

**APPROVED ACTION MINUTES  
CITY OF WOODLAND  
PLANNING COMMISSION  
THURSDAY, FEBRUARY 21, 2008**

VOTING MEMBERS PRESENT: Wurzel; Dote; Murray; Sanders; Gonzalez;  
Spesert

VOTING MEMBERS ABSENT: Barzo

STAFF MEMBERS PRESENT: MacNicholl; Norris; Stillman; Pollard;  
Houck

The meeting was called to order at 7:03 PM.

1. Director's Report:

- Robert MacNicholl, Planning Manager: He said that, with the exception of the Chairman, we seem to know who will be attending the Planners workshop. He said that Commissioner Sanders is the only one that we have not officially heard from yet.
- Commissioner Sanders: He said that he seems to have been signed up as well.
- Robert MacNicholl: He thanked Commissioner Sanders for agreeing to attend.
- Robert MacNicholl: He announced that VIPs were invited to attend the opening of Costco this evening. He also said that tomorrow morning at 8 AM the store would officially open and that this is the first opportunity to have a local Costco retailer.
- Commissioner Sanders: He said that he has just come from the Costco opening. He said that the store is jammed to the rafters and if people come to Woodland to spend their money, it will be good for the City. He said it is a very nice facility and that Costco outdid themselves. He said that he has visited many other Costco stores and this one is very nice. He noted that Staff did a great job on the Costco as well.

2. Approval of Minutes:

**November 16, 2006:**

- Commissioner Gonzalez: She said that she finds it difficult to go back to 2006 and approve or disapprove anything, so she will abstain from that one.
- Commissioner Dote: She asked for confirmation that these minutes are from 2006 and, if so, she will also abstain.
- Robert MacNicholl: He confirmed that the minutes are from November 2006.
- Commissioner Wurzel: He said that he would abstain as well as he was not on the Commission at that time.

- Commissioner Sanders: He indicated that since there are only 3 present to vote on this, they would pass on the November 16, 2006 minutes.
- Commissioner Dote: She found that she comments in the minutes. She said that she is quoted in the minutes so she will act on it.
- Commissioner Murray: She also found that she is quoted and she will act on it and say yes.
- Commissioner Sanders: He asked for a motion.

It was moved by Commissioner Dote and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of November 16, 2006 as written.

AYES: Dote; Murray; Sanders  
 NOES: None  
 ABSTAINED: Wurzel; Gonzalez; Spesert  
 ABSENT: Barzo

**February 7, 2008:**

It was moved by Commissioner Dote and seconded by Commissioner Murray to approve the Planning Commission meeting minutes of February 7, 2008 as written.

AYES: Wurzel; Dote; Murray; Sanders; Gonzalez  
 NOES: None  
 ABSTAINED: Spesert  
 ABSENT: Barzo

- Commissioner Wurzel: He confirmed that he abstained from the November 16, 2008 minutes and approved the February 7, 2008 minutes.

3. Public Comment: This is an opportunity for the public to speak to the Commission on any item other than those listed on the Agenda. The Chairman may impose a time limit on any speaker.

a. None.

4. Communication – Commission Statements and Requests: This is an opportunity for the Commission members to make comments and announcements to express concerns or to request Commission’s consideration of any item a Commission member would like to have discussed at a future Commission meeting.

- Commissioner Wurzel: He introduced Bill Fulton who is present at the meeting tonight. Mr. Fulton is the publisher of a recent article in the California Planning and Development Report (CP&DR). This article ranks the best small town downtowns in the Central Valley and the City of Woodland was ranked as having the best small town downtown. He read the following excerpt from the article:

*“Woodland. Unlike downtowns in similar sized cities, downtown Woodland never died- not even when County Fair Mall opened at the southern edge of Woodland during the mid-1980s. Restaurants, watering holes, small professional service businesses and offices helped keep Main Street as the center of town. In the heart of downtown sits the City Hall, a 19<sup>th</sup> Century valley classic that was rebuilt during the Depression. The residential neighborhoods between East and West streets are filled with tall trees and well-maintained houses of Victorian, Tudor and Craftsman design. But the jewel is the Woodland Opera House, a national historic landmark and, since the 1970s, a state park. The brick opera house was closed for 76 years before it reopened in 1989 and today provides a gorgeous setting for live theater. And both before and after the show, you’ll find people on the sidewalks of downtown Woodland.”*

- Commissioner Wurzel: He thanked Mr. Fulton for the article. He said that we are proud of it and of the City. He thinks that Staff and residents should be proud of our downtown. He said that this is great recognition and again thanked him.
- Commissioner Sanders: He said he concurred and asked the Planning Manager if we can get this article linked onto the City website, with their permission. He said that we would like to use the article’s kind words to trumpet the City of Woodland.
- Commissioner Dote: She remembers when they had an Urban Planner from Oakland visit the City during the Spring Lake Specific planning, and he said that downtown Woodland is a treasure and something that other cities would kill for.
- Commissioner Sanders: He said for them to save their article because there are a lot of good things coming to downtown and we are going to hang onto this ranking for a long time.
- Commissioner Dote: She also said that she was at Costco last week with the Chamber as they had their business luncheon there. Costco was well received and she learned that it is the second largest store in the chain. She said that it is a very large Costco and looks like a wonderful shopping opportunity for our city. She said that she is happy to see it.
- Commissioner Murray: She had no comments or announcements.
- Commissioner Gonzalez: She wanted to note that she met with Commissioner Murray and Tom Lumbrazo this week regarding the Gibson-Ogden agenda item.
- Commissioner Spesert: He had no comments or announcements.
- Commissioner Dote: She also met with Tom Lumbrazo this week.
- Commissioner Wurzel: He also met with Tom Lumbrazo this week.
- Commissioner Sanders: He said that he appears to be the only Commissioner that was not able to meet with Mr. Lumbrazo this week. He said that he will be sure to make it happen next time.

5. Subcommittee Reports.
  - a. None

PUBLIC HEARING:

6. **Gibson-Ogden Development Project, Tentative Map No. 4879.** The applicant is requesting approval for 90 single family lots on 14.47 acres, including the footprint for a future bike-pedestrian overpass landing. The proposal requires a General Plan Amendment from Public Service (PS) to Medium Low Density Residential (MLRD); a Zoning Amendment from Residential Multi-family Density (R-M/PD) to Duplex Residential (R2/PD); and a Southeast Area Specific Plan Amendment from Medium Density Residential (MDR-20) to Low Density Residential (LDR-7). In addition the application includes proposed Tentative Map #4879 and a Conditional Use Permit for a Planned Development to allow modification from base zoning standards for lot area and dimensions, setbacks, street width and design.

