

AGENDA
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
November 9, 2023

- 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 September 14, 2023 and October 12, 2023 minutes will be considered at this time.
- III. **POSTPONEMENTS AND WITHDRAWALS** - Requests for postponements and withdrawals will be considered at this time.
- IV. **LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, November 2, 2023 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Judy Worth, Janice Meyer, and Mike Owens. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were: Traci Wade, Autumn Goderwis, Tom Martin, Daniel Crum, Cheryl Gallt, Boyd Sewe, James Mills, Paula Schumacher, Greg Lengal; Division of Fire and Emergency Services, and Emily Buttrum; 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 Subdivision Plans

- a. PLN-FRP-23-00019: COLEMAN PROPERTY (CLARION CONVENTION CENTER) (AMD) (11/9/23)* – located at 1950 NEWTOWN PIKE, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The Planning Commission postponed this item at the August 10, 2023, September 14, 2023, and October 12, 2023 meetings.

The Subdivision Committee Recommended: **Postponement**. There are questions about required setbacks and frontages.

Should this plan be approved, the following conditions 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.
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. Addition of utility and street light easements as required by the utility companies and the Urban County Traffic Engineer.
7. Denote: This property shall be developed in accordance with the approved final development plan.
8. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
9. United States Postal Service Office's approval of kiosk locations or easement.
10. Correct Planning Commission certification.
11. Correct owner's certification.
12. Addition of Urban County Engineer's certification.
13. Delete building information.
14. Addition of lots 3, 4, & 6 to plat and denote parcel lines with a solid line.
15. Addition of private utility providers per Article 5-4(e).
16. Addition of maintenance note per Article 5-4(g).
17. Revise access easement to provide required frontage of 40 feet.
18. Provided the Planning Commission makes a finding on the proposed access easement.
19. Revise plan title to match staff report.
20. Addition of Coleman Court, Newtown Pike, and interstate cross-sections.
21. Discuss timing of proposed building demolition.
22. Discuss required 20' front yard setback.

2. Development Plans

- a. PLN-MJDP-23-00030: KINGSTON HALL, UNIT 1, LOT 8 (AMD) (11/9/2023)* - located at 1061 PROVIDENCE PLACE PARKWAY, LEXINGTON, KY
Council District: 12
Project Contact: Barrett Partners Inc.

Note: The purpose of this amendment is to revise the proposed development on the lot.

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

Note: The Planning Commission postponed this item at the June 8, 2023, July 13, 2023, August 10, 2023, September 14, 2023, and October 12, 2023 meetings.

The Subdivision Committee Recommended: **Postponement**. There are question regarding the compliance with Article 23A of the Zoning Ordinance.

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

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

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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
 12. United States Postal Service Office's approval of kiosk locations or easement.
 13. Provided the Planning Commission finds the plan complies with the Expansion Area Master Plan.
 14. Denote proposed and existing easements.
 15. Denote Exactions to the approval of the Division of Planning.
 16. Discuss stormwater management.
 17. Discuss proposed access points to Providence Place Parkway.
 18. Discuss compliance with supportive use regulations established in Article 23A-10(j)(12) of the Zoning Ordinance.
- b. PLN-MJDP-23-00050: WOLF RUN INDUSTRIAL PARK, BLOCK A, LOT 1 (FRANKFORT COURT STORAGE FACILITY) (AMD) (11/9/23)* - located at 2262 FRANKFORT COURT, LEXINGTON, KY
Council District: 11
Project Contact: RMJE

Note: The purpose of this amendment is to depict layout and circulation for 53 storage units.

Note: The Planning Commission postponed this item at the September 14, 2023 and October 12, 2023 meetings.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding meeting Article 21 of the Zoning Ordinance and Old Frankfort Pike Landscape Ordinance.

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

1. Urban County Engineer's acceptance of drainage, 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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Addition of written scale.
14. Correct plan title to match staff report.
15. Correct plan type "Amended Final Development".

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16. Boundaries of property should be solid bold line and adjacent property boundaries should be dashed.
17. Addition of adjacent property information.
18. Dimension access points and parking.
19. Denote height of building in feet.
20. Denote the DBH (diameter at breast height) of all trees per Article 26 of the Zoning Ordinance.
21. Denote farm entrance from Old Frankfort Pike to be removed.
22. Discuss the type and size of oak tree(s) on plan.
23. Discuss Old Frankfort Pike Landscape Ordinance relationship to open usable space.
24. Discuss how to resolve conflict between building and retention easement.
25. Discuss gates to be located 40' from property boundary.

