# MINUTES OF THE REGULAR MEETING OF THE LOMPOC PLANNING COMMISSION August 2, 2004

ROLL CALL: Commissioner Jack Rodenhi

Commissioner Ralph Harman Commissioner Ann Ruhge Commissioner Ron Fink Commissioner Ed Shoemaker

ABSENT: None.

STAFF: Community Development Director Arleen Pelster

City Planner Lucille Breese

Assistant City Attorney Matt Granger

Staff Assistant Angela Wynne

Richard Daulton, Rincon Consultants Katherine Stone, Legal Counsel

The meeting was called to order to 6:35 p.m.

#### **APPROVAL OF MINUTES:**

On a motion by <u>Commissioner Harmon</u> and seconded by <u>Commissioner Ruhge</u>, the Minutes of the July 12, 2004 meeting were unanimously approved on a voice vote of 4-0-1 the Commissioner Fink absent.

# **ORAL COMMUNICATIONS:**

<u>Rich Mires</u>, 1729 Berkeley Drive. Mr. Mires expressed his concern with the Home Depot project construction site including noise, dust, hours of construction, and lighting.

#### **PUBLIC HEARINGS:**

A request by DS Ventures for Planning Commission review and consideration of the revised Seabreeze Estates project for 366 residential units, located on two parcels comprising approximately 77-acres located within the City of Lompoc, immediately southeast of the intersection of Central Avenue and Bailey Avenue. Assessor Parcel Numbers 93-070-062 (Northern parcel) and 93-070-063 (Southern parcel).

Community Development Director Arleen Pelster summarized the written report. She stated that representatives from City Police, Fire, Utility, and Public Works were available to answer questions.

Richard Daulton Rincon Consultants, who prepared the EIR, provided an overview of the environmental process and the document including the errata sheet dated August 2, 2004.

Prior to the meeting, the Commission was provided with correspondence from:

- 1. Eleanor Bailey Moore, adjacent property owner, dated July 27, 2004
- 2. Kathlene Holser, adjacent property owner, dated July 28, 2004
- 3. EIR errata sheet prepared by Rincon Consultants, dated August 2, 2004
- 4. James R. Wilson of Hatch & Parent, dated August 2, 2004
- 5. Dave Ward, Supervising Planner, Santa Barbara County Comprehensive Planning, dated August 2, 2004.
- 1) EIR 01-01 Final Environmental Impact Report (EIR) and an Amendment to the Final EIR, prepared for the project described herein affecting both Northern and Southern parcels by Rincon Consulting and circulated through the State Clearinghouse (SCH No. 2002061109) pursuant to the requirements of the California Environmental Quality Act.
  - a. Certification of the Final EIR and Amendment to the Final EIR (affecting both Northern and Southern parcels);
  - b. Adopt the California Environmental Quality Act (CEQA) Findings of Fact and A Statement Of Overriding Considerations for the Northern parcel; and
  - c. Adopt the California Environmental Quality Act (CEQA) Findings Of Fact and A Statement Of Overriding Considerations for the Southern parcel.

<u>Commissioner Fink</u> inquired if Mr. Daulton had reviewed the comments from Santa Barbara County. Mr. Daulton replied that he had reviewed the correspondence and it was correct.

### PUBLIC HEARING

Public Hearing opened: 6:56 p.m. Public Hearing closed: 8:15 p.m.

Jim Dixon, Project Engineer - stated that the most significant project change is the addition of the Bailey Avenue frontage road. The creation of the frontage road will allow farm vehicles to continue to use the existing Bailey Avenue farm road and provide a solid buffer between the agricultural and residential uses. Mr. Dixon stated that the project would be protecting the existing wetland, which will be fenced and remain passive.

<u>Commissioner Shoemaker</u> announced that he had a prior conversation with Mr. Dixon and Mr. Robert Guerra regarding this project.

<u>Richard Monk</u>, an attorney with Hollister & Brace, representing the applicant - pointed out the benefits of this project including the provision of new housing opportunities and job creation. Mr. Monk reviewed the potential Class 1 impacts from the project, identified in the EIR, and requested that the Planning Commission recommend that the Council certify the Final EIR, adopt the Statement of Overriding Conditions, and approve the project.

