

LARKSPUR PLANNING COMMISSION  
REGULAR MEETING  
MINUTES OF JULY 19, 2005

The Larkspur Planning Commission was convened at 7:33 p.m. in the Larkspur City Council Chambers by Chair Deignan.

Commissioners Present: Chair Monte Deignan, Helen Heitkamp, Chris McCluney, Jeff Stahl, Richard Young

Staff Present: Nancy Kaufman, Planning Director  
Diane Henderson, Planning Consultant

**OPEN TIME FOR PUBLIC EXPRESSION**

There were no comments.

**PLANNING DIRECTOR'S REPORT**

- She stated there were copies of the latest Larkspur Municipal Code updates on the dais.
- Staff received an item of late mail dated July 19<sup>th</sup> from the Audubon Society regarding tonight's Public Hearing item; copies were on the dais.

**APPROVAL OF CONSENT CALENDAR ITEMS**

No items on the Consent Calendar.

**PUBLIC HEARING ITEMS**

1. GPA/CAP/FAR/TEXT/MP 03-100; 2000 Larkspur Landing Circle (APN 018-171-32); Campus St. James Larkspur, LLC., applicant; Ross Valley Sanitary District of Marin County (Sanitary District No. 1), applicant/property owner. Request for the following permits/approvals to allow for the demolition of the existing Sanitary District facilities and construction of a mixed-use development project, including a business hotel, replacement facilities for the Sanitary District, and 126 for-sale multi-family residential units. Approximately 48,735 sq.ft. in the northeast corner of the site would be dedicated for the expansion of Miwok Park.

- **General Plan Amendments** to a) change the General Plan Land Use Map designation for the project site from Administrative and Professional Offices and Medium Density Residential (up to 12 dwelling unit/acre) to Commercial, High Density Residential (up to 21 dwelling unit/acre), Public Facilities, and Open Space (Parkland); and b) make text amendments, including adding an exception to the maximum floor area ratio (FAR) requirement for the Commercial land use designation in order to permit a maximum FAR of 1.0 and deleting the requirement that the scale of buildings in the Commercial land use category be comparable to the Restricted Commercial land use category.
- **Preliminary Development Plan**, pursuant to the Larkspur Municipal Code Chapter 18.14, to establish development standards for the project and *Exceptions to the Zoning Ordinance* to a) allow a floor area ratio (FAR) of 1.0 for the hotel portion of the project where 0.4 FAR is currently allowed (Section 18.48.055 of the Larkspur Municipal Code, aka LMC); b) allow a FAR of 0.85 for the residential portion of the project where 0.6 FAR is currently allowed (Section 18.35.040 of the LMC); c) increase the C-2 Commercial District's 25-foot height limit to 57 feet and the R-3 Third Residential District's 35-foot height limit to 55 feet (Sections 18.48.040 18.32.040 of the LMC); d) reduce off-street parking requirements for the proposed hotel component by 6 parking spaces (Section 18.56.100 of the LMC); e) reduce off-street parking requirements for the proposed residential component by allowing 11 of the required off-street spaces to be located on-street (Section 8.56.100 of the LMC); and f) allow exception to the provisions of the Slope and Hillside Development Regulations (Chapter 18.34 of the LMC).
- **Circulation Assessment Permit** pursuant to Larkspur Municipal Code Chapter 18.14.

A Mitigated Negative Declaration of environmental impact has been prepared for the project pursuant to the requirements of the California Environmental Quality Act. Prior to taking action on the merits of the above listed agenda items, the Planning Commission will consider the adoption of the Mitigated Negative Declaration.

Planning Consultant Henderson presented the staff report. She noted the following corrections to the ordinance: on page 1, Section 3 should read: "... Exhibits C-1 through C-24..."; in Exhibit A, page 4, Section 7 should read: "An exception to allow 78 spaces for the hotel, where 84 parking spaces are required..."; and Section 9 A. should read: "... and Connector Road Plan dated..... and MPH, Tam View, and Parkside."

Commissioner Heitkamp had questions about the Sanitary District's corporation yard. Planning Consultant Henderson stated the materials and vehicles would be stored outside the building. Commissioner Heitkamp referred to page 55 of the EIR which refers to "the creation of new or unusual hazards". She acknowledged the facilities were

currently in use but the parameters relative to the surrounding uses have changed and this would be a different situation than when it was an industrial site. Planning Consultant Henderson stated the Mitigated Negative Declaration does say the fuel tanks are the same as currently exist on the site and there is a condition of approval that requires the relocation of those tanks away from the residential units. The corporation yard would be subject to significant inspection and licensing. Commissioner Heitkamp stated the assertion that “there was nothing different” was not correct.