- c. PLN-MJDP-23-00058: KINGSTON HALL, UNIT 2, LOT 4 (12/4/2023)* - located at 1171 PROVIDENCE PLACE PARKWAY, LEXINGTON, KY
Council District: 12
Project Contact: Barrett Partners Inc.

Note: The purpose of this plan is to depict development of a hotel.

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

Note: The Planning Commission postponed this item at the October 12, 2023 meeting.

The Subdivision Committee Recommended: **Postponement**. There are questions regarding addition of entire development plan information for the Kingston Hall development.

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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
 12. United States Postal Service Office's approval of kiosk locations or easement.
 13. Denote review and recommendation of Royal Springs Aquifer Committee.
 14. Revise plan to include total development plan information for Kingston Hall.
 15. Dimension proposed building envelope.
 16. Denote exactions to the approval of the Division of Planning.
 17. Provided the Planning Commission makes a finding that the plan complies with the Expansion Area Master Plan.
 18. Discuss stormwater management.
 19. Discuss proposed access from Providence Place Parkway.
- d. PLN-MJDP-23-00059: COLEMAN PROPERTY (NEWTOWN PIKE HAMPTON INN & SUITES) (AMD) (12/4/2023)* - located at 1880 NEWTOWN PIKE and 1480 COLEMAN COURT, LEXINGTON, KY
Council District: 2
Project Contact: Thoroughbred Engineering

Note: The purpose of this amendment is to add drop off area and canopy, add parking, and revise circulation with an agreement with adjacent property.

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Note: The Planning Commission postponed this item at the October 12, 2023 meeting.

The Subdivision Committee Recommended: **Approval**, subject to the following revised 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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Improve legibility of bearings and distances on all property lines.
14. Dimension canopy and plaza/amenity space.
15. Addition of proposed and existing utility easements.
16. Addition of building line setback at 20'.
17. Addition of vehicle use screening on Coleman Court.
18. Addition of access easement maintenance note.

- e. PLN-MJDP-23-00064: BELMONT FARM (CITATION CENTRE) (AMD) (12/4/2023)* - located at 2450 GEORGETOWN ROAD, LEXINGTON, KY
Council District: 2
Project Contact: Vision Engineering

Note: The purpose of this amendment is to depict 66,070 square feet of commercial space and parking circulation.

Note: The Planning Commission postponed this item at the October 12, 2023 meeting.

The Subdivision Committee Recommended: **Postponement**. The proposed development does not comply with Article 12 of the Zoning Ordinance.

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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Addition of purpose of amendment note.

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14. Addition of conditional zoning restrictions.
15. Correct plan title to match staff report.
16. Improve plan legibility for bearings and distances.
17. Addition of record plat information.
18. Addition of topography elevations on amendment.
19. Addition of dimensions on access points.
20. Denote construction access point.
21. Addition of street cross-section and location on plan face.
22. Addition of building line setback per plat M-165.
23. Consolidation of property to create one lot.
24. Addition of proposed and existing easements.
25. Denote review and recommendations for the Royal Springs Aquifer recharge area.
26. Denote plan shall comply with Georgetown Road Landscape Ordinance.
27. Addition of pedestrian access between structures for multi-modal accommodations per Article 12-8(h) of the Zoning Ordinance.
28. Addition of arterial screening easement along Citation Boulevard.
29. Denote the maintenance responsibility of walking trail.
30. Discuss the proposed access to Citation Boulevard.
31. Discuss compliance with B-6P zone minimum floor area ratio of 0.40.

- f. PLN-MNDP-23-00006: NDC PROPERTY, UNIT 1-A, LOT 21C (AMD) (12/31/2023)* - located at 360 MEIJER WAY, LEXINGTON, KY
Council District: 9
Project Contact: Morley

Note: The purpose of this amendment is to depict site improvements, create a second drive through lane, reconfigure parking layout, and remove usable open space.

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 landscaping 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. 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. Addition of proposed and existing utilities to site enlargement area.
11. Document compliance with Article 21-7(7)(b)(3) of the Zoning Ordinance with Lynn Imaging at 859-255-1021.
12. Depict order point and 5 car stacking per Article 16-9 of the Zoning Ordinance.

