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JANUARY 17, 2006

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- A. ASSIGNMENTS FOR EQUESTRIAN COMMITTEE (KILLEN) AND TRAFFIC & SAFETY COMMITTEE (VANDEN BOS).

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- A. PARK AND ACTIVITIES COMMISSION MINUTES (DECEMBER 6, 2005).
B. CITY COUNCIL ACTIONS (DECEMBER 13, 2005).

ADJOURNMENT

MINUTES

REGULAR PLANNING COMMISSION MEETING

JANUARY 17, 2006

1. **CALL MEETING TO ORDER**

A regular meeting of the Planning Commission of the City of Rolling Hills Estates was called to order at 7:31 p.m. in the City Hall Council Chambers, 4045 Palos Verdes Drive North, by VICE CHAIRMAN REIN.

2. **PLEDGE OF ALLEGIANCE**

VICE CHAIRMAN REIN led the assembly in the Pledge of Allegiance to the Flag.

3. **ROLL CALL**

Commissioners Present: Southwell, Vanden Bos, Bayer, O'Day (arrived at 7:33),
Vice Chairman Rein
Commissioners Absent: Conway, Chairman Killen
Staff Present: Planning Director Wahba, Assistant Planner Wong

4. **APPROVAL OF MINUTES**

COMMISSIONER BAYER moved, seconded by COMMISSIONER SOUTHWELL,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF DECEMBER 5, 2005.

There being no objection, VICE CHAIRMAN REIN so ordered.

5. **AUDIENCE ITEMS**

None.

6. **CONSENT CALENDAR**

- A. WAIVE READING IN FULL ALL RESOLUTIONS THAT ARE PRESENTED FOR PLANNING COMMISSION CONSIDERATION TONIGHT.
- B. QUARTERLY CODE ENFORCEMENT REPORT.
- C. A RESOLUTION (PA-33-04) OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS ESTATES RECOMMENDING TO THE CITY COUNCIL DENIAL OF A REQUEST FOR APPROVAL OF A TENTATIVE TRACT MAP AND GRADING PLAN TO ESTABLISH A SUBDIVISION INCLUDING 13 RESIDENTIAL LOTS, TWO LANDSCAPE LOTS, AND ONE COMMERCIAL RECREATION (C-R) DESIGNATED LOT IN THE RA-20,000 AND C-R ZONES. APPLICANT: GARY BUTCHER (BUTCHER RANCH SUBDIVISION); LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND PALOS VERDES DRIVE EAST.

- D. A RESOLUTION (PA-45-05) OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS ESTATES APPROVING A NEIGHBORHOOD COMPATIBILITY FOR FIRST STORY ADDITIONS LOCATED ON THE FRONT, SIDE AND REAR YARDS. A VARIANCE IS REQUIRED TO EXCEED THE MAXIMUM FRONT YARD COVERAGE. A MINOR DEVIATION IS ALSO REQUIRED FOR DECREASING LESS THAN 10% OF THE FRONT YARD AREA. PLANNING APPLICATION NO. 45-05; APPLICANT: MR. ED WIRTZ; LOCATION: 12 BRANDING IRON LANE.

COMMISSIONER VANDEN BOS moved, seconded by COMMISSIONER SOUTHWELL,

TO APPROVE THE CONSENT CALENDAR.

AYES: Southwell, Vanden Bos, Bayer, O'Day Vice Chairman Rein
NOES: None
ABSTAIN: None
ABSENT: Conway, Chairman Killen

7. BUSINESS ITEMS

- A. PLANNING APPLICATION NO. 49-05; APPLICANT: MS. CATHERINE SALERNO-PISAR; LOCATION: 26448 DUNWOOD ROAD; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS TO A SINGLE STORY HOME.

Assistant Planner Wong gave a brief Staff Report (as per written material) and pointed out that the applicant was under the assumption that the project only needed a better roof design, and Staff is unable to recommend approval due to the massing and placement of the second story.

COMMISSIONER VANDEN BOS asked whether the roof still dives into second story, which Assistant Planner Wong confirmed. Planning Director Wahba added that the roof has been designed quite well given the situation. It has been more effectively tied in with first floor. The issues still remaining are in the back where the wall goes straight up and the window configuration is too symmetrical. Planning Director Wahba and COMMISSIONER VANDEN BOS then made some suggestions to resolve the remaining issues.