<u>David Schwartzman</u>, project applicant representing DS Ventures - indicated that, with the approval of the Northern parcel, his firm agreed to: 1) dedicate and improve a 4.09 acre park to the City; 2) pay the current impact fees including Quimby fees; and 3) contribute \$500,000 for odor containment at the Wastewater Treatment Plant (WWTP). He noted that the new Bailey Avenue frontage road provided a strong buffer for agricultural use which could be extended if the property to the south developed at some time in the future; indicated the project provides a variety of housing types that are needed in the community; stated that the project is a 'win-win' situation for the community; and requested Planning Commission recommendation of approval to the Council.

Susan Petrovich, attorney with Hatch & Parent - representing the Holser and Bailey family-provided photographs of the site for the record and noted that the area bordering the project on the south is currently in agricultural production and has been agriculturally active for 100 years. Ms. Petrovich stated that this farmland/property area is an agricultural preserve in Santa Barbara County and that it will continue to be farmed. She noted that this property's present land-use designation is *County Agricultural* and the property owners are not interested in changing the designation. Ms. Petrovich stated that the proposed project provides a buffer to the west but does not provide a buffer to the south. She noted that the project design centers on an extension of North Avenue on property owned by the Holser & Bailey family who do not oppose the project, but want it built on the developer's land, not theirs. Ms. Petrovich re-stated policy inconsistencies addressed in her correspondence of August 2, 2004. She discussed the fact that approval of the project as presented would begin the process of condemnation by the City for the proposed North Avenue extension.

<u>Kathleen Holser -</u> has been a partner in ownership of the 40 acres and values the land with its top quality soil and water. She stated she is glad to see more housing in the northern area, upon non-farmed land but it should be built in developer's property, not theirs.

<u>Joyce Howerton</u> - indicated that she appreciated the developer's comments regarding the benefits of the project and noted that development on the site has come up a number of times in the past. Ms. Howerton stated that there is no adequate buffer on the south end and pointed out that when development is up against farmland, farmland loses. She discussed what the citizens of the community value and asked how the City will maintain the park when police and fire are experiencing difficulty providing services to the current housing stock, and encouraged the Commission to recommend denial of this project.

<u>Bess Christiansen</u> - indicated that she has opposed projects on this site for the last 15 years. She stated her concern for the loss of prime farmland and that additional housing places stress on public safety personnel; expressed concern with the Class 1 impacts identified in the EIR; noted that the extension of North Avenue should be constructed on the project site; listed residential projects already approved in the Lompoc Valley; stated that the City is spending millions to improve the WWTP and this project will negatively impact it; and, noted that the City must maintain land for industry to provide jobs in the future.

<u>Wanda Bailey.</u> Ms. Bailey indicated that she represents homeowners in the Kitty Hawk development and opposes the zone change as it relates to the southern parcel. She stated that the wetland area is fenced in; is closed to the public; and only accessible to animals.

<u>James Beck</u> - Utility Director for the City of Lompoc – stated that Planning Commission should recommend that the proposed Zone Change, General Plan Amendment; and Preliminary Development Plan for the Northern parcel be denied. Mr. Beck stated that the City's Wastewater Treatment Plant handles the processing of waste from the City, the Village areas, and the Air Force Base. He noted that the Wastewater Treatment Plant has \$25,000,000.00 of equipment, has been in place for 40 years, is odorous, operates 24 hours daily, will not cease operations in the near future, and noted that there is no guaranteed process or technology that will eliminate all odor. Mr. Beck resubmitted the Utility Commission's letter dated May 14, 2004 opposing the proposed General Plan Amendment, Zone Change, and Preliminary Development Plan for the northern parcel.

<u>Joe Valencia</u> - noted that this project would be more appropriate in Santa Barbara or Goleta; stated that City impact fees were less than those in Santa Barbara; and expressed concern that farmland would be used for development.

<u>Leroy Scolari</u> - represents Santa Barbara Farm Bureau - strongly indicated that a southern buffer is needed; he noted that he appreciates the buffer provided to the west; stated that Ms. Petrovich's comments were appropriate; and indicated that the North Avenue extension should be on the project site.

<u>George Johnson</u> - local resident previously resided on Z Street - commented on pesticide application and drift; noted that the City will have to provide power to the development and he expressed concern that additional houses may cause the power supply to dwindle, resulting in higher power costs for all citizens of Lompoc. Mr. Johnson stated that the Commission shouldn't approve a project with the knowledge that a hardship will be placed on the existing residents.

<u>lan Stroup</u> - owns property adjacent to the southern parcel - expressed his concern regarding rodents, dust, lighting, and two-story homes overlooking existing single story homes.