- g. PLN-MJDP-23-00065: GIVENS PRPOERTY, LOT 2 (LEXINGTON DENTAL OFFICE) (AMD) (12/31/2023)* - located at 2317 REMINGTON ROAD, LEXINGTON, KY
Council District: 2
Project Contact: Tarr Group, LLC

Note: The purpose of this amendment is to depict development of Lot 2.

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 landscaping buffers.

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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 Capacity Assurance Program requirements, prior to plan certification.
 12. United States Postal Service Office's approval of kiosk locations or easement.
 13. Denote building height in feet.
 14. Addition of Lot 1 statistics and tree canopy coverage.
 15. Denote Royal Springs Aquifer Committee review for Lot 2.
 16. Dimension proposed building.
 17. Addition of written scale.
- h. PLN-MJDP-23-00068: HAMBURG PLACE, B-5P & B-6P HIGHWAY COMMERCIAL, OUTLOT 14 (CHIPOTLE RESTAURANT) (AMD) (12/31/2023)* - located at 2200 WAR ADMIRAL WAY, LEXINGTON, KY
Council District: 6
Project Contact: Vision Engineering

Note: The purpose of this amendment is to develop a new outlot with a restaurant, accessory drive-through, and parking.

The Subdivision Committee Recommended: **Postponement.** There are questions regarding exceeding the maximum gross building square per the Conditional Zoning Restriction.

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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
 12. United States Postal Service Office's approval of kiosk locations or easement.
 13. Addition of building line setback.
 14. Addition of bearing for new lot and record plat information.
 15. Clarify lotting between development plan and plat.
 16. Document useable and vegetated open space.
 17. Discuss conditional zoning restrictions that limit the maximum gross building square footage to 532,000.
- i. PLN-MJDP-23-00069: COVE LAKE, UNIT 2 (COLLINS, ORRELL, & WIGGINS PROPERTY (DF AUTOMALL) (AMD) (12/31/2023)* - located at 3360 & 3380 RICHMOND ROAD, LEXINGTON, KY
Council District: 7
Project Contact: EA Partners

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Note: The purpose of this amendment is to depict development of a vehicle sales establishment on Lot 2.

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 landscaping 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 Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Add Lot 2 to purpose of amendment.
14. Remove yellow shading.
15. Addition of all site information on certified development plan for Phase I (PLN-MJDP-22-00054).
16. Addition of Notes 18 & 19 from PLN-MJDP-22-00054.

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

VI. COMMISSION ITEMS

A. PETITION FOR WAIVER OF THE LAND SUBDIVISION REGULATIONS

1. PLN-FRP-23-00026: WILSON SUBDIVISION, LOTS 21, 22, & 23 – located at 128, 130, & 132 Garrett Avenue, LEXINGTON, KY

Staff will report at the meeting.

- B. PFR 2023-5: UNIVERSITY OF KENTUCKY - a Public Facility Review regarding the construction of new hospital facilities (cancer center and associated parking garage) on properties located at 1101-1225 S. Limestone, 121-201 Waller Avenue, 111-141 University Avenue, 110-144 State Street, 112-200 Conn Terrace (even only), and 201-205 Conn Terrace (odd only).
- C. ADOPTION OF 2024 MEETING & FILING SCHEDULE - The Chair will announce that the Commission will consider adoption of the "Official Meeting and Filing Schedule for 2024" at this time. Once adopted, the staff will distribute copies of the 2024 schedule for use by the Commission and the general public.

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 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.

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- 1. PLN-FRP-23-00033: HAMBURG EAST, LOTS 1 & 2 (BAPTIST HEALTHCARE CAMPUS) (AMD)

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 November & December

Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Government Center.....**November 16, 2023**
Technical Committee, Wednesday, 8:30 a.m., 7th Floor Conference Room, Phoenix Building..... November 29, 2023
Comprehensive Plan Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Gov’t Center.....**November 30, 2023**
Subdivision Committee, Thursday, 8:30 a.m., 3rd Floor Conference Room, Phoenix Building.....December 7, 2023
Zoning Committee, Thursday, 1:30 p.m., 3rd Floor Conference Room, Phoenix Building.....December 7, 2023
Subdivision & Zoning Items Public Hearing, Thursday, 1:30 p.m., 2nd Floor Council Chambers, Gov’t Center...**December 14, 2023**

X. ADJOURNMENT

TW/TM/CG/PS

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