# <u>INDEX</u>

# **REGULAR PLANNING MINUTES**

# **AUGUST 15, 2005**

| <u>PAGE</u> | SUBJECT                             |   |  |  |
|-------------|-------------------------------------|---|--|--|
| 1           | CALL MEETING TO ORDER               |   |  |  |
|             | PLEDGE OF ALLEGIANCE                |   |  |  |
|             | ROLL CALL                           |   |  |  |
|             | APPROVAL OF MINUTES (JULY 18, 2005) |   |  |  |
|             | AUDIENCE ITEMS                      |   |  |  |
|             | CONSENT CALENDAR                    |   |  |  |
|             | BUSINESS ITEMS                      |   |  |  |
| 1-2         | A.                                  | PLANNING APPLICATION NO. 21-05; APPLICANT: MR. TODD MORRIS; LOCATION: 47 RANCHVIEW ROAD; A NEIGHBORHOOD COMPATIBILITY FOR ADDITIONS AT THE FRONT, SIDE AND REAR OF THE HOUSE. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10% AND INCREASE LOT COVERAGE BY NOT MORE THAN 10%.  |  |  |
| 2-4         | В.                                  | PLANNING APPLICATION NO. 33-05; APPLICANT: MR. & MRS. BRYAN ALLMAN; LOCATION: 84 DAPPLEGRAY LANE. A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS ON THE FRONT, SIDES AND REAR OF THE HOME. A MINOR DEVIATION IS REQUIRED TO MAINTAIN A LEGAL NON-CONFORMING SIDE YARD SETBACK AND TO REDUCE THE REQUIRED FRONT YARD AREA BY LESS THAN 10%.   |  |  |
| 4           | C.                                  | PLANNING APPLICATION NO. 35-05; APPLICANT: MR. & MRS. PAUL TURPANJIAN; LOCATION: 43 COUNTRY MEADOW ROAD; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS TO THE SOUTH SIDE AND REAR OF AN EXISTING TWO-STORY HOME.  |  |  |
| 4-7         | PUBLIC HEARINGS                     |   |  |  |
|             | A.                                  | PLANNING APPLICATION NO. 33-04; APPLICANT: BUTCHER RANCH SUBDIVISION; LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND PALOS VERDES DRIVE EAST. TO PREVIEW THE MITIGATED NEGATIVE DECLARATION 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. |  |  |
| 7           | COMM                                | IISSION ITEMS   |  |  |
| 7-8         | DIRECTOR'S ITEMS                    |   |  |  |
| 8           | MATTE                               | ERS OF INFORMATION  |  |  |
|             | A.                                  | PARK AND ACTIVITIES MINUTES (JULY 19, 2005).  |  |  |
|             | B.                                  | PARK AND ACTIVITIES MINUTES (AUGUST 2, 2005).   |  |  |
|             | C.                                  | CITY COUNCIL ACTIONS (JULY 26, 2005).   |  |  |
|             | D.                                  | CITY COUNCIL ACTIONS (AUGUST 9, 2005).  |  |  |
|             |                                     | IRNMENT   |  |  |

### **MINUTES**

### **REGULAR PLANNING COMMISSION MEETING**

### **AUGUST 15, 2005**

#### 1. **CALL MEETING TO ORDER**

A regular meeting of the Planning Commission of the City of Rolling Hills Estates was called to order at 7:30 p.m. in the City Hall Council Chambers, 4045 Palos Verdes Drive North, by CHAIRMAN KILLEN.

#### 2. PLEDGE OF ALLEGIANCE

CHAIRMAN KILLEN led the assembly in the Pledge of Allegiance to the Flag.

#### 3. **ROLL CALL**

Commissioners Present: Southwell, Conway, Rein, Vanden Bos, Bayer, O'Day,

Chairman Killen

Commissioners Absent:

None

Staff Present: Planning Director Wahba, Assistant Planner Wong, Senior

Planner Cutler

#### 4. APPROVAL OF MINUTES

COMMISSIONER REIN commented regarding item 7(A) in the minutes. The applicant, Lisa Larking, was accompanied by her attorney at the meeting, and the minutes should be amended to reflect such. It was agreed that the Minutes Secretary would review the tapes and amend the minutes as appropriate.

COMMISSIONER BAYER moved, seconded by COMMISSIONER CONWAY,

TO APPROVE THE MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF JULY 18, 2005 WITH THE CAVEAT AS NOTED.