<u>David Schwartzman</u> - stated that most housing developments in Lompoc have sold-out and have waiting lists and that identifies a need for housing in Lompoc; stated that the General Plan does not require an agricultural buffer on the south side of the project; noted that the project will be paying current impact fees which have dramatically increased since the beginning of this project; and indicated that odor is not an issue based on lack of complaints from existing residents.

<u>Richard Monk</u> - stated that the developers have sought to minimize conflicts; noted that the focus should be to the City's General Plan, not the County's; stated that a buffer is not required on the southern boundary; and pointed out that the lower density on the southern parcel is consistent with the General Plan.

<u>Jim Dixon</u> indicated that he was the City of Lompoc's Utility Director in the 1970's. He stated that there has been no history of complaints regarding the WWTP; noted that the park will not be provided if the northern parcel retains the *Planned Manufacturing (PM) Zoning*; and restated the need for housing in the City.

The Planning Commission took a break at 8:15 p.m. and resumed the meeting at 8:30 p.m.

Chuck Haight, Engineering Division, requested that the Commission add to the project specific engineering Conditions of Approval to the project. All North Avenue and Bailey Avenue improvements (North Avenue to Central Avenue) will need to be provided as part of the first phase of development. Improvements include street, utility, and bike path.

<u>Commissioner Fink</u> asked Mr. Granger for a clarification of Ms. Petrovich's statement regarding condemnation. Mr. Granger referred the question of land use policy to City legal counsel Katherine Stone. He noted that the Planning Commission should be aware that an approval of the project does contain the possibility of condemnation but that is a policy decision for the Council. The Planning Commission is recommending on the land use issues. <u>Commissioner Fink</u> asked what the timeframe would be for condemnation. Mr. Granger stated that it was difficult to provide an answer, the City controls only half of the process but the process generally takes a few years.

Ms. Stone stated that she carefully reviewed the land use policy analysis in the EIR; noted she agrees with Mr. Monk's view that the proposed project is consistent with policy 5.3 of the General Plan, and that it is the City's General Plan, not the County's, that should be considered. She pointed out that there is no requirement for a southern buffer due to the designation of future urban use in the City's General Plan. Ms. Stone stated that it was not necessary to re-circulate EIR revisions, cited the three circumstances in which a recirculation is required, and stated that there was only a minor change to the project, which was the addition of the Bailey Avenue frontage road.

<u>Commissioner Harman</u> asked Mr. Dixon for clarification on the Bailey Avenue transition area. Mr. Dixon responded that the geometry of the street was worked out with the City Engineer and that the new Bailey Avenue frontage was intended to be an access to the new project/residences. He stated that the maintenance of streets in the southern half would be a homeowner association responsibility and that the City would maintain the Bailey Avenue frontage road.

<u>Commissioner Harman</u> asked about the arsenic burial in the buffer zone. Mr. Dixon responded that the levels were low but over the threshold allowed; the issue was addressed in the EIR; the applicant has prepared a Corrective Action Program (CAP) which has been reviewed and approved by Santa Barbara County Fire Hazardous Materials Unit, the agency responsible to review and monitor this type of activity. The arsenic will be buried in the buffer area owned by the Homeowners Association; landscaping will be installed but will not include deep-rooted trees that can penetrate the cap over the arsenic. <u>Commissioner Harman</u> expressed concern with the possibility of airborne particles and discussed the emergency access at Audubon.

<u>Commissioner Fink</u> discussed the detected levels of arsenic and related harmful effects to humans with Mr. Dixon and Mr. Daulton. Mr. Daulton reviewed the information on this matter in the EIR and again stated that a Corrective Action Plan (CAP) has been approved by Santa Barbara County Hazardous Material Unit who has responsibility to monitor this type of activity.

Commissioner Ruhge, Harman and Rodenhi asked about the impacts to the WWTP. Mr. Beck responded that it is a WWTP, odor will occur and that there is no guarantee that a bioscrubber would contain odor so that there is no impact on adjoining residential properties. He noted that the City had a substantial investment in the Plant and would be undergoing an expensive upgrade in the near future, he also restated the Utility Commission's stand that the residential properties were not appropriate adjacent to the WWTP.

Commissioner Shoemaker inquired of Ms. Stone if there is a penalty for removing property from the Williamson Act contract. Ms. Stone stated that staff was still researching how the Williamson Act would affect the Holser and Bailey 40-acre property. Ms. Stone stated that condemnation would result in damages and that the developer would be responsible for all associated costs.

Motion:

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission adopt Resolution No. 356 (04) recommending that the City Council certify the Final Environmental Impact Report (FEIR 01-01) for the Seabreeze Estates Project.