Applicant/Owner: Gibson Ogden Investors, Woodland Joint Unified School District  
Environmental Document: Mitigated Negative Declaration  
Staff Contact: Cindy A. Norris, Senior Planner  
Recommend Action: Conditional Approval

#### DISCUSSION

- Commissioner Dote: She requested confirmation that this project was originally going to be an apartment complex before the school district bought it and now it is going back to a housing site. Her concern is that during all this trading around of property we lost affordable housing as per our Housing Element.
- Cindy Norris, Senior Planner: She stated that because this project was designated as public service, it was not included in the 2002 Housing Inventory at that time. We are currently in the process of conducting our housing element update and the inventory is in the process of being developed. Staff feels that although the project site does not hold the twenty dwelling units per acre that its current zoning allows, they are complying with our affordable housing ordinance. She said that even though they have not yet conducted the inventory, Staff believes that there are adequate sites in Woodland to comply with the affordable housing ordinance.
- Commissioner Dote: She asked if this has affected our Overall City inventory of affordable housing.
- Cindy Norris: She confirmed that the overall inventory has not been affected.
- Commissioner Gonzalez: She said that she is more concerned about the overpass, when it will happen and how it will look. She said that her reference of overpasses is from Sacramento and that they do not add anything beautiful to its surroundings. She asked for some idea of how the overpass would look.
- Cindy Norris: She said that she knows some preliminary design has been done but mostly for the landing. There will still need to be some determination of where it will land. She believes it will be to the south. She said that overall design will be done at some future time.
- Bruce Pollard, Senior Civil Engineer: He said that there has been enough design done for a right-of-way, preliminary costs, and general structural

design. He said that there is usually some evaluation of architectural treatment in the design process and that would occur when they get into a final design so that the architectural design is more timely and contemporary to the time it is built.

- Commissioner Gonzalez: She asked when this would happen.
- Bruce Pollard: He said that it is not currently programmed in the Capital Budget.
- Commissioner Gonzalez: She stated that we want to have someone give us something so that we can plan to do something sometime in the future with a specific timetable.
- Liz Houck, Engineering Assistant: She indicated that the overpass is in two specific plans and it is part of the bikeway master plan.
- Commissioner Gonzalez: She said that it can be part of a plan but wanted to know what the timetable is.
- Robert MacNicholl: He indicated that a lot of it is dictated by events that are sometimes unforeseen. For example, he said that we are suffering from a large downturn in the development activity which is the basis for funding not just this but a number of other improvements that will be part of the overall bike plan for the community. For us to try and predict its construction date at this moment is not so important as to ensure that we have the ability when the time is appropriate. We need to ensure that the facility is part of that overall plan. So the answer is that we don't know, but that is true of a number of other infrastructure facilities we have in the community as well.
- Commissioner Gonzalez: She asked if it then poses a problem if we are asking the owner of land to give up land for something that may or may not be.
- Robert MacNicholl: He provided the example of having dedications for roads. There is no way of knowing necessarily when they will expand that road. You may have in your Capital Improvements Plan some anticipated period of time when it will occur, but in fact it will really be driven by when the need develops. Again, it would be critical to know where you need the road ultimately so when the development does finally occur to ensure that you have the means to do it. So, it is not so different from a lot of other facilities that the City needs in the long run.
- Commissioner Gonzalez: She noted that it is situated across from the community college. She asked how it was decided there and not across from the high school.
- Cindy Norris: She indicated that there is a bike access lane between the community college and the high school that will connect down to the Spring Lake Specific Plan.
- Commissioner Gonzalez: She asked to confirm that the path would be between the two.
- Cindy Norris: She confirmed that the path would be between. She clarified that the intent is not just to serve the community college or high school. She said that the intent is to connect the community and develop a citywide bike facility. She said that there are discussions in place for a potential regional bike system between Davis and Woodland. The intent is to allow future

connectivity and alternate transportation in Woodland. Also, the overpass would contribute as a tremendous community feature for the City.

- Commissioner Dote: She wanted to talk again about the over crossing. She said that we have been talking about this for a long time, probably more than 10 years. It was originally commented on in the Environmental Impact Report (EIR) for Gibson Ranch and then also Spring Lake. She asked if there have been any development fees collected for this.
- Robert MacNicholl: He confirmed that there have been fees collected.
- Liz Houck: She said that the Gibson Ranch infrastructure and the southeast infrastructure fees have been collected towards the construction. Also, it is being collected as part of the Spring Lake infrastructure fees.
- Commissioner Dote: She said that she remembers that the landing was between the high school and community college, but asked if we will still need Federal funding. She said that apparently the development fees are not enough and asked if we will still need federal funding for this.
- Bruce Pollard: He said that under the current funding scenario we are fine, but there are always the unforeseen circumstances of increased construction costs. He said that we have pretty much collected all that we can collect from the southeast area and this will be the last project.
- Commissioner Dote: She said that this brings us back to the question of timing. She asked if we are not waiting for Federal money, we are not waiting for State money, and local development fees have been collected, Gibson Ranch is basically built out except for this project, Spring Lake is proceeding- then what is the question of the timing on this project.
- Bruce Pollard: He said that Gibson Ranch pays for one half of this bridge and Spring Lake pays for the other half. Spring Lake has funding in place for what was called the Initial Facilities Requirements. There will probably be two to three additional phases of the infrastructure and those have not been programmed out yet.
- Commissioner Dote: She said that she does not know why it is not in our Capital Project.
- Bruce Pollard: He said that it is because we have only had the first bond increment on Spring Lake and they are evaluating further fund mechanisms with the development community for the future infrastructure. In other words, there are about \$100 million of infrastructure to be constructed in the southeast area and Spring Lake area, and had they needed to collect fees for this particular item, which has not been given a timeframe at this point, due to the uncertain development timeframe for Spring Lake.
- Commissioner Dote: She asked what he estimates cost are for the over crossing and the landings. She asked if it would be \$3-5 million.
- Bruce Pollard: He said that he did not have the cost with him, but that he believes it to be closer to \$3 million. He said that he does not know what the current estimate is. He thinks that it is between \$2-3 million now.
- Commissioner Wurzel: He again stated that Mr. Lumbrazo came and met with the Commissioners before he had the staff report. He said that Mr. Lumbrazo presented him with a map that included a different landing configuration than

this one. He asked specifically what map are the Commissioners being asked to approve tonight, this map or the one with the roundabout.