There being no objection, CHAIRMAN KILLEN so ordered.

#### 5. **AUDIENCE ITEMS**

None.

#### 6. **CONSENT CALENDAR**

None.

#### 7. **BUSINESS ITEMS**

PLANNING APPLICATION NO. 21-05; APPLICANT: MR. TODD MORRIS; LOCATION: 47 RANCHVIEW ROAD; A NEIGHBORHOOD COMPATIBILITY FOR ADDITIONS AT THE FRONT, SIDE AND REAR OF THE HOUSE. A MINOR DEVIATION IS REQUIRED TO DECREASE THE FRONT YARD AREA BY LESS THAN 10% AND INCREASE LOT COVERAGE BY NOT MORE THAN 10%.

Assistant Planner Wong gave a brief Staff Report (as per written material) and reported that the application was continued from the Planning Commission meeting of May 16, 2005 to a date uncertain, and Staff is able to support the Neighborhood Compatibility determination and Minor Deviation and recommended approval with conditions.

COMMISSIONER REIN asked Staff if they previously had issues with the architectural style because the elevations don't look ranch-like. COMMISSIONER VANDEN BOS added concerns about the siding and Spanish heavy roof tile.

Planning Director Wahba reported that it was more of a Spanish style previously, and there have been a number of red tile roofs permitted in the last 10 to 15 years, making them almost impossible to deny based on Neighborhood Compatibility. However, applicant has agreed to do a flat tile. Eaves, additional wood siding on the front, brick accents or wood columns could be required, as well, at a Staff level.

COMMISSIONER REIN commended applicant on reducing the scale of the project but expressed his intent to continue a theme throughout the rustic neighborhood.

Todd Morris (applicant) came forward at CHAIRMAN KILLEN's invitation. Mr. Morris gave an overview of the changes made to the project and pointed out that it previously had more of a Spanish look, which was removed in order to get the project approved. Mr. Morris expressed his willingness to work with Staff on styling issues.

CHAIRMAN KILLEN asked if Staff was able to acquire a roof plan as requested, and applicant stated he would get that to Staff on the day following the Planning Commission meeting.

COMMISSIONER VANDEN BOS clarified that the roofing material should be consistent on both the garage and the rest of house, which applicant confirmed would be the case.

COMMISSIONER O'DAY pointed out that the Neighborhood Compatibility issues are valid, but many changes have been made already and felt that extending the eaves on the front entrance seemed agreeable. COMMISSIONER BAYER echoed his statement, and COMMISSIONER VANDEN BOS expressed his appreciation of applicant's changes and willingness. COMMISSIONER REIN reiterated that a composition roof or flat brown tile would make a difference. COMMISSIONERS CONWAY and SOUTHWELL expressed their support of the project.

CHAIRMAN KILLEN asked for a minimum of a 24" overhang at the front and sides and a flat tile roof throughout and on the garage. He also asked that applicant work with Staff to have more detail on the front of the building. The project meets the Code but needs more study.

COMMISSIONER CONWAY moved, and COMMISSIONER BAYER seconded,

TO APPROVE PLANNING APPLICATION NO. 21-05 WITH THE CONDITIONS LISTED IN THE STAFF REPORT, PLUS 1) STAFF REVIEW; 2) 24" OVERHANGS; 3) FLAT TILE ROOF; AND 4) ADDITIONAL ARCHITECTURAL DETAIL ON FRONT OF HOME.

AYES: Southwell, Conway, Rein, Vanden Bos, Bayer, O'Day, Chairman Killen

NOES: None ABSTAIN: None ABSENT: None

Planning Director Wahba explained the 20-day appeal period.

B. PLANNING APPLICATION NO. 33-05; APPLICANT: MR. & MRS. BRYAN ALLMAN; LOCATION: 84 DAPPLEGRAY LANE. A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS ON THE FRONT, SIDES AND REAR OF THE HOME. A MINOR DEVIATION IS REQUIRED TO MAINTAIN A LEGAL NON-CONFORMING SIDE YARD SETBACK AND TO REDUCE THE REQUIRED FRONT YARD AREA BY LESS THAN 10%.

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

COMMISSIONER O'DAY asked whether the Dapplegray Homeowners Association approved the project or were just notified, to which Assistant Planner Wong responded that the Association did approve the project.

CHAIRMAN KILLEN asked Staff if the rear elevation not being stair-stepped was okay because there was no articulation breaking the two-story mass on the back of the building.