Commissioner McCluney asked for clarification about “raising the site” and what would be done with the 25,000 cubic yards of dirt. Planning Consultant Henderson stated the applicants have not yet submitted for a grading permit. Commissioner McCluney asked for clarification on the term “podium” in reference to one of the buildings. Planning Consultant Henderson stated the parking would be subterranean in the Tam View Buildings Nos. 1 and 2 which creates a flat surface at the ground level that would be open and landscaped and referred to as a “podium.” The actual residential portion of the structure is built on that base. Commissioner McCluney asked for clarification regarding the statement that “each unit would have its own private open space.” Planning Consultant Henderson stated that an “open space” area could be a balcony or a deck. Commissioner McCluney referred to the grassy area around the buildings and asked if any of that area would be private yards. Planning Consultant Henderson stated staff has not yet seen any detailed plans. Planning Director Kaufman stated one of the conditions of the Precise Plan is that they must show the location of open spaces for each unit.

Commissioner Heitkamp referred to the commercial portion of the site and the proposed hotel, and asked if it would be possible to have some type of small grocery store as part of the plan. Planning Consultant Henderson stated the Precise Plan approves this specific development and they would have to come back to amend it. Commissioner Heitkamp stated she was concerned about the lack of a grocery store in the area. Planning Director Kaufman stated the current plan would not allow any significant type of market.

Commissioner Stahl asked about the three parking spaces for Miwok Park. Planning Consultant Henderson pointed them out on the plans and stated they were adjacent to the Lincoln Village Circle. Commissioner Stahl asked if the hotel would be considered an “extended stay” hotel. Planning Consultant Henderson stated the applicants were calling it a “business hotel.” It would not have a restaurant but would provide light meals for the hotel guests. Commissioner Stahl asked if there would be any difference in the amount of revenue generated. Planning Director Kaufman stated the room tax is based on the number and not the type of rooms. Commissioner Stahl asked if there would be a difference in the amount of traffic generated. Mr. Michael Hooper, representing Campus Properties, stated the proposed hotel would generate fewer trips. He also stated that an “extended stay” hotel tends to generate more revenue than other types of hotels because the rooms are generally larger (suites), occupied more frequently and for longer periods of time.

Planning Director Kaufman stated the Heritage Board had a concern about the historic designation of the Brick Kiln as reflected in the Mitigated Negative Declaration, but the consultants have confirmed that the historic designation was not affected when the Brick Kiln building was remodeled.

Planning Director Kaufman referred to Exhibit A of the Ordinance, page 5, under A (9) and recommended the following change: “If Monahan Pacific does not provide the information necessary to design the road within *10 to 14 calendar days* of the Commission’s action.....” She noted that the fill removal in the area of the road alignment has been completed since the condition was written and it should not take long for a revised topographic map to be prepared.

Chair Deignan opened the Public Hearing.

Mr. Robert Upton, representing Campus Properties, made the following comments:

- He commended the Planning Consultant and Planning Director on the staff report.
- The revised plan results in fewer environmental impacts than the previous scheme.
- They have been successful in addressing most of the previous comments and criticisms made by the Commission.
- The additional fill is shown on Plan C-1 and the height increase for the site will be about 18” to 24”.
- They are also concerned about the lack of a grocery store in the area and do not envision it going into the hotel. The Larkspur Landing Shopping Center is obligated to put one in and they have failed to do so.
- An “extended stay” hotel would probably generate more TOT (transient occupancy tax) revenue because the rates tend to be higher and they have a higher occupancy. Vehicle trips would be slightly less.
- They do not want the debate over the Connector Road to hold up the process.
- He discussed the following community benefits from the project: 1) providing a substantial amount of the City’s fair share housing, 2) the project can be characterized as “smart development”, 3) they are complying with the affordable housing ordinance, 4) they would be creating less traffic than was anticipated in the General Plan for a different set of uses, 5) the project would generate about \$300,000 per year in TOT revenue and a substantial amount in traffic impact fees, 6) they are providing some attractive architecture at the gateway to Larkspur as well as a wide variety of housing types.
- The revised plan would be more expensive to construct but the price is worth paying and it is a better solution.

Commissioner Stahl asked about the evolution of the size of the units and the amount of additional floor area in the residential development. Mr. Upton stated there could be some confusion between the gross and the net square footage. The gross square footage includes the garages and the subterranean parking. They look at the net square footage

which is the space that someone could occupy and what they can sell. The units are between 855 to 1,740 square feet (net). One would add about 400 square feet for a double garage. The overall square footage has decreased between the two plans. Commissioner Stahl asked why the Sanitary District building has moved to the east in the revised plan. Mr. Upton stated it was a function of being able to free up the plan. It has moved south a bit to avoid removing some oak trees.