- Cindy Norris: She confirmed that the map for approval is the one included in the Staff Report. She said that it appears that they were looking at a prior map that had a smaller spiral footprint with a roundabout.
- Commissioner Wurzel: He then asked if this map has 90 lots and the prior map had 88 lots.
- Cindy Norris: She confirmed his information.
- Commissioner Gonzalez: She asked Staff to go over one more time the four years and dedication, etc.
- Cindy Norris: She stated that Staff's condition is written such that there would be a dedication of land for this landing and that they would dedicate that land. That is would include the dedication for the landing and that twenty-foot construction easement. The only variation from Staff's end is that once the over cross landing is constructed that the portion of the construction easement (ten-feet in width) would be vacated back to the parcels. Staff has also included conditions of approval that the setbacks should be looked at again during the course of design review for those particular lots so that they have appropriate ten-foot setbacks from the property line. These lots happen to be a little bit deeper so that they can accommodate modified setbacks. She said that the applicant is proposing that the land for the over cross landing be dedicated and that if the over pass is not constructed within four years, the land would be vacated. In addition, they request that the City provide compensation to the school district and Gibson Ogden Investors for the dedication. She explained that this is the difference.
- Commissioner Gonzalez: She asked if the compensation would be for the four years. They are talking about getting it back in four years if nothing happens.
- Cindy Norris: She clarified that it is if it is constructed.
- Commissioner Gonzalez: She confirmed that it is if the project is carried out. She also asked if the City does not feel that four years is sufficient.
- Robert MacNicholl: He stated that Staff is feeling real uncertainty about the development schedule in the Spring Lake area and a lot of the funding that will be needed for this project will be dependant upon how quickly that development occurs. It does not seem appropriate to Staff to put up front, without knowing about development ahead of time, a constraint on the City that we can not effectuate. We have a requirement and a specific plan to the north and a specific plan to the south that we need to connect with a bike path throughout the community. He said that it doesn't make any sense to place this arbitrary time limitation on the proposal.
- Commissioner Wurzel: He said that he wished to add to Commissioner Gonzalez's comments. He stated that after the four years, even when vacated, there would be no compensation. We would have paid for the easement, did not use it in four years and then they get the land back. He asked if there would be money returned when they get the easement back. He said that this is the confusion for him. He asked if this might be a question for the applicant, to propose an alternative.

- Liz Houck: She said that it is reserved for four years and if the City takes it within that time, then we would compensate them for it.
- Commissioner Spesert: He stated that other than the four-year issue, the compensation intrigues him. He was referring to the letter from the school district and indicated that there are a couple sentences in the letter that he wanted Staff's feedback on. He said that it might be more of a legal question. The sentence basically says that the City would have compensated the district for this dedication to the City and then it sites the education code. It states that the City would still be obligated to compensate the new owners if the City wishes to have this overpass constructed in the future. He then stated that the school district has a legal opportunity for the City to provide compensation for that piece of property. He asked if we have looked at the legal impacts if this property is transferred. He asked if the City would be bound to that commitment to the school district.
- Robert MacNicholl: He stated that he did not know.
- Commissioner Spesert: He stated that this is a significant issue.
- Robert MacNicholl: He said that he is not the City Attorney and therefore is not in a position to comment.
- Commissioner Spesert: He asked if the City Attorney has reviewed this issue.
- Robert MacNicholl: He stated that Staff has not yet had the City Attorney look at that letter, as the letter was just received.
- Commissioner Dote: She asked if the dedication of the land and the land swap in Spring Lake is for one of the already programmed school sites or is it for another site. She said that there were three sites in the Spring Lake Master Plan that were dedicated for elementary schools.
- Cindy Norris: She confirmed that it would be for one of the school sites that were previously planned.
- Commissioner Dote: She confirmed that we are not changing those sites.
- Robert MacNicholl: He stated that she is correct.
- Commissioner Gonzalez: He asked if fees on this project were negotiated and if this is typical. She questioned if there are set fees. She is amazed that the fees were negotiated, as she would expect that the City would have set fees.
- Robert MacNicholl: He said that in this case there was a dispute between parties as to which fees were applicable and what would be appropriate. There was a three-way discussion as well that included the school district, the developer and the City. He stated that neither he, nor any other Staff at tonight's meeting, was a party to those negotiations. He said that he does not know the specifics of the meeting but does know that a decision was made and all three parties agreed that these negotiations reflected a fair apportionment for fees. He said that we see this reflected in the Agreement.
- Commissioner Gonzalez: She again asked if that is typical.
- Robert MacNicholl: He said that it is not typical but it does occur and has been done before.
- Commissioner Gonzalez: She asked if it is an accurate assumption that these fees are not what would be normally scheduled fees.

- Cindy Norris: She said that these fees are not what would have been employed if another developer not associated with this school district had come in to develop this site.
- Robert MacNicholl: He confirmed that typically a developer would be charged those fees currently in effect. In this case, there is a blending of some of those fees. Some of the fees reflect current levels and others don't, but reflect fees charged some time ago.
- Commissioner Dote: She said that she just heard that there was a three-way negotiation, including the developer, the school district and then she asked who the third party was.
- Robert MacNicholl: He said that it was the City.
- Commissioner Dote: She asked who was there from the City as he stated that it was not him, nor any Staff present.
- Robert MacNicholl: He clarified that he was not a party to the negotiation and did not know all parties to the negotiations.
- Commissioner Dote: She asked who represented the City.
- Robert MacNicholl: He said that he believed it was Barry Munowitch and the City Manger who were involved for the City. He did not mean to imply that it was someone that he did not know. He just could not speak to why the negotiated terms ended up as they are, as he was not a party to the negotiations.