Planning Director Wahba responded that less weight is given towards the rear and pointed out that there is a trellis, a bump-out on the second floor, a master bath that projects out and a fireplace that pops out. Planning Director Wahba suggested that maybe the master closet could be made smaller to introduce some roofline, but it would be a small achievement.

CHAIRMAN KILLEN stated that the site has reasonable topography to it, but it is difficult to ascertain how accurate it is being depicted on the elevations without a survey. Planning Director Wahba suggested the applicant could speak to its accuracy.

COMMISSIONER BAYER asked about the note on the plans stating that the front elevation would be either no siding, stone or smooth. Planning Director Wahba suggested that the Planning Commission discuss that, as he was under the impression that was for where the stone was proposed.

COMMISSIONER O'DAY asked Staff about wrapping the siding around. Planning Director Wahba answered that the standard is usually two to three feet around where it turns the corner. For example, on the addition showing the bay window coming out, applicant has wrapped the stone and included the window, even though that's the same plane.

Bryan Allman (applicant) came forward at CHAIRMAN KILLEN's request. Mr. Allman stated that the house is on a smaller lot in the neighborhood, and he gave an overview of several things that were done with the design as a result. Regarding the rear step, the first floor room was protruded out on the far side 3' to create some elevation change, and the chimney and the pop-out were put on the second story for the master bedroom. Cutting in just a few feet would impact the design dramatically. Regarding the accuracy of the elevations, a survey was done, and the silhouette does represent the elevations on the drawings. No grading changes are being made. Regarding the plaster note on the drawings, the siding looked busy, and a few houses in the neighborhood have recently done smooth plaster treatments, which reduced some busyness. Mr. Allman also confirmed that the finish on the front will be wrapped around the corners.

CHAIRMAN KILLEN asked applicant whether he would be opposed to the Commission approving the project with the conditions that siding is used and wrapped around, to which the applicant agreed.

COMMISSIONER VANDEN BOS stated he wouldn't support siding on the second story if the applicant didn't want it. CHAIRMAN KILLEN expressed that it's a great look and would defer to the architect's drawing. COMMISSIONER O'DAY concurred.

COMMISSIONER CONWAY asked whether Staff's recommendation in the Staff Report covers CHAIRMAN KILLEN's concern because "all construction shall be in conformance with the approved plans." COMMISSIONER O'DAY clarified that the Commission wanted to add the condition of wrapping the siding around the west side.

COMMISSIONER CONWAY moved, and COMMISSIONER O'DAY seconded,

TO APPROVE PLANNING APPLICATION NO. 33-05 WITH THE CONDITIONS LISTED IN THE STAFF REPORT AND THE CONDITION THAT APPLICANT WORK WITH STAFF TO WRAP THE SIDING TO A LOGICAL BREAKING POINT ON THE WEST SIDE.

Planning Director Wahba asked for clarification on whether applicant has a choice on the stone. CHAIRMAN KILLEN answered in the affirmative. COMMISSIONER O'DAY added that if the applicant changes from stone, approval should be obtained from the Planning Department.

The applicant came forward and cited several homes with no siding on the second story and asked if that is now a requirement of the City. CHAIRMAN KILLEN answered that the Commission is trying to have a compatibility of second-story additions looking like the first stories, and it is on a case-by-case basis.

AYES: Southwell, Conway, Rein, Bayer, O'Day, Chairman Killen

NOES: Vanden Bos

ABSTAIN: None ABSENT: None

Planning Director Wahba explained the 20-day appeal period.

C. PLANNING APPLICATION NO. 35-05; APPLICANT: MR. & MRS. PAUL TURPANJIAN; LOCATION: 43 COUNTRY MEADOW ROAD; A NEIGHBORHOOD COMPATIBILITY FOR FIRST AND SECOND STORY ADDITIONS TO THE SOUTH SIDE AND REAR OF AN EXISTING TWO-STORY HOME.

Assistant Planner Wong gave a brief Staff Report (as per written material) and reported that the neighbor to the west will not be impacted by the proposed improvements on the subject property and that Staff supports the Neighborhood Compatibility for this project.

COMMISSIONER BAYER asked Staff for the average size of the houses. Planning Director Wahba responded that they are in the mid- to high-3,000's with a few over 5,000 living square footage, not including the garage.

Russ Barto (applicant's architect) came forward at CHAIRMAN KILLEN's invitation. Mr. Barto stated that the other four projects in the ranch and a similar one on Country Meadow that he has done were larger than this project and were approved. This project is not out of line with other projects that have been approved within the ranch.