Commissioner Young asked if they have given any further consideration to the use of solar panels. Mr. Upton stated it was a great idea but it does not “pencil out.” He felt people would not pay more for units with solar panels.

Commissioner McCluney asked if the three livable stories plus the parking garage would add up to four stories. Mr. Upton stated “yes”. Commissioner McCluney asked if the underground parking would be below grade. Mr. Upton stated “yes”. Commissioner McCluney asked how far above sea level the flooring would be in the garages. Mr. Upton stated it would be at grade level. Commissioner McCluney asked if there would be any problems with water seepage into the walls, etc. Mr. Upton stated “no” and added they were well above the water table. Commissioner McCluney asked about the status of the EAH affordable housing project. Planning Director Kaufman stated they were still trying to get funding. Commissioner McCluney asked about the trade-off to the new plan from the applicant’s perspective. Mr. Upton stated overall the revised plan is a great improvement and the environment that will be created will be fantastic. Improvements include the additional open space, the relationship to the buildings, and the way vehicular and pedestrian traffic will move through the site. The trade-off is the additional expense of putting in the subterranean parking garages. Commissioner McCluney asked about the selling price of the units, old plan vs. new plan. Mr. Upton stated this would be a function of the market and he really can not answer that question.

Commissioner Young stated much of the open space has been achieved by shifting the road connection to the Monahan Pacific property and increasing the separation between the residential units and the Sanitary District office. The parallel road is now outside their property and he asked if Monahan Pacific has reviewed this plan and who would pay for this road. Planning Director Kaufman stated each party was responsible for the portion of the road located on their property. The realignment of the road has saved some of the habitat.

Chair Deignan asked if the Connector Road to the Drake’s Cove site benefited the Monahan Pacific project more than the Campus Project. Planning Director Kaufman stated “yes” because the turn off from East Sir Francis Drake Boulevard into Drake’s Cove is difficult and it would be easier to go through the light at Larkspur Landing Circle and through the Campus Property development. Residents of the Campus Property’s project would have less reason to use the road. Mr. Upton stated they do not have any benefit from the Connector Road.

Commissioner Heitkamp asked if there was a report from the Larkspur Fire Department regarding firefighting services for the hotel and the other buildings. Planning Director Kaufman stated the plans have been reviewed several times by the Fire Department. Their only hesitation was whether they could traverse across the roof's of the residential buildings but that detail must be shown as a condition of the Precise Plan. The project has been designed so that Kentfield Fire Department's large ladder truck can service the site.

Mr. Rob Bregoff, representing the Greenbelt Alliance Compact Development Team, made the following comments:

- The organization is dedicated to working towards the protection of the greenbelt and the inhibition of urban sprawl by encouraging "smart growth" development and affordable housing.
- They support residential mixed use in commercial developments that are pedestrian oriented and transit accessible.
- They are happy to endorse the project since it meets or exceeds their development criteria.
- He encouraged the City to consider a possible reduction in the parking requirements for projects that are close to transit.

Ms. Ann Petersen, Kentfield resident, made the following comments:

- She is representing the owners of 2200 Larkspur Landing Circle.
- The plan was a great improvement and she was glad that the area would lose fewer trees and gain more open space.
- She asked how close the building would be to her property line. Planning Director Kaufman stated it meets the minimum setback. It is 8'7" at its closest point.
- She asked the following questions: 1) How many guest-parking spaces are proposed? 2) How much fencing would be in the green space? 3) How would the Sanitary District access the pump facility located on the property at 2200 Larkspur Landing Circle? 4) How wide are the sidewalks? 5) What is the selling price for the affordable units?
- She asked the Commission to encourage minimal obstruction of the view of the green space.
- This would not be a family-oriented project since there were no grocery stores or schools in the area.
- They were concerned about the size, mass, and bulk of the building that would be adjacent to their building.
- There is no candidate for the hotel and no benefit for the developer to build it. She was concerned the developers would want more housing instead of the hotel.

Mr. Victor Gonzalez, representing Monahan Pacific, made the following comments:

- He displayed plans for an alternative location for the Connector Road. They would be happy to engineer this alternative solution.

- This is a much-improved plan.
- There have been many plans for how the Connector Road can work- both parties want to make it work.
- The Connector Road is important to the City because it solves ADA access to Miwok Park and provides a sidewalk and pedestrian link to the park.
- The Connector Road will become the preferred entrance for the Monahan Pacific project and Miwok Park.
- He objected to the statements that they were holding up the Campus Properties project. They have engineered a number of designs for the Connector Road.
- Each party would pay for the portion of the Connector Road that is on their property.
- They tried to engineer the road to reduce the retaining wall heights and align it more on the center of the property line, but determined that hugging the property line was the best alignment. Two trees would be affected by the proposed design.
- The road as designed by Campus with parking and garage entry appears like a service road rather than an entry to the Drake's Cove development.
- Monahan's alternative design would knock off part of the building, which could be located south of the road. Few units would be lost.