#### PUBLIC COMMENT

- Commissioner Sanders: He invited the Applicant to come forward and make comment.
- Tom Lumbrazo, Gibson Ogden Partners: He thanked the Commission and apologized for the confusion over the map and site plan for the landing that he provided to the Commissioners during their meetings. He said that he did not have the updated version at the time. He said that they have changed it from a corkscrew to a landing, which is preferable. Since the first Planning Commission meeting some months ago, they have responded to three things that were requested. First, they have increased density by going from 75 to 88 units. You also requested a variety of mix in the housing product and now they have varying lot sizes and several unit types and more of an affordable product along the Bel Air side. Finally, you wanted to see the over crossing shown on the plan, and that has been done. In meeting with some of the Commissioners last week, there were questions that he wanted to address. One is the main street coming off of Brannigan. That is 14-foot wide. There would be a 20-foot travel lane, 14-foot landscaping with trees in it, a 14-foot travel lane and then walking paths on both sides. Also, there was a question about how much land would need to be dedicated for the landing area. There is close to 24,000 square feet. He then wanted to discuss the Conditions. He said that Cindy was right that they have come to an agreement about the affordable housing. They had been concerned about locking into the conditions at the time and the affordable housing issue. An agreement was reached today. It would say on this map that the conditions about affordable

housing with the approval of this project tonight would stand, without any amendments to the ordinance. That in mind, they are willing to waive the Vesting Tentative Map issue. If the City were to go forward with a Public Works Standard change, they would be subject to that. For example, if the pipe sizes change or something like that. We were concerned about the affordable housing issue as this project is designed to be efficient and successful in a time when we have a down market. They are working very hard with the school district and the City to make this happen. They are interested in getting this elementary school started in Spring Lake. The school district wants to move from this site to Spring Lake and this project makes that happen. He then reviewed the second condition regarding the dedication of the land for the landing for the over crossing and the space around the landing. He read that the City requests the dedication within four years of the land exchange and if the City does not request the land within the four years, the condition for the dedication shall expire. We feel that we should not be dragging this on forever. This has been planned for a long time, about 15 years. He said that there needs to be progress in getting this done. We are setting aside lots that can not then be built for at least four years. He is concerned about having someone build this project, then walk away for ten years, and then come back to build the final lots. He said that there needs to be some reasonable solution to time and the developers have picked four years. He said that they are requesting a reasonable condition that he read that would tie the timeframe down to four years. He asked for the Commissioner support in setting some kind of timeframe. He then discussed the last condition regarding compensation for land dedication at fair market value after an appraisal is conducted. He said that Staff had likened this dedication to a street dedication and he feels that it is not. He said that the streets that they have to dedicate, they are dedicating out right, but this is about a regional facility. It is about carrying traffic back and forth throughout the community. He said that this project benefits the whole community and in such cases, the whole community pays. He said that the City represents the community and the land should be paid for at fair market value.

- Commissioner Wurzel: He said that in addition to the map, the Applicant is requesting a PD zoning designation. So, essentially we are waiving a number of City standards with the set backs, etc. and we are allowing a more dense development. He asked the Applicant how he would respond to the issue of allowing a more dense development and narrower streets on this land for the landing as a swap for less dedication for the streets. In exchange for the PD zoning, they are giving us the land for the landing. If this development did not include the bike landing, you would yeald less density.
- Tom Lumbrazo: His response was that it is not that clearly black and white. He said that when they first came to Commission, they had 75 fairly standard sided lots with little variation from the standards. Then the Planning Commission asked to go back and make changes to add more lots and put the landing in. He said that they did not want to put the over crossing in as it effects the privacy of all the lots that it crosses over. He said that they do get

more lots but the value of those lots is significantly discounted because they will be much more difficult to sell. He stated that it is not an equal proposition. He said that they do get more lots but they do not compensate for all the lots that are effected by the over crossing.

- Commissioner Spesert: He asked the Applicant if he could answer any of the issues that he raised earlier about the school district's letter and their claims that the City is responsible for compensating the district and the developer.
- Dr. Jacki Cottingim, WJUSD Superintendent: She said that they are most concerned about preserving the money for the school. If they are not compensated for the landing that is being taken out of the property that is owned by the school district at this time, that is money that they will not have to build their school. She said that if they retain ownership of that piece of property, the City would have to compensate them. One of the alternatives is to leave that piece of property in the hands of the school district so that the issue of the land going to the developer would be mute. They have not yet received a legal determination if the compensation would transfer to the developer. In order to not receive a decrease in the value of the property in the exchange, the school district would then hold onto that piece of property and require compensation for it when it is taken by the City. She is unsure if it transfers but at any rate, there would be compensation required.
- Commissioner Spesert: He stated that their letter implies that there would be a transfer from the school district.
- Dr. Jacki Cottingim: She said that this would be their preference. She said that they are not developers and do not want to get stuck with a piece of property.
- Commissioner Spesert: He said that they site Education Code in the letter.
- Dr. Jacki Cottingim: She said that they know that they need compensation.
- Commissioner Spesert: He asked if in the Education Code there is a requirement that the City compensate the school district.
- Dr. Jacki Cottingim: She confirmed that this is correct.
- Commissioner Wurzel; He restated that there is an assignment of the compensation.
- Dr. Jacki Cottingim: She said that this is what she would ask for support for, that the school district does not suffer. When they trade the properties, it is the valuation that they are trading.
- Commissioner Spesert: He said that he understands but if there is no transfer of that duty of compensation from the district to the developer, then he would think that the City would not recognize that.
- Dr. Jacki Cottingim: She said that it would be one of the options and that is why one option is for the school district to retain ownership of that property, which would become cumbersome for both the City and the school district.
- Bruce Pollard: He wanted to clarify that there is just a single piece or property here with a tentative map on it, so without a mapping process that is separate from this that property can not be parceled out and retained.
- Dr. Jacki Cottingim: She confirmed that this is correct and the whole project could go up.

- Bruce Pollard: He continued by saying that they would have to come to the Commission with a separate map at that time, which may or may not have conditions.
- Commissioner Spesert: He asked if the piece of property where they want to put the landing would have to be pulled out, if the district decided to maintain it.
- Bruce Pollard: He said that they would have to have a separate map application to do that, which would have its own conditions on that map.
- Dr. Jacki Cottingim: She said that this would hold the process up and this is why they are asking for the exception. She said that what the school district is trying to do is retain funds for the children and our schools. She explained that this is their interest in this. They are not interested in making more money for a developer or anything else. She said that the money that would come in from the trade would go directly into the school's coffers to pay for the elementary school, for the benefit of the children.
- Commissioner Spesert: He asked if the district talked to legal council about the question of whether or not the City is to compensate the district if it transfers to the developer.
- Dr. Jacki Cottingim: She said that she did not ask for that but instead asked for the exception. She said that she would have thought that the City Attorney would have looked at this.
- Commissioner Sanders: He asked for clarification from Dr. Jacki Cottingim about two things she said tonight. First, if we do not grant this exception then the school district will retain possession of the 24,000 square feet as option one. Secondly, if the Commission does not grant the exception then the whole deal will fall through. He asked which one it is.
- Dr. Jacki Cottingim: She said that she did not know.
- Commissioner Sanders: He then said that to carry that line of thought out, if the Commission does not grant the exception then this project will not go through and the district will not get the school built. He said that he feels that they are being held hostage for 24,000 square feet.
- Dr. Jacki Cottingim: She said that she is not trying to hold anyone hostage for anything. Instead, she is trying to explain that they are trying to preserve. If the City were to take the land from the school district and if the school were to be built at Ogden and Brannigan, which most agree is not a good site for it and a better site would be in Spring Lake. She is saying that if they were to retain that property then the City would have to compensate the district for it if they built the school there. There are other issues concerning an over crossing that looks down into an elementary school. She explained that right now that property has value and a value to the district. If they were to lose that property, they also lose the compensation for that piece of property. In essence, they would be giving that away. She says that she does not have the authority to make a decision one way or another. She said that she is just staff who would make a recommendation to her Board.
- Commissioner Murray: She said that it is her understanding that there is a property A and a property B and that they would exchange these.