Roman Pisar (applicant) came forward and stated that if there is an objection to the wall, then they can make adjustments. COMMISSIONER VANDEN BOS asked about breaking up the wall and the suggested stair step. Mr. Pisar and Planning Director Wahba then reviewed the plans and discussed options.

COMMISSIONER VANDEN BOS asked whether the floor plan is the existing floor plan or was redesigned. Mr. Pisar explained that it is the existing floor plan, and all the walls are remaining the same. All they've done is move the laundry room and made a little pantry; nothing significant.

COMMISSIONER BAYER asked Planning Director Wahba to explain what he and Mr. Pisar just agreed to. Planning Director Wahba explained a shed roof and an eave to break the plane.

COMMISSIONER VANDEN BOS suggested approving the Application with the condition that the applicant and Staff work out the issues. Planning Director Wahba stated that he believes that it is very close to being resolved.

Ray Berry (neighbor to the south at 5265 Bluemound Road) came forward and stated that he hasn't looked at the plans but asked whether the window configuration that is being changed is going to be a large window facing his property. COMMISSIONER O'DAY confirmed that those windows are facing south, and Mr. Berry stated that he objects to large windows facing his property but would not object to smaller windows.

Planning Director Wahba suggested a window that's up higher for the sole purpose of letting light in, and no one could see out the window. The applicant responded that he would agree to that. Planning Director Wahba suggested that the Planning Department visit the property and see what ought to be done to conserve privacy.

Catherine Pizar (applicant) came forward and clarified that the original plans did not include windows on that wall, but when the roof was redesigned, it was brought so low that it wasn't big enough for windows, so little windows were included just to bring sunlight in, so the neighbor's objections came from this meeting when the discussion included changing it to a big window. The only objection Mrs. Pizar would have would be to have bigger windows that would bring in too much light for the big screen television, and she would rather have smaller windows that could still be high.

COMMISSIONER O'DAY commented that he appreciated the fact that the applicant has been before the Commission a number of times, and it is far more challenging to go through the process without an architect. These plans are a clear improvement over the first plans; it is a much better design, and the applicant will probably be much happier with the long-term results, so the process has been helpful.

COMMISSIONER SOUTHWELL agreed that these plans are a significant improvement but still prefers more articulation in the second floor.

COMMISSIONER BAYER moved, and COMMISSIONER VANDEN BOS seconded,

TO APPROVE PLANNING APPLICATION NO. 49-05 CONTINGENT UPON THE APPLICANT WORKING WITH STAFF TO ACCOMMODATE THE ELEVATION, SHED ROOF AND WINDOWS, AND STAFF BRING IT BACK TO THE COMMISSION IF SUCH ISSUES CAN'T BE RESOLVED.

AYES: Southwell, Vanden Bos, Bayer, O'Day Vice Chairman Rein
NOES: None
ABSTAIN: None
ABSENT: Conway, Chairman Killen

Planning Director Wahba explained the 20-day appeal period.

B. PLANNING APPLICATION NO. 52-05; APPLICANT: MR. & MRS. ELLIOTT HAHN; LOCATION: 4 SADDLE HORN LANE; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS AT THE SIDE AND REAR YARDS.

Assistant Planner Wong gave a brief Staff Report (as per written material) and recommended that the Planning Commission approve the application with the conditions stated in the Staff Report.

Tom Blair (architect located at 1957 W. Carson Street in Torrance) came forward and explained that the intent was to keep the whole open property intact and conserve privacy for the 2-story home adjacent to them. There's a large skylight area in the family room, and they did not want to break up that nice sloped ceiling and sky-lit area.

COMMISSIONER O'DAY asked if the new windows will look similar to the existing windows, and Mr. Blair responded that the existing windows had been previously replaced with some wood sash windows so they will match those.

Allison McGuire (neighbor next door at 2 Saddlehorn Lane) came forward and stated that Mr. Blair has great talent. However, the street and the neighborhood do not really have 2-story houses. There is one house next door with a second story, but it's a hidden bonus-type room, not a full second story, and you can't tell at all that it's a second story. This house will be way too high for the neighborhood. Yards are big and private in the neighborhood, and when you look at these flags, it feels like someone could be peering out at you any moment. The flags also go into a tree, which gives a false sense of security that the tree would provide some privacy, and the tree should be removed for a clearer sense of what the house will look like.