Discussion: Commissioner Harman stated that he viewed no significant changes with the revised project, commented that he had voted against it previously, and stated he believes that there are errors in the EIR.

Vote:

The motion passed on a roll call vote of 4-1, with Commissioner Harman voting no.

Motion:

It was moved by Commissioner Fink and seconded by Commissioner Ruhge that the Planning Commission adopt Resolution No. 357 (04) recommending that the City Council adopt the California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations for the Seabreeze Estates Project (EIR 01-01) for the Southern Parcel.

**Discussion:** Commissioner Harman stated that he believes that the Lompoc soil should not be contaminated, nor should a chance be taken that might potentially contaminate the groundwater; stated that the arsenic should be dealt with now and not left for future generations to deal with; commented that citizens are to be protected now and that more traffic should not be brought to the neighborhoods; stated that he does not believe in urban sprawl and that there should be a balance between business and residential areas; and stated his belief that the northern parcel can be developed to support industrial uses, that residential growth should stop at Z Street, and that small ranches or farms should be built on the southern parcel.

> Commissioner Rodenhi commented that the applicant had made significant improvements to the project but expresses concern with the environmental cost to existing residents, and the property rights of the neighboring farmers.

<u>Commissioner Fink</u> states his disagreement with the prior comments and notes that the Commission has not progressed to actual discussion of the project. He stated his support of the EIR and commented that the EIR does identify the conditions that have been addressed.

<u>Commissioner Shoemaker</u> noted that this project falls within City limits; stated his agreement with the Statement of Overriding Conditions; noted that more work will need to be done with the development; however, he would support the motion.

Vote: The motion passed on a roll call vote of 3-2, Commissioners Rodenhi and

Harman voting no.

Motion: It was moved by Commissioner Fink and seconded by Commissioner

<u>Shoemaker</u> adopt Resolution No. 358 (04) recommending that the City Council adopt the California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations for the significant and avoidable impacts identified in the Final Environmental Impact Report for the Seabreeze

Estates Project (EIR 01-01) for the Northern Parcel.

**Discussion:** There was no additional Commission discussion.

**Vote:** The motion passed on a roll call vote of 3-2, <u>Commissioners Rodenhi and</u> Harman voting no.

2) GP 01-02 - General Plan Amendment– (affecting both Northern and Southern parcels):

# **To the Circulation Element:**

- 1) Roadway Designations Map change Bailey Avenue between Central Avenue and North Avenue to a Rural Road designation;
- 2) Add to Definitions a description of a Rural Road, Purpose and Description; and
- 3) Bikeway Routes Map change the Class I designation on the extension of North Avenue to a Class II designation.

<u>Commissioner Fink</u> stated that he had concerns regarding the condition of the existing Bailey Avenue farm road and creating a definition for a rural road, he requested input from other Commissioners.

<u>Commissioner Harman</u> stated his agreement with <u>Commissioner Fink</u> that the existing Bailey Avenue farm road needs to be improved.

Commissioner Shoemaker noted that the purpose of creating the Bailey Avenue frontage Road was to leave the existing farm Road for use by the farm equipment and not to create a commuter road. Commissioner Ruhge inquired if Bailey Avenue was in City or County jurisdiction. Public Works Director Larry Bean stated that the existing Bailey Avenue farm road, from Central Avenue adjacent to these parcels is in the City limits, the balance of the road is in Santa Barbara County.

Motion:

It was moved by Commissioner Ruhge and seconded by Commissioner Shoemaker that the Planning Commission adopt Resolution No 359 (04) recommending that the City Council approve the requested Circulation Element changes to the General Plan (GP 01-02).

**Discussion:** Commissioner Fink inquired if the City can change the designation on property outside the City limits. Staff explained that this type of designation was to advise the public of the future intended use if the property was annexed.

Vote:

The motion passed on a roll call vote of 3-2, Commissioners Rodenhi and <u>Harman</u> voting no.

#### 3) <u>GP 01-02 - General Plan Amendment</u> (affecting only Northern parcel):

To the Land Use Element (Northern parcel) change the existing land use designation from Light Industrial with a Park Overlay to Medium Density Residential on 24.71 acres and to Community Facility on 4.09 acres. The existing Open Space designation on 9.02 acres of the Bailey Avenue Wetlands is proposed to be retained.