- Dr. Jacki Cottingim: She said that they would like to.
- Commissioner Murray: She said that is the idea, is that they would exchange and then they would build a school down in the Spring Lake area. She said that she finds it difficult to understand that the district would take a corner out of the land that they exchanged and say it is theirs.
- Dr. Jacki Cottingim: She explained that they have not exchanged property yet.
- Commissioner Murray: She asked if they are discussing the process of doing that exchange.
- Dr. Jacki Cottingim: She confirmed that they are trying to do this if the development is accepted and the conditions are favorable. She said that this is exactly what they want to do.
- Commissioner Murray: She said that it seems to her that it is making a deal and then taking part of it back.
- Dr. Jacki Cottingim: She said that they do not actually want the corner of the property but they just want to be compensated for it.
- Commissioner Murray: Again, she explained that she does not understand how there could be a fair and equal trade and then the district take a corner back and ask for compensation for it. She asked if they are not being compensated equally for the trade of land.
- Dr. Jacki Cottingim: She said that she understands what the Commissioner is asking but asked Mr. Scott Sheldon to speak to this issue. Mr. Sheldon is the district's real estate consultant and he is the one working on this land trade which are not equal values exactly.
- Scott Sheldon, Premier Commercial: He said that he does represent WJUSD in some of their real estate transactions, this being one of them. The general transaction that was put together for the developer was a trade of this particular piece of property for another piece of property in the Spring Lake. In terms of relative land values, they went through an appraisal of this property as well as the Russell Ranch property to put this exchange together. The Russell Ranch property was a little bit smaller property by about one acre. He said that relative exchange values came back that the Russell Ranch people would owe the district a few hundred thousand dollars more but it was all predicated on an equal trade of land. He said that in the formula for the land trade if they were to transfer less to the district then they would get more value but they do not need that. Instead, they need ten more acres. If they were on the other side of that and could take some land from Gibson-Ogden then the district's land is worth less money so they would end up paying money. He said that the economics are that the district will not have all the land value to trade into the other property; therefore they will get less money.
- Commissioner Wurzel: He asked Staff if there is within the SLIF fees cost for land for the bike cross over project so that if the City ends up having to compensate the school district for the property or the land owner is there money to do that.
- Bruce Pollard: He said that he was not aware of it being included. He also added a technical comment that if we have a tentative map with a condition that says that you shall dedicate this land. Then in the future, if we parcel that

land out to a new property owner and it can no longer be dedicated, then you can not final the map because they can not fulfill all of the conditions unless they go back and amend the map conditions on the original final tentative map.

- Commissioner Dote: She asked if this is the original map.
- Bruce Pollard: He confirmed that this is the original tentative map we are looking at approving tonight. He explained that if the condition says that they must dedicate the land, then they must fulfill all conditions to get a final map. Subsequently, if that land is parceled out and given to someone else who then wants compensation, then this map can not final unless they go back and amend the conditions and come back.
- Commissioner Dote: She asked if the Applicant felt that four years was reasonable for construction, considering that the project is not in the Capital Budget.
- Tom Lumbrazo: He said that their issue is that they are trying to stimulate the City to move on this project, as it is in their plans and they have collected the fees. He then asked how long they should wait, ten or twenty years. He said that there has to be an agreement on timing and they have chosen four years because it is what they are willing to live with and not willing to live with much more.
- Commissioner Dote: She asked if compensation is based on fair market value and what that would be based on. She asked what it would be; if you could build homes on it or if you are putting an over cross landing on it.
- Tom Lumbrazo: He said that they would have an appraiser look at it regardless of the overpass landing. He said that it would be based on what the property could be used for and in this case it would be building more homes on it.
- Commissioner Dote: She stated that 24,000 square feet is almost six lots.
- Dave Taramino, Gibson Ogden Partners: He wished to provide further clarification about the area of the landing. He said that the furthest most lot to the western side plus two others are essentially made unbuildable under the current plan. But, they have to be built because the street has to get connected on either side. So, essentially they have to improve these two lots and they could sit there for a very long time. He said that in a typical situation, the landing is a regional facility and not like a street in front of the project. The City would acquire the land, they would hold onto it and they would do with it what they wanted over whatever length of time. He said that he believes that the City should acquire the three lots and landing area and hold onto it for whatever length of time they need to. He said that on the south side there are funds to acquire land from a government agency. He said that the college would get compensated. They would not dedicate the land, so the fees are being collected to compensate the college. He feels that if it is OK on the south side than it should be OK on the north side. He said that they want to at least bring a closure to when this will happen. It is a major facility and there is a great impact. He said that the houses to the west are concerned about

when this project will be developed and what it will mean to them as a homeowner. He asked, if not four years then when.

