistics.
- h. PLN-MJDP-22-00025: BEAUMONT FARM UNIT 10 (B-6P AREA) (LOT 11) (AMD) (07/03/22)* - located at 3195 BEAUMONT CENTRE CIR., LEXINGTON, KY.
Council District 10
Project Contact: Palmer Engineering

Note: The purpose of this amendment is to add building square footage.

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. Urban Forester's approval of tree preservation plan.
 5. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
 6. Division of Waste Management's approval of refuse collection locations.
- i. PLN-MJDP-22-00026: GREATHOUSE PROPERTY (THE VILLAGE AT GREAT ACRES) (AMD) (07/03/22)* - located at 2731, 2789 LEESTOWN RD., 100 & 112 LUCILLE DR. 2730 RUBY RIVER DR., LEXINGTON, KY.
Council District 2
Project Contact: Barrett Partners

Note: The purpose of this plan is to revise Ruby River Drive and Apartments 1-4, Townhouses 4T-7T, and Sites C, E, F & G.

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. Bike & Pedestrian Planner's approval of the treatment of bike trails and pedestrian facilities.
6. Division of Fire, Water Control Office's approval of the locations of fire hydrants, fire department connections and fire service features.
7. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
8. Department of Environmental Quality's approval of environmentally sensitive areas.
9. United States Postal Service Office's approval of kiosk locations or easement.
10. Correct plan title.
11. Correct site statistics.
12. Denote square footage on face of plan for each commercial building (C, E, F & G).
13. Resolve second access point for multi-family residential area west of Lucille Drive.

Action- Mr. de Movellan made a motion, seconded by Ms. Worth, and carried 9-0 to approve the consent agenda as presented.

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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. Development Plans

- a. 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 Planning Commission postponed this item at their April 14, 2022, meeting to resolve discussion items and technical issues.

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

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscape buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. 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. Provided the PC grants the requested waiver and associated finding for the access easement.

Staff Presentation - Mr. Martin made a presentation on the development plan, pointing out the amendment that included townhouses. He said that there was a waiver and a finding associated with this development plan. The waiver is for the frontage of the townhouse lots that do not front Leestown Road, but to the cul-de-sac, because of open space requirements. Mr. Martin said there will be an HOA lot between the townhouses and Leestown Road. He pointed out that the four single family homes nearest the townhomes will share the access easement. Mr. Martin said that staff approved the waiver and finding on the access easement.

Commission Questions - Mr. Pohl asked what the plan was for future of multi-modal transportation on Leestown Road Mr. Martin said that there was discussion about pedestrian access to Leestown Road but the grade proved to be a barrier for an ADA- compliant sidewalk. Mr. Pohl asked if there was a bike lane on Leestown Road. Mr. Martin said there was. Mr. Pohl asked why the sidewalks don't continue to the edge of the property. Mr. Martin explained that the sidewalks do go around the cul-de-sacs, but there are no sidewalks that will access Leestown Road.

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Applicant Representation - Rory Kahly was present to represent the applicant, EA Partners. He said he agreed with Mr. Martin and requested approval.

Commission Questions - Mr. Penn asked if the townhouses were going to be rented or sold. Mr. Kahly replied that they are usually rented. Mr. Penn wanted to know that if they were sold, would the access easement be recorded in the deed. Mr. Kahly responded that he didn't know about the deed, but that a note will be added to the plat indicating access easements would be taken care of by an HOA. Mr. Penn asked Mr. Parker of Traffic Engineering if he was agreeable to the pedestrian and bicycle access in this plan. Mr. Parker said that he was.

Action - Mr. de Movellan made a motion, seconded by Mr. Pohl, and carried 9-0 to approve PLN-MJDP-22-00016: SEBASTIAN PROPERTY, UNIT 3 (AMD) with the 12 existing conditions.

Action - Mr. de Movellan made a motion, seconded by Mr. Bell, and carried 9-0 to approval of access easement and waiver for PLN-MJDP-22-00016.

VIII. 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 storm water, 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.
1. PLN-FRP-22-00010: HILLENMEYER PROPERTY, UNIT 2-J – located at 2405 SANDERSVILLE RD., LEXINGTON, KY
Project Contact: EA Partners
 2. PLN-FRP-22-00011: NEWMARKET PROPERTY, UNIT 10-C – located at 1059 SQUIRREL NEST LN., LEXINGTON, KY
Project Contact: EA Partners

IX. COMMISSION ITEMS

- A. **PLANNING COMMISSION MEETING SCHEDULE FOR 2022**- The Planning Commission considered amending their Official Meeting and Filing Schedule for 2022 to add a Work Session on Wednesday, May 25, 2022 at 1:30 pm in the 3rd Floor Conference Room of the Phoenix Building, 101 E. Vine Street, Lexington, KY. The Commission will be reviewing public input regarding the Comprehensive Plan and, possibly, other matters.

Action- Ms. Meyer made a motion, seconded by Ms. Worth, and carried 9-0 to approve the amended meeting dates as presented.

X. MEETING DATES FOR MAY AND JUNE 2022

Work Session, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building	May 19, 2022
Technical Committee, Wednesday, 8:30 a.m., 3 rd Floor Phoenix Building.....	May 25, 2022
Zoning Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	May 26, 2022
Subdivision Committee, Thursday, 8:30 a.m., 3 rd Floor Phoenix Building.....	June 2, 2022
Zoning Committee, Thursday, 1:30 p.m., 3 rd Floor Phoenix Building.....	June 2, 2022
Subdivision Items Public Hearing , Thursday, 1:30 p.m., 2 nd Floor Council Chambers, Government Center	June 9, 2022

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XI. ADJOURNMENT

There being no further business, Mr. Penn declared the meeting adjourned at 1:57pm.

TLW/AG/TM/CG/ps

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Larry Forester, Chair

Janice Meyer, Secretary

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