COMMISSIONER VANDEN BOS agreed and didn't find any merit to the complaint. COMMISSIONERS CONWAY and SOUTHWELL concurred.

COMMISSIONER CONWAY moved, and COMMISSIONER VANDEN BOS seconded.

TO APPROVE PLANNING APPLICATION NO. 35-05 WITH THE CONDITIONS LISTED IN THE STAFF REPORT.

CHAIRMAN KILLEN expressed his appreciation for the completeness of the application, including survey with points and other information to assist in decisions.

AYES: Southwell, Conway, Rein, Vanden Bos, Bayer, O'Day, Chairman Killen

NOES: None ABSTAIN: None ABSENT: None

Planning Director Wahba explained the 20-day appeal period.

### 8. PUBLIC HEARINGS

A. PLANNING APPLICATION NO. 33-04; APPLICANT: BUTCHER RANCH SUBDIVISION; LOCATION: NORTHEAST CORNER OF PALOS VERDES DRIVE NORTH AND PALOS VERDES DRIVE EAST. A MITIGATED NEGATIVE DECLARATION 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.

Senior Planner Cutler gave a brief Staff Report (as per written material) and reported that an initial study was completed for the project, and Staff determined that with proper mitigation the project will not have a significant impact on the environment. Staff has prepared a Mitigated Negative Declaration for consideration of the Commission. Staff received six comment letters, including one provided to the Commission at the dais. In general, comments address environmental, notification and trail issues. Staff was contacted by the Department of Fish and Game a few hours prior to the Planning Commission meeting and requested review of the project. Staff will provide the project to Fish and Game for a 30-day review period. Accordingly, Staff recommends that the Planning Commission open a public hearing and continue the public hearing to the meeting of September 19, 2005 to allow for further review of the project.

COMMISSIONER CONWAY asked Staff if the retaining walls along Palos Verdes Drive North from lot 4 to lot 11 are going to be 6' high, which Planning Director Wahba

confirmed and added that the City has allowed retaining walls to be higher than 5' with other subdivisions in the past.

COMMISSIONER CONWAY then asked Staff about a "not part of this subdivision" to be used as a borrow site, and Planning Director Wahba answered that the grade is not changing there where the cross-section goes through. Section C appearing as though the existing and finished grades have been changed is a mistake that will be corrected. COMMISSIONER CONWAY then asked for clarification at the next meeting as to whether there is a retaining wall at the property line.

COMMISSIONER CONWAY moved, seconded by COMMISSIONER BAYER,

## TO OPEN THE PUBLIC HEARING.

There being no objection, CHAIRMAN KILLEN so ordered and asked for public testimony.

Stanley Lamport came forward on behalf of the applicant. Mr. Lamport asked the Commission to go forward and consider the merits of this project and not let the independent Fish and Game process defer consideration. Mr. Lamport gave an overview of the length and extent of the process to date and explained that there has been a considerable amount of environmental review, including three separate biological studies, one from the City's consultant, and all the studies found that the ravine has minimal habitat value. Also, the Department of Fish and Game's jurisdiction was adjudicated by arbitration in 1979 over the same issues that exist on the property today. The adjudication was that Fish and Game doesn't have jurisdiction, and the arbitration panel found that there is no natural stream on the property; that water accumulates on the property intermittently as a result of an old drain pipe originally serving a sand and gravel pit; the ravine where the water accumulates has been shortened by the construction of a golf course and clubhouse adjacent to the subject property, eliminating the former downhill course of the drainage water; the adjacent reservoir and properties surrounding the land involved, the use of the property by Fish and Game and the properties used as resource for the same is minimal. A letter was sent to Fish and Game at the end of February requesting questions, and it was not responded to until the night of the Planning Commission meeting. The same physical conditions found by the arbitration panel in 1979 still exist today, and there is no basis to have Fish and Game come in.