- Cindy Norris: She wished to make a point of clarification. She said that Staff would question the developability of the three lots with the conditions as they have been added. The intent was that those three lots could be developed and then that land could be vacated to those lots upon completion.
- Dr. Jacki Cottingim: She thanked the Planning Commission, City Council and developers for everyone working together to try to do what is best for the children in the community and the community as a whole.
- Commissioner Wurzel: He said that this one is very tough and his biggest challenge is trying to wrap his arms around all the nuances and details within one week of seeing the staff report. On the one hand, what if the school district never bought the land. He asked how could Staff, when they programmed the fee, even consider it. It was privately held land and it would just be a dedication so how do you program in land costs. On the other hand, the community college has been there for some time so you could plan a fee. He asked how we would even come up with the fee. Then he asked the question if the project would ever go forward. He said that we want it and it is part of a bike system, part of a master plan, part of the General Plan, and part of two Specific Plans, but sometimes infrastructure is hard to finance. He said that he does not yet know where he sits on this and was interested to hear other Commissioners comments first. He thinks that the four years is unrealistic. He said that we do a Capital Budget on five years typically and this is not yet programmed, so that does not make a lot of sense. He said that he does not have a position on it and that more time would be useful, but that may not be feasible as there has already been so much time spent on it.
- Commissioner Sanders: He agreed with Commissioner Wurzel that this is a difficult situation. He said that there is no doubt that they want to see the school get built. He feels that he has a gun to his head over the 24,000 square feet and he is uncomfortable with it. He said that Commissioner Spesert raises an excellent point about the transferability of the compensation requirement of the Education Code. First, he would like that question answered and the only person that can answer this is the City Attorney. Secondly is their long-term responsibility towards the City. If we don't dedicate the land to build the bike lane, which is part of our bike master plan and part of our desire to improve the community, that opportunity is lost forever. He feels that it will probably not be built in four years. So if we choose to agree to the four years then we choose, in essence, to say that we will not build it. He thinks that in the current fiscal situation that California is in, we may not likely be able to build it. He said that in deciding to agree to the four years, they are also deciding whether to build the bike over crossing or not. He struggles with if they need the overpass. He said that they are tasked with being the visionaries for how they want the City to grow, look and function. He is uncomfortable with pulling back every time there is a cost involved as there is always a cost involved. He said that if he had to vote now, he is not in favor of the four years. It ties the City and says that we are

not planning to do it. His preference would be to continue this item until they receive an opinion from the City Attorney. He said this is the responsible thing to do, as he will not vote to bind the City financially and might not be legal.

- Commissioner Dote: She said that they need to aggregate the two questions. The first question about the compensation and, secondly, are we going to build the project. If there is no north landing pad for it then it will not be built. This is not a new project and has been around since the mid-90s. She remembers making comment in the Gibson Ranch plan and the Spring Lake plan. This allows connectivity not just for the students but for the community and links the north and south sides of Gibson safely. She did not realize that it was not in the Capital Project plan. They four years is now a big issue to her and so she concurs that they need to understand the compensation issue first.
- Commissioner Wurzel: He asked if they could hypothetically look at assign the land and if the City could pay the developer. He asked Mr. Sheldon, if the dedication was forever then wouldn't the land value would be impacted and there would not be as much value in the land. If there was a dedication there and it did not expire in four years, there would presumably be diminishment of value in the four years.
- Scott Sheldon: If the district or the developer would dedicate the land, the market would view it like an easement. He said that you couldn't build on an easement so there would be a lesser value. He said that there would also be a collateral lesser value. He thinks there is and the developer recognizes that on the surrounding properties.
- Commissioner Wurzel: He said that this answers his question that there would be a diminishment in value. He said that there might be a compromised position where they would pay for the land but we keep that easement there. That could be a compromised position where the land value is impacted because the City is able to keep that land value there. That would be a "no" on their condition number two but a "yes" on condition number three. Presumably they would have to pay less because they got the easement forever. He said that is only if Commissioner Spesert's question was answered that they could pay that.
- Commissioner Murray: She said she agrees with the idea of continuing this issue at least until they get a voice in what the legalities are. She feels that they do not yet understand all of the ramifications and that needs to be clarified before they vote for anything. She feels that the Commission has raised a lot of very good questions that need answers.
- Commissioner Gonzalez: She agrees with the delay. She said that this reminder her of in-lieu fees where we collect money and then wait around until eternity to get to it. She feels that the people in the City that makes these decisions are not working within the same timeframe as those people that are actually putting the money down on property. She feels that if she is going to buy a piece of property, she would need to be able to move on it if she is going to make a living on it or make money on it. Like in-lieu fees, there is a portion that just says to pay in and then we will get around to it. She said that

there is an urgency in our lives to make things happen or step away and reduce our losses. As said by Staff earlier, this is a project that has been around forever but we are not planning for it. Essentially, if the money is not there and we are not planning for it then it will not happen. She said that this needs to be a reality and they need to work toward the vision.

- Robert MacNicholl: He said that he has a simplistic approach towards this and that is that if they do not do the planning and try to effectuate what we have set out to accomplish, the one thing that he is sure of is that it will not happen. This has been planned for in the General Plan, the Specific Plan for the southeast area, the Spring Lake Specific Plan, and the community bike plan. He said that if we start to take that apart on a short-term basis and ignore the long-term intent of those plans, then we would never get there. In his mind, the default position here is if we start piecemealing this and finding ways that we can not somehow afford in the short-run what we set out to do in the long-run, then we are certainly not ever going to accomplish it. He said that is a shame and the community deserves better and deserves to have a bike path system just like Davis, and other communities and even other States. There is no reason that this community should think that we can not do it. Yes, it takes time and money. No, we do not always have information about what that source of funding will be at any given moment. He said that we do have a few sources of revenue that have started to accumulate. For us to now turn around and say that we are not going to follow through and not going to wait until the Spring Lake plan is effectuated to the point where it provides the funding necessary to get this bikeway system put in, is a travesty for this community. We need to simply have a common purpose and one of them has to be that we have an alternative transportation mode in this community. He feels that for us to turn our backs on it now is wrong.
- Commissioner Spesert: He thinks that this has opened a number of emotional views for a lot of people. He echoed Commissioner Gonzalez's about fees. He said that when he bought his home he was told that this overpass would be built. He and his neighbors have been paying their mello roos for fourteen years and it still has not been built. He said that it is a question now of what is good public policy. Do we tell our constituents that we have all these good ideas but we have to waive that against the realities of the time that we live in now? As a public policy issue and as a property owner, it is unfair to take a piece of property from someone today because sometime in the future things will get a little bit brighter and then we can pay for this.
- Robert MacNicholl: He reiterated that this is not new news and this is not a short-term project.
- Commissioner Spesert: He said that they need to weigh good public policy against the vision. He said that they raised a significant issue that needs legal review. He agreed that they need a bike path and this is not the issue. He asked what are the responsibilities to provide this by the City, developers and the school district.