COMMISSIONER O'DAY advised that the City doesn't require removal of the tree because the project may not go through.

Ms. McGuire further stated that she is in favor of improving the neighborhood and adding an addition, but is opposed to adding on a second story backyard, especially as far back as this project is going, specifically because it takes away from privacy and the whole idea of the neighborhood.

In response to COMMISSIONER O'DAY's questioning, Ms. McGuire explained that the master bedroom of her house is looking right out at the study of the applicant's house. COMMISSIONER O'DAY pointed out that is at least 200 feet away, and Ms. McGuire responded that she can see birds in the tree and reiterated that there is an issue of privacy and shade and mass.

COMMISSIONER VANDEN BOS discussed the three windows on the second floor; one is a window high and to the left, which would not look out onto her property, and then the two new 4x4 windows, which are the study and hallway windows.

Council members, Staff, Mr. Blair, Ms. McGuire and another neighbor (Ms. Hyatt) reviewed the plans and discussed window options. COMMISSIONER VANDEN BOS asked the neighbors in the audience if they had previously seen the plans. Some neighbors had seen them, and others had not.

Ms. McGuire continued to argue the privacy issue and stated that she'd prefer to see that last window going straight out and not into the yard. Ms. McGuire's pool sits right there, so she'd prefer to have less windows looking down into the pool.

Stella Hyatt (neighbor at 8 Saddlehorn Lane) came forward and stated that she just wanted to see the plans, and her main concern is privacy because it's a second story. If it doesn't impact on privacy, she has no complaints, except that second stories tend to mansionize an area that has been rural and 1-story. Ms. Hyatt would also like to see three garages with a house that size instead of having one car parked on the street.

Planning Director Wahba explained that the other house that Ms. McGuire referred to is more like a loft or bonus room built into the attic approximately ten years ago, and it was probably handled administratively.

COMMISSIONER BAYER asked if there are other second stories on Empty Saddle, to which Planning Commission Wahba answered yes, but not many.

Eva Kimpel (neighbor at 9 Saddlehorn Lane) came forward against second story homes, stating that the streets aren't big enough, and it's not conducive to the neighborhood. Ms. Kimpel stated that she has not seen the plans but would like to, and COMMISSIONER BAYER advised her that the plans are available for viewing at City Hall.

COMMISSIONER BAYER agreed with Staff's findings and stated that with the size of the lot, the project didn't seem to be overbuilt. The privacy issues can easily be addressed, and there is no privacy issue with the other neighbors.

COMMISSIONER O'DAY added that the second story addition has a minimal impact on the private street view and is in keeping with characteristics at the time. The problem is that it's a long addition, and it is almost impossible to judge the impact of that from the front. Serious consideration needs to be given to what the Commission wants to do about second stories in the neighborhood. The only one on the street is a loft-type, and the City has a Neighborhood Compatibility ordinance. A precedent should not be set without some analysis, especially given the concerns of the neighbors.

COMMISSIONER SOUTHWELL stated that he was impressed when he first saw the plans, but there are issues with Neighborhood Compatibility at this point.

COMMISSIONER VANDEN BOS agreed that it is an odd addition because it's on one side of the house and is so long. The architect did a nice job of articulating the walls of the second story, and it was done very tastefully. When the Commission looks at Neighborhood Compatibility, a neighborhood is not defined as one street, but the whole neighborhood is probably more like all of Empty Saddle. The project should come before the Commission again to allay the concerns of the Commission and the neighbors and give the neighbors a chance to look again at the project and make any comments. The Commission normally looks at privacy as what can look into a backyard, and if it's done in a way that there are windows and a long distance or the windows are up higher, etc., the Commission would view it as having adequate privacy.

VICE CHAIRMAN REIN agreed, adding that the several last minute objections by neighbors are legitimate, and the project should be sent back to give the neighbors another opportunity to look at the plans and determine if there are privacy issues.

Planning Director Wahba recommend continuing the application to the next meeting of February 6.