Commissioner Fink asked Mr. Beck if buffers placed along the park site and the riparian would be satisfactory. Mr. Beck responded that, in his opinion, industrial zoning would be a better neighbor in this area. City Administrator Gary Keefe stated that he was the Wastewater Superintendent when Mr. Dixon was Public Works Director and no Wastewater operator would recommend that a residential use should be placed adjacent to a Wastewater Treatment Plant. Commissioner Rodenhi commented that operations of any such Plant can go awry and stated he has sometimes experienced an odorous smell on Central Avenue. Commissioner Harman stated that he would not support the resolution; he believes in a balance of housing and opposes taking away industrial zones where jobs could be created.

Motion:

It was moved by <u>Commissioner Harman</u> and seconded by <u>Commissioner Fink</u> that the Planning Commission adopt Resolution No 360 (04) recommending that the City Council deny the requested changes to the General Plan for the Seabreeze Estates project northern parcel – General Plan Amendment GP 01-02 (Assessor Parcel No. 93-070-62).

Discussion: Commissioner Fink noted that he has smelled Plant odor for weeks at a time and commented that equipment can be altered but the sludge beds will still emit an odor.

Commissioner Shoemaker noted that he had done some research and the Wastewater Treatment Plant was only out of conformance on two days in the calendar year 2003. He had asked Mr. Granger if non-compliance for 2 days could result in a lawsuit. Mr. Granger replied non-compliance would generally have to be a continual, drawn-out situation to result in litigation. Commissioner Rodenhi expressed concern that the Wastewater Treatment Plant expansion may be handicapped due to the proposed housing development and does not see the project going forward as residential property.

<u>Commissioner Ruhge</u> stated that she supports private property rights and believes Mr. Schwartzman has a right to develop his property in the manner he pleases. She noted that the City keeps waiting for business to come in and operate and there are no prospects in the near future.

Ms. Pelster clarified the resolution before the Commission.

**Vote:** The motion passed on a roll call vote of 3-2, <u>Commissioners Shoemaker and Ruhge voting no.</u>

4) <u>ZC 02-06 - Zone Change (Northern parcel)</u> amend the City's Zoning Map designation for the parcel from *Planned Manufacturing (PM)* to *Medium Density Residential, Planned Development (R-2, PD), Public Facilities (PF), and Open Space (OS).* 

**Motion:** 

It was moved by <u>Commissioner Fink</u> and seconded by <u>Commissioner Harman</u> that the Planning Commission adopt Resolution No. 362 (04) recommending that the City Council deny Zone Change (ZC 02-06) for the northern parcel (Assessor Parcel Number 93-070-62).

**Discussion:** There was no discussion.

**Vote:** The motion passed on a roll call vote of 3-2, <u>Commissioners Ruhge and Shoemaker voting no.</u>

5) <u>DR 02-19 -- Preliminary Development Plan (Northern parcel)</u> review of a Preliminary Development Plan for conceptual design of 96 duplex units, 120 apartment units, site plan, parking, and landscaping for the Northern parcel. The proposed housing product types include duplex and apartment complex with landscaping and parking.

Motion:

It was moved by <u>Commissioner Fink</u> and seconded by <u>Commissioner Harman</u> to adopt Resolution No. 363 (04) recommending City Council to deny the Preliminary Development Plan (DR 02-19) the Seabreeze Estates project northern parcel (Assessor Parcel Number 93-070-62).

**Discussion:** There was no additional discussion.

Vote: The motion passed on a roll call vote of 3-2, Commissioners Ruhge and

Shoemaker voting no.

6) <u>GP 01-02 - General Plan Amendment</u> (affecting only Southern parcel):

# To the Land Use Element (Southern parcel)

change the existing land use designation from Low Density Residential with School Overlay to Low Density Residential. The existing Open Space designation on 4.03 acres of the Bailey Avenue Wetlands is proposed to be retained.

- 8) <u>ZC 01-02 -- Zone Change (Southern parcel)</u> amend the City's Zoning Map designation for the parcel from Single Family Residential (7-R-1) to Single Family Residential Planned Development (R-1, PD) and Open Space (OS).
- 9) <u>DR 01-02 Preliminary/Precise Development Plan (Southern parcel)</u> review of a Preliminary/Precise Development Plan for the 150 lot residential subdivision, including landscaping for the buffer and the subdivision common area. The proposed housing product types are one and two story single-family residential units.