- Dr. Jacki Cottingim: She said that the school district has spent money already and the architect is on hold now. She asked when the Commissioners would come back with a decision.
- Robert MacNicholl: He stated that they would bring back to Planning Commission on March 6<sup>th</sup> or March 20<sup>th</sup> at the latest.
- Dr. Jacki Cottingim: She said that the new elementary school was originally to be built in 2008-2009 and now it has been moved to 2009-2010. She said that if a final decision is two months out then she would request that they just approve the four years and then the school district will take it up with City Council.
- Commissioner Dote: She said that it is not a matter of funding but instead of priorities. She provided an example of the bike overpasses in Sacramento. She said that they can move a project if they really want to. She thinks that this is the case here and that the City got side-tracked.
- Commissioner Sanders: He said that they will need to approve, deny or continue this issue tonight. Then, the school district can decide what action they will take next.
- Robert MacNicholl: He confirmed that they can bring this project back to the Planning Commission on March 6<sup>th</sup>.
- Commissioner Wurzel: He made a recommendation that the Commission continue this item to March 6<sup>th</sup> and gave direction to Staff to obtain legal review of the letter submitted by WJUSD and further review with the school district and the developer.
- Commissioner Sanders: He requested a motion.

It was moved by Commissioner Wurzel, seconded by Commissioner Dote and unanimously approved, that the Planning Commission recommend continuing the Ogden/Gibson Development Project until the March 6, 2008 Planning Commission meeting.

7. **Crown of Creation Tattoo Studio Conditional Use Permit.** The applicant is requesting approval for a Conditional Use Permit to establish a tattoo and body piercing studio. The subject site is located at 26 Main Street in the General Commercial (C-2) Zone.  
APN: 006-021-03.

Applicant/Owner:	Benjamin Jones / Terry Garcia
Environmental Document:	Categorical Exemption
Staff Contact:	Jimmy Stillman, Associate Planner
Recommend Action:	Conditional Approval

DISCUSSION

- Commissioner Wurzel: He asked how many spaces would be added in this parking proposal.

- Jimmy Stillman, Associate Planner: He explained that two spaces would be added for a total of four spaces, including accessibility parking.
- Commissioner Spesert: He asked if there is a rental unit on the top floor of this building.
- Jimmy Stillman: He confirmed that there is a rental unit and rentals in the adjacent buildings.
- Commissioner Spesert: He asked about assigned tenant parking and if the main entrance to the business would be on Main Street.
- Jimmy Stillman: He explained that there is no parking available on Main Street. He said that there would be an entrance on Main Street but the primary entrance would be in the rear of the building.
- Commissioner Gonzalez: She reviewed the parking photo from the presentation again.
- Jimmy Stillman: He corrected his earlier information about the parking spaces by stating that they would be adding one space and three spaces are already dedicated in the rear.
- Commissioner Gonzalez: She stated that she likes the mixed use idea and that it is wanted in these kinds of areas.
- Commissioner Murray: She asked if there would be dedicated parking for the upstairs tenants.
- Jimmy Stillman: He stated that both residents and customers would share the parking.
- Commissioner Spesert: He asked for clarification about assigned tenant parking.
- Jimmy Stillman: He explained that the business would not have a lot of walk-in customers and that most would be by appointment.
- Commissioner Spesert: He asked if one or two of the spaces would be designated tenant parking.
- Jimmy Stillman: He again stated that the parking would be shared and indicated that there would be no parking allowed in the alleyway.
- Commissioner Wurzel: He asked if there would be parking available on Main Street.
- Jimmy Stillman: He said that there is no parking on Main.
- Commissioner Gonzalez: She asked about the Fitness business located nearby and the number of dedicated parking spaces.

#### PUBLIC COMMENT

- Commissioner Sanders: He asked the Applicant if he is in agreement with the Conditional Use Permit (CUP).
- Ben Jones: He stated that he does agree.
- Commissioner Dote: She asked the Applicant if this is his first business.
- Ben Jones: He said that he has worked in this type of business before but that this is his first chance to own a business.
- Carla Ramstad: She said that she owns the Woodland Carpet Works to the south. She said that this business would have two to four employees. She

also said that the apartment upstairs is a four-bedroom and parking is already cramped there due to tenants and visitors. She said that Main Street Fitness already fills parking in the whole area and other businesses are getting choked out. She said that she is constantly towing away vehicles from her own lot. She has talked with Code Enforcement about abandoned and destroyed cars. She provided photos to the Commission that she has taken to demonstrate her concerns about the current parking issues. She said that she is not against the business and she is pleased that they have cleaned up the lot. She reiterated that she is concerned about where the tenants and their visitors will park.

- Commissioner Gonzalez: She also acknowledged the local Bar and the additional parking due to their customers.
- Bill Kanada: He stated that he owns duplexes in the area for twenty years and that parking has always been a problem. He said that he is required to have 1 ½ parking spaces for each tenant for a total of nine spaces. He said that they can not park on the front street. He also discussed his concerns about not having curbside space for putting out his garbage cans for pick up.
- Glen McLaughlin: He stated that he is the owner of Deep Ink. He said that he is not against another tattoo shop coming to town and that competition is good. He said that his concern is about the safety of the people that this business would be serving. He said that he looked at the layout of the shop and he is concerned about their sterilization practices.
- Commissioner Murray: She asked if the Health Department monitors these issues.
- Glen McLaughlin: He said that they do and that they have already checked out his own shop.
- Commissioner Murray: She asked the Applicant if the Health Department has visited his shop yet.
- Ben Jones: He said that they have not yet visited.
- Jimmy Stillman: He explained that the CUP requires that the Health Department make comments before the Applicant starts renovations if the approval is received.
- Clara Tafoya: She said that she is at 30 Main Street and she has four units. She said that she has to pay to have cars towed from her lot and that there are scary people there.
- Commissioner Gonzalez: She asked if the owner of the property was present.
- Terry Garcia, Property Owner: She agreed that the parking is bad but said that getting a business there would improve things.
- Commissioner Gonzalez: She asked the property owner about the size of the upstairs rental.
- Terry Garcia: She said that three people live in this three-bedroom unit according to her property manager, John Lynch.
- Commissioner Wurzel: He asked what kind of uses are allowed in this building.
- Jimmy Stillman: He stated that this is General Commercial and there is a wide range of uses allowed.