Barbara Sattler (President of South Coast Chapter of California Native Plant Society) came forward. The Society has concerns with the project and with the Mitigated Negative Declaration. The letter previously sent by applicant to Fish and Game was vague with no reference to a current project and only a reference to a previous, vague, unsigned determination on a vague previous project. Ms. Sattler was happy to see the City provide Fish and Game an opportunity to review the project. Fish and Game's authority over a sensitive riparian community cannot be tossed out by a simple arbitration. The few riparian areas remaining throughout California are critical to wildlife. This project has a significant potential impact and needs a full Environmental Impact Report. The existing Mitigated Negative Declaration refers to a biological assessment that was not done for this property but for a 1-acre RE/MAX redevelopment and specifically conditions that the RE/MAX project would have no significant impact if they avoid any impacts to the ravine, including dumping, nearby parking or lighting. It does not suggest that completely grading the ravine would not be a significant impact. The Society asks that the Mitigated Negative Declaration not be approved by the City, but instead the Commission demand a full Environmental Impact Report and demand valid mitigation. There is no mitigation proposed for the destruction of the ravine, and the mitigation that is proposed is biologically worthless with no long-term mitigation for permanent destruction of habitat.

CHAIRMAN KILLEN asked whether Fish and Game has referred to this project as an Environmentally Sensitive Habitat Area, and Ms. Sattler answered that riparian areas are identified as prime importance to Fish and Game, but she wasn't aware of whether this site had been identified. Planning Director Wahba clarified that he didn't think it was a blue-line stream either.

CHAIRMAN KILLEN asked Staff whether Fish and Game indicated their intent for their 30-day review, and Senior Planner Cutler stated that they were trying to review their 1979 decision and didn't have time to do that.

Sunshine (6 Limetree Lane) came forward with information about the Palos Verdes Loop Trail Project. The loop trail has an ideal route for a 26-mile continuous trail around the hill, and this is an opportunity to improve that ideal route in Rolling Hills Estates. There is an opportunity to put a tunnel under Palos Verdes Drive North, which would indicate that it would be prudent to improve the equestrian trail corridor down the north side of the right-of-way to meet that potential tunnel. Also, this is in an equestrian zone, and after a quick look, it appears there is no accommodation for any direct trail access to the backs of these properties.

COMMISSIONER O'DAY and CHAIRMAN KILLEN pointed out that there is dead-end trail that stops at lot 12 and asked if the speaker was requesting a loop through there. Ms. Grimes responded that it needs to be able to get the traffic from the intersection of Palos Verdes Drive North and Palos Verdes Drive East to the north side of Palos Verdes Drive North where the potential tunnel would be.

COMMISSIONER VANDEN BOS asked if there are any trails on Monticello and was answered that there is just one.

Joe Guarrasi (member of Jack Kramer Club Board of Directors) came forward to express their support of the project and ask the Commission to tweak the project description to reflect an exchange of property on the corner of Monticello and Palos Verdes Drive North.

CHAIRMAN KILLEN asked if the speaker was referring to lot 14 being substituted for the "not part of this subdivision" over by section C. Mr. Guarrasi clarified that the Club owns that lot and has an understanding with the Butchers to exchange lots, and the only current proposed development on that property is parking.

Planning Director Wahba pointed out that is typically something that's done outside of the City.

COMMISSIONER CONWAY asked if there was a grading arrangement with the applicant, and Mr. Guarrasi answered not now but hope to.

Dave Brunnenmeyer (member of Rolling Hills Estates Neighborhood Coalition) came forward to reiterate the letter from Tim Scott. The Coalition was hoping that the trail would end in the parking lot, which doesn't go all the way through right now. Also, the scenic corridor will look significantly different if the tree rows are completely removed, and there will be a view all the way to the golf course and buildings over there. Lastly, the Coalition is surprised that there isn't a setback for the last lot that's the closest to Palos Verdes North Drive.

Stanley Lamport came forward again on behalf of the applicant to respond to some points. The key issue that the Fish and Game adjudication made was that the site didn't have any significant habitat value. There is no affirmative evidence that this site has anything more of value to it than the biologists have previously found. It is a truncated drainage area that has no habitat value. The RE/MAX property is part of this project. The equestrian trail got truncated where it is as a result of community meetings to avoid interfacing horses with tennis balls with future development. The applicant will work with the Jack Kramer Club, but that is a separate project.

COMMISSIONER BAYER asked if there were any plans to put another house on that lot if it is exchanged, in addition to the current 13 proposed houses. Mr. Lamport answered that the applicant has no current plans for that lot.

COMMISSIONER CONWAY asked if this was a resubdivision if the RE/MAX property was a previous legal parcel. Planning Director Wahba answered that there was a lot merger and resubdivision.