Commissioner Fink stated that he agreed the buffer on the western side of the project was adequate but also noted the need for a buffer on the south side; noted that the North Avenue extension was proposed on property owned by others who have stated they don't plan changes from the current agricultural use and will resist efforts to have property taken for use as a road; and inquired about the road designation if the northern parcel is denied and the southern parcel approved; and expressed concern with placement and would like to see it relocated.

<u>Commissioner Harman</u> stated he concurs with <u>Commissioner Fink</u>. Ms. Pelster provided an outline for the Commission on potential Council action regarding the road. Ms. Petrovich stated that the owners of the Bailey property have offered to sell a corner of their property in order for the development to have appropriate access from North Avenue, however, the road placement would have to be moved onto their site. Mr. Granger directed the Commission to approve or deny the project as it is currently proposed. Mr. Granger added that if the project is denied, specific findings must be made for the record.

Motion:

It was moved by <u>Commissioner Fink</u> and seconded by <u>Commissioner Shoemaker</u> that the Planning Commission adopt Resolution No. 361 (04) recommending that the City Council approve the General Plan Amendment GP 01-02 requested Land Use Element changes for the Seabreeze Estates project southern parcel.

**Discussion:** There was no additional discussion.

**Vote:** The motion passed on a roll call vote of 4-1, with <u>Commissioner Harman</u> voting

no.

Motion: It was moved by Commissioner Fink and seconded by Commissioner Rodenhi

that the Planning Commission adopt Resolution No. 364 (04) recommending that the City Council deny Zone Change ZC 01-02 for the Seabreeze Estates

project southern parcel.

**Discussion:** There was no additional discussion.

**Vote:** The motion passed on a roll call vote of 3-2, with Commissioners Shoemaker

and Ruhge voting no.

**Motion:** It was moved by <u>Commissioner Fink</u> and seconded by <u>Commissioner Rodenhi</u>

that the Planning Commission adopt Resolution No. 366 (04) recommending City Council deny DR 01-02 as the Preliminary/Precise Development Plan for

the Seabreeze Estates project southern parcel.

**Discussion:** There was no additional discussion.

**Vote:** The motion passed on a roll call vote of 3-2, with Commissioners Shoemaker

and Ruhge voting no.

7) <u>LOM 508 --Tentative Subdivision Map (Southern parcel)</u> a Vesting Tentative Subdivision Map requesting subdivision into 152 parcels for residential development, including an agricultural buffer, and Open Space for riparian

wetlands.

**Motion:** It was moved by Commissioner Fink and seconded by Commissioner Rodenhi

to adopt Resolution No. 365 (04) with revised findings recommending that the City Council deny a Vesting Tentative Subdivision Map to subdivide a 39.43-

acre parcel for residential development – LOM 508.

**Discussion:** There was no additional discussion.

Vote: The motion passed on a roll call vote of 3-2, Commissioners Ruhge and

Shoemaker voting no.

#### **NEW BUSINESS:**

None.

#### **ORAL COMMUNICATIONS:**

Bess Christiansen. Ms. Christiansen expressed concern with a policy that allows the City to

# **WRITTEN COMMUNICATIONS:**

None.

### **DIRECTOR/STAFF COMMUNICATIONS:**

Community Development Director Arleen Pelster stated the August 9, 2004 meeting was cancelled and that tonight's Commission recommendations would be before the City Council on August 17, 2004. Ms. Breese stated that the Joint Meeting of the City Council and the Planning Commission will tour the Walnut Village project on August 20, 2004. The meeting scheduled for August 23, 2004 will address minor revisions to the Aquatic Center.

### **COMMISSION REQUESTS:**

Commissioner Ruhge asked staff about Mr. Mires' comments regarding The Home Depot project. Ms. Breese stated that there are conditions in place for lighting plan review and noted that the landscaping has not been installed. Commissioner Fink inquired about construction hours. Ms. Breese replied that the developer, on a few occasions, has requested increased hours in extenuating circumstances. Ms. Breese commented that staff attempted to notify bordering neighborhoods of such circumstances. Commissioner Shoemaker stated that lighting and glare was discussed prior to project approval. Ms. Breese stated that a review of the lighting would be performed prior to the project's opening. Commissioner Fink commented on the evening's spirited discussion and thanked staff for the tremendous effort with this particular project.

### **NUMBER OF PEOPLE IN ATTENDANCE: 31**

#### ADJOURNMENT:

On a motion by Commissioner Rodenhi and seconded by Commissioner Shoemaker, the meeting was adjourned 10:20 p.m.

Jack Rodenhi Arleen T. Pelster, AICP Chair

Secretary G: Minutes\2004\ 08-02-04