COMMISSIONER VANDEN BOS moved, and COMMISSIONER O'DAY seconded,

TO CONTINUE PLANNING APPLICATION NO. 52-05 TO THE PLANNING COMMISSION MEETING OF FEBRUARY 6 TO ALLOW THE STAFF TO WORK WITH THE APPLICANT AND THE NEIGHBORS TO COME UP WITH A SOLUTION TO ANY CONCERNS THAT THE NEIGHBORS MAY HAVE AND BRING BACK FINDINGS ON THE NEIGHBORHOOD COMPATIBILITY OF SECOND STORY ADDITIONS.

AYES: Southwell, Vanden Bos, O'Day Vice Chairman Rein
NOES: Bayer
ABSTAIN: None
ABSENT: Conway, Chairman Killen

C. PLANNING APPLICATION NO. 57-05; APPLICANT: MS. CHRISTINA MCCOY; LOCATION: 5053 RANGE HORSE LANE; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS AT THE SIDES AND REAR YARD, WHICH WOULD RESULT IN A SPLIT-LEVEL HOME.

Assistant Planner Wong gave a brief Staff Report (as per written material) and recommended that the Planning Commission approve the applicant with the conditions stated in the Staff Report.

COMMISSION BAYER asked Staff why she couldn't see flags on the property, and Planning Director Wahba explained that the project is all to the back of the house and can't be seen from the front.

Gilad Avidor (builder located at 316 Bronwood Avenue, Los Angeles) came forward stating that the project is at the back of the house, yet they have to cut the front corner of the home to meet the 10' setback that is already existing, and COMMISSIONERS VANDEN BOS and O'DAY explained that it has to be looked at as new construction the way the law is written, and they are sympathetic to the issue.

COMMISSIONER O'DAY asked if it was going from a raised foundation to a slab, to which Mr. Avidor responded that it is all raised foundation.

COMMISSIONER O'DAY went on to commend Mr. Avidor on his well thought-out floor plan and making it livable space. COMMISSIONER VANDEN BOS agreed, also appreciating having a topographical map. COMMISSIONER SOUTHWELL also appreciated the plans and the topographical map.

COMMISSIONERS O'DAY, BAYER and VANDEN BOS stated that they are in support of Staff's findings.

COMMISSIONER BAYER moved, and COMMISSIONER O'DAY seconded,

TO RECOMMEND APPROVAL OF PLANNING APPLICATION NO. 57-05 WITH THE CONDITIONS OUTLINED BY STAFF.

AYES: Southwell, Vanden Bos, Bayer, O'Day Vice Chairman Rein
NOES: None
ABSTAIN: None
ABSENT: Conway, Chairman Killen

Planning Director Wahba explained the 20-day appeal period.

8. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 58-05; APPLICANT: MR. & MRS. BRIAN JOHNSON; LOCATION: 3 HIDDEN VALLEY ROAD; A NEIGHBORHOOD COMPATIBILITY FOR A FIRST AND SECOND STORY ADDITION AT THE FRONT OF THE HOME. A MINOR DEVIATION IS REQUIRED FOR A FRONT YARD ADDITION THAT DECREASES THE FRONT YARD AREA BY LESS THAN 10%. A VARIANCE IS REQUIRED FOR EXCEEDING THE MAXIMUM ALLOWABLE FRONT YARD COVERAGE.

Assistant Planner Wong gave a brief Staff Report (as per written material) and reported that the silhouette is visible from Palos Verdes Drive North, and Staff supports the Variance application, Minor Deviation and Neighborhood Compatibility Determination and recommends adopting the resolution.

COMMISSIONER BAYER asked Staff whether the addition goes straight up, as it seems. Planning Director Wahba explained that it is set back, and there's a roofline on the first floor on the front elevation. They're also building a porch on the first floor to help articulate the second floor.

The Commissioners and Planning Director Wahba discussed the elevation of Palos Verdes Drive North and the subtle visibility of the flags.

COMMISSIONER O'DAY asked Staff how many homes will be larger than this home, to which Planning Director Wahba responded that there are seven or eight homes in that neighborhood that are over 5,000 square feet. There is a recent one at #10 Hidden Valley with a full basement, which is pushing 7,000 square feet, and Pleasant Hill has a few large ones. This home is on the large side but is not uncharacteristic of the new homes being built in the area.

COMMISSIONER VANDEN BOS added that this area has an eclectic mix of homes.