COMMISSIONER CONWAY asked if the City's Code requires frontage or access to public right-of-way to be a legal lot. Planning Director Wahba answered that it's a private street coming off of a public street but is not a separate parcel, and there was a one-lot subdivision done on Peppertree Lane. The applicant has to comply with the Subdivision Map Act, and Planning Director Wahba's understanding is that it does, but there is nothing in the Code that gets that specific.

COMMISSIONER BAYER asked if the reason the Commission didn't approve the RE/MAX property was because of the size, not because it was a commercial

development. Planning Director Wahba reminded the Commission that the application was denied in the 80s and then the late 90s, and the issues were both the size and the use of the property.

COMMISSIONER BAYER then asked why an Environmental Impact Review was required for the previous application. Planning Director Wahba answered that it was because of the Zone Change and General Plan Amendment.

COMMISSIONER O'DAY asked when the last time was that a Mitigated Negative Declaration was done in lieu of an Environmental Impact Report for a subdivision that wasn't a single lot. Planning Director Wahba answered that he believed it was Colina Ranch Estates off of Hawthorne.

COMMISSIONER O'DAY asked if the City had done anything this large without an Environmental Impact Report since CEQA first came about. Planning Director Wahba responded affirmatively, but studies have been getting much lengthier and more litigious since then.

COMMISSIONER O'DAY asked if it was a time and cost factor, and Planning Director Wahba confirmed that it was.

COMMISSIONER REIN asked about each of the past discretionary permits relevant to the subject request listed on page 2 of the Staff Report. Planning Director Wahba went through each and stated that in 1981 a tract map similar to the current one was proposed.

COMMISSIONER CONWAY moved, and COMMISSIONER VANDEN BOS seconded,

TO CONTINUE PLANNING APPLICATION NO. 33-04 TO SEPTEMBER 19, 2005 TO ALLOW FOR FURTHER REVIEW OF THE PROJECT.

AYES: Southwell, Conway, Rein, Vanden Bos, Bayer, O'Day, Chairman Killen

NOES: None ABSTAIN: None ABSENT: None

Planning Director Wahba explained that there would be no new public notice for the public hearing.

## 9. <u>COMMISSION ITEMS</u>

COMMISSIONER VANDEN BOS commented that an extension was given to Judy Chai to improve her property, and nothing has happened to date, but the flags are still sitting on her property, which are an eyesore. Planning Director Wahba stated that the Planning Department would contact her to remove them.

COMMISSIONER CONWAY expressed his appreciation to the Park and Activities Commission for spurring Butcher to clean up their property and thanked COMMISSIONER O'DAY for having the tree removed in the Faust's house.

CHAIRMAN KILLEN asked Staff about an item pulled by the City Council meeting he attended in July—the deck for Badour. Planning Director Wahba informed the Chairman that it hasn't gone yet due to vacation. CHAIRMAN KILLEN then explained to the Commission that Kona Crisp was called up due to concern about alcohol being served outside during school hours, but it was upheld with no modifications.

## 10. <u>DIRECTOR'S ITEMS</u>

Planning Director Wahba asked the Commission their schedules for the next meeting, which is to be held the day after Labor Day, September 6, 2005.

COMMISSIONER CONWAY is unsure about Tuesday nights.

CHAIRMAN KILLEN will be in Italy from October 8 until the end of October.

COMMISSIONER BAYER asked what happened with the Mixed Use Committee, and Planning Director Wahba stated that the City Council dissolved that committee, along with others. Planning Director Wahba then updated the Commission on current projects.

## 11. <u>MATTERS OF INFORMATION</u>

- A. PARK AND ACTIVITIES COMMISSION MINUTES (JULY 19, 2005).
- B. PARK AND ACTIVITIES COMMISSION MINUTES (AUGUST 2, 2005).
- C. CITY COUNCIL ACTIONS (JULY 26, 2005).
- D. CITY COUNCIL ACTIONS (AUGUST 9, 2005).

COMMISSIONER CONWAY moved, and COMMISSIONER BAYER seconded,

TO RECEIVE AND FILE ITEMS 11A, 11B, 11C AND 11D.

There being no objection, CHAIRMAN KILLEN so ordered.

## 12. <u>ADJOURNMENT</u>

| At 9:12 p.m. CHAIRMAN KILLEN adjourned the Planning Commission meet | ting to |
|---|---------|
| September 6, 2005, at 7:30 p.m.                                     |         |

| Julie Cremeans    | Douglas R. Prichard |
|-------------------|---------------------|
| Minutes Secretary | City Clerk          |