- Commissioner Wurzel: He said that he sympathizes with the property owner and that he favors the project and use.
- Bill Kanada: He requested that the City restrict the number of parking spaces based on the type of business that they have.
- Commissioner Wurzel: He said that he is in full agreement.
- Commissioner Sanders: He explained that the City has standards and that they struggle with the issue of parking.
- Robert MacNicholl: He stated that parking enforcement is a full-time job. He said that they are currently working on downtown requirements and providing a long-term solution. He explained that many other uses could require more parking spaces and that the City ordinance does not address this directly.
- Commissioner Dote: She said that she is concerned about the number of letters that they received about this project and that this is relatively unusual. She said that she is not sure of a good answer for where customers will park.
- Robert MacNicholl: He said that the downtown ordinance will address this.
- Commissioner Dote: She asked about the limits of the downtown parking plan and how far west it will go.
- Robert MacNicholl: He said that it will go to Walnut Street.
- Commissioner Dote: She then said that this area is not in the Specific Plan and would not be addressed.
- Robert MacNicholl: He said that he was not sure about that.
- Commissioner Dote: She again asked where customers would park. She did not question that this should be commercial use. She is wondering if this is the best space for this particular commercial or retail business with a customer base.
- Robert MacNicholl: He questioned if this is being adversely effected by what were previously existing problem.
- Commissioner Murray: She said that she looks at this as the same situation of the last tattoo parlor. She feels that they need to give them a chance. She said that the problem is not what is coming in but what was already there. She recommended City signage or that the Owner post towing /reserved parking signs. She again stated that the project should have a chance.
- Commissioner Gonzalez: She stated that she is a landlord, too. She has property three to four blocks off Main Street. She said that the responsibility is on the landlord. If the landlord is vigilant then they can clean up the property. She said that she knows this from experience. She feels that this is not a prime location and that it is known to be cheap and not the best living situation. She said that there has always been congestion in the alley. She said that this business would not be a big contributor to the problem by adding one to two additional cars. She said that it would be unfair to turn this project down.
- Commissioner Spesert: He reviewed the parking spaces; one dedicated to access, one dedicated to the tenant (or three tenants), and two spaces for the two to four employees. He asked again where the customers would park.

- Jimmy Stillman: He stated that this project should be judged on what the parcel is zoned for and the CUP.
- Commissioner Spesert: He believes that it is not good public policy to throw their hands in the air about the parking issue.
- Jimmy Stillman: He said that it was just published in the Daily Democrat that the Police Department is putting the responsibility on the property owners. He said that they can not fix this issue with a tattoo parlor's CUP.
- Commissioner Spesert: He said that there is an existing parking problem and they would be exasperating the problem by approving this project. He said that they are not to make a situation worse. He said that he is not in favor of this project because it adds to the problem.
- Commissioner Sanders: He said that Commissioner Spesert's points are well taken but that we need more businesses and not vacant spaces. He said that if they do not approve this project, the owner could rent to a business that does not need a CUP and then the Commission would not have a say. He said that he does not have a problem with a tattoo parlor and that this is not the issue. He said that sometime in the past, someone made a mistake and did not look at the parking problems then. He said that parking is a problem on Main Street, from East Street to West Street. He said that they are working to improve west of downtown and improve the City. In his opinion, he sees no reason to deny the CUP.

It was moved by Commissioner Wurzel and seconded by Commissioner Murray that the Planning Commission approves the Conditional Use Permit for Crown of Creation Tattoo and Piercing Studio at 26 Main Street based on the identified findings of fact and subject to the identified conditions of approval, by taking the following actions:

- Confirmation of finding of exemption from the provisions of CEQA. This project is considered categorically exempt, a class one, non-expansion of an existing use. §15301 of the Public Resources Code.
- Determine that the project, as conditioned, is consistent with the General Plan.
- Determine that the project, as conditioned, is consistent with the Zoning Ordinance.
- Approve the Conditional Use Permit allowing a tattoo and body piercing establishment at 26 Main Street in the General Commercial (C-2) Zone.

AYES:	Wurzel; Dote; Murray; Sanders; Gonzalez
NOES:	Spesert
ABSTAINED:	None
ABSENT:	Barzo

NEW BUSINESS: None

OLD BUSINESS:

8. **Woodland Healthcare Public Art**. The applicant is requesting approval for proposed public art in conjunction with an approved Conditional Use Permit Modification to construct a 58,000 square foot medical office building. Subject site (APN 065-120-52, 53 & 54) is located across the street from 1325 Cottonwood Street.

Owner: CHW-Woodland Healthcare  
Staff Contact: Paul Hanson, AICP, Senior Planner  
Recommended Action: Approval

DISCUSSION

- Commissioner Sanders: He said that he lives close to this and it is a very nice building. He asked if the art would be illuminated at night.
- Jimmy Stillman: He stated that he did not know and invited the artist up to discuss further.

PUBLIC COMMENT

- Mark Abildguard, Artist: He showed the Commission a drawing of the original design. He explained that the final art piece will be made out of steel rods. He said that it would be more organic and curvy than shown in the picture. He then provided the Commission with sample pieces of the rods and blown glass. He said that they would first install the art piece and then look at lighting.
- Commissioner Sanders: He asked if the artwork would be durable.
- Mark Abildguard: He said that they understand that the art is risky but that the pieces are replaceable. He explained that the art will be placed close to the entryway of the building so there would be no casual damage. He said that it will include eight foot span of glass pieces. Also, they have removed the lower branches and raised the base so that there will not be access to the branches.
- Commissioner Murray: She said that there is a four-foot concrete piece at the library and it was still accessible.
- Commissioner Wurzel: He stated that he likes the tree concept.
- Lynn DeSantis, Woodland Healthcare: She stated that they will have twenty-four hour security guards on the campus as well. Also, if there are problems they can change out the glass pieces with metal or other materials.

It was moved by Commissioner Wurzel, seconded by Commissioner Dote and unanimously approved, that the Planning Commission approves the public art proposal for Woodland Healthcare subject to the following findings:

- The public art proposal fulfills the requirements of the Conditional User Permit Modification and the Community Design Standards by incorporating public art into the commercial development and;

- The public art proposal was reviewed by the Woodland Planning Commission.

9. **Reconsideration of Petition for a General Plan Amendment.** Staff is requesting that the Planning Commission reconsider and reverse their previous conditional acceptance of a petition for a General Plan Amendment and Rezoning for North Kentucky Avenue (College Village Project). The proposal is to convert 32.4 acres of Service Commercial (C-3) property into 5.15 acres of Service Commercial (C-3) and 27.26 acres of Low Density Residential (R-8). APN 027-340-25, 26, 31

Applicant/Owner: Tom Lumbrazo / North Kentucky Partners  
Staff Contact: Paul L. Hanson, AICP, Senior Planner  
Recommend Action: Reverse previous conditional acceptance of the petition

*This agenda item had been continued to March 20, 2008.*

- Commissioner Gonzalez: She confirmed that her abstention from the minutes was excluding the 2008 minutes.
- Bob MacNicholl: He stated that we are almost done transcribing the past Planning Commission minutes.
- Commissioner Murray: She stated that she appreciates this being done.

There being no further business, the meeting was adjourned at 10:08 PM.

Respectfully submitted,

Barry Munowitch, AICP  
Assistant City Manager