VICE CHAIRMAN REIN then pointed out that it is 30% lot coverage.

COMMISSIONER BAYER moved, seconded by COMMISSIONER O'DAY,

TO OPEN THE PUBLIC HEARING.

AYES: Southwell, Vanden Bos, Bayer, O'Day Vice Chairman Rein
NOES: None
ABSTAIN: None
ABSENT: Conway, Chairman Killen

Jeffrey Dahl (architect located at 18681 Amalia Lane in Huntington Beach) came forward and explained that the adjacent neighbors were invited to a meeting, and two neighbors showed up. After the meeting, the neighbors had no problem, and they encouraged the project. The applicant later met with several of the other neighbors, and there were again no objections. The intention was to keep the style within the parameters of what Rolling Hills Estates is. This will be an eastern seaboard farmhouse-type home. The project only goes 6 ½ feet above the top of the existing ridge, and it's really not all that visible from Palos Verdes Drive North. The second story is pushed back from the front of the house 4 feet, and there is a 2 ½ foot overhang, which gives 6 ½ feet of roof sloping back. Also, there was more of an entry statement done.

COMMISSIONER O'DAY further discussed the entryway with Mr. Dahl, expressing how it stands out from the architectural style of the rest of the house. COMMISSIONER VANDEN BOS agreed that it is overstated in his own personal taste.

COMMISSIONER O'DAY moved, seconded by COMMISSIONER VANDEN BOS,

TO CLOSE THE PUBLIC HEARING.

AYES: Southwell, Vanden Bos, Bayer, O'Day Vice Chairman Rein
NOES: None
ABSTAIN: None
ABSENT: Conway, Chairman Killen

COMMISSIONER BAYER explained that her concerns were allayed, and it all looks good.

VICE CHAIRMAN REIN explained that the only issue he had was how much of the bulk and mass would be visible from Palos Verdes Drive North, and there's no issue there, being below the crown of Palos Verdes Drive North.

COMMISSIONER SOUTHWELL stated that he is still trying to get used to the concept of the flag lots and the findings that need to be made, but it makes sense that you have to give more allowance for the front yard with the flag lot because it affects the access to the lot so much.

COMMISSIONER O'DAY clarified that if that front door was visible from the street as opposed to being hidden on the side of the house on a flag lot, he would have Neighborhood Compatibility objections to it, but given that it's on the side of the house and not a lot of people are going to see it, he can make findings in support. The Variance is straightforward given that the lot is a flag lot.

COMMISSIONER BAYER moved, seconded by COMMISSIONER VANDEN BOS,
TO APPROVE RESOLUTION PA 58-95.

AYES: Southwell, Vanden Bos, Bayer, O'Day Vice Chairman Rein
NOES: None
ABSTAIN: None
ABSENT: Conway, Chairman Killen

Planning Director Wahba explained the 20-day appeal period.

9. COMMISSION ITEMS

COMMISSIONER SOUTHWELL advised Staff that he cannot be at the February 21 Planning Commission meeting.

10. DIRECTOR'S ITEMS

A. ASSIGNMENTS FOR EQUESTRIAN COMMITTEE (KILLEN) AND TRAFFIC & SAFETY COMMITTEE (VANDEN BOS).

COMMISSIONER VANDEN BOS stated that he doesn't mind doing the Traffic & Safety Committee, and the Commission agreed to leave CHAIRMAN KILLEN on the Equestrian Committee.

Planning Director Wahba advised the Commission that the Council will probably assign a new Chair and Vice Chair at the next meeting in February.

11. MATTERS OF INFORMATION

A. PARK AND ACTIVITIES COMMISSION MINUTES (DECEMBER 6, 2005).

B. CITY COUNCIL ACTIONS (DECEMBER 13, 2005).

COMMISSIONER VANDEN BOS moved, and COMMISSIONER BAYER seconded,

TO RECEIVE AND FILE ITEMS 11A AND 11B.

There being no objection, VICE CHAIRMAN REIN so ordered.

12. ADJOURNMENT

At 9:00 p.m. VICE CHAIRMAN REIN adjourned the Planning Commission meeting to February 6, 2006, at 7:30 p.m.

Julie Cremeans
Minutes Secretary

Douglas R. Prichard
City Clerk