Commissioner McCluney asked Mr. Gonzalez if he would like to straighten out the road and eliminate the loops. Mr. Gonzalez stated "yes". Commissioner McCluney asked if the new proposal would affect the retaining wall heights. Mr. Gonzalez stated "no". Commissioner McCluney stated he did not see the "looping road" vs. the "straight road" issue as significant. Mr. Gonzalez stated the new proposal was a better design for both projects.

Commissioner Stahl stated there was an 18 percent grade on the newly proposed road and he asked how that compared to the grade of the road proposed by the Campus Properties project. One of the benefits of the Campus Properties proposal is that the road is longer and has a shallower slope coming down the hill. Mr. Gonzalez stated their proposal is not engineered and it may be 17 instead of 18 percent.

Mr. Rich Hall, managing partner of the Brick Kiln, made the following comments:

- The plan was greatly improved. He appreciated the creation of more green space.
- He thanked the Planning Department for clarifying the historical designation of the Brick Kiln.
- He asked if the buildings would maintain the same architectural style and exterior finishes as originally planned. Mr. Upton stated they would be very similar.
- He was concerned about the change in the grade at the lower portion of the project and felt this may cause some runoff problems. Mr. Upton stated they have looked at this issue.
- There is a substantial water problem at the Brick Kiln because the water table is quite high in that area. This should be carefully considered in any subterranean construction.

- He asked about the height of the buildings near the Brick Kiln. Mr. Hooper stated they would be 42' high (37' from existing grade).

Mr. Rodger Faulkner, William Avenue, made the following comments:

- He commended the Planning Consultant on the staff report.
- He would like to see a model of the project.
- He would like to see some bicycle access to the Ferry Terminal.
- He would like to see the utilization of renewable energy.
- He asked if the project would be located in the Larkspur or San Rafael School District.

Ms. Marilyn River, Pepper Avenue, made the following comments:

- She was concerned that the corporation yard and fuel tanks would be located immediately adjacent to the EAH project and the hotel. These uses are incompatible.
- There are numerous corporation yards in an approximate 2-mile radius.
- She strongly urged the Commission to make sure there was a reconnaissance of the project area to ensure that human remains were not disturbed.

Chair Deignan closed the Public Hearing.

Commissioner Stahl provided the following comments:

- This is an enormously improved plan. He did not have many quibbles about the plan.
- He asked if the Heritage Board had reviewed the plan. Commissioner Heitkamp stated they have not had a chance to review the plan. The Board has a principle that a reconnaissance should be done up front in addition to having people on site during excavation. Moving the building back has taken it from the immediate area where bodies have been found, however, there is the potential of penetrating something during the drilling of the piers.
- He felt the units nearest the Brick Kiln have been moved far enough away to alleviate the visual impact.
- He asked about the possibility of a bicycle access to the Ferry Terminal and where that route might be.
- Some aspect of providing solar power would be appealing. The long axis of the hotel faces due South and this might provide an opportunity.
- It would be cheaper to build the road as proposed by Mr. Gonzalez. He stated it would be safer to have more curves in the road for pedestrian safety and to slow down the traffic.
- He asked why the Sanitary District building had been moved to the east.
- He could support the project as proposed with the condition that the Sanitary District building extend no further east than the eastern end of the adjacent Greenway Townhomes. It should be moved 20' to the left-hand side of the page. This would give more open space to the path that heads up the hill and open up the view corridor.

If this caused a reduction in the number of parking spaces, he could make the necessary findings.

Commissioner Young provided the following comments:

- He agreed with the comments made by Commissioner Stahl.
- The plan has improved tremendously. The key was the clustered development and the reduction in the number of buildings (from 16 to 9).
- The view from the Brick Kiln has improved.
- He appreciated the amenities of the project- community room, pool, play area.
- He greatly appreciated the reduction in the removal of trees from 54 to 26 and the reduction in the impervious surfaces.
- He agreed that the utilization of renewable energy should be seriously considered.
- The idea of a bicycle path to the Ferry Terminal is a good one.
- He can support the project.
- He preferred the Connector Road proposed by Campus Properties due to its gentler slope.

Commissioner Heitkamp provided the following comments:

- She appreciated the changes that were made.
- One of the key findings that must be made is that the project conforms to the General Plan and would be a benefit to the City.
- The clustered approach has freed up the site and placed the density in the logical location. It has created sight lines and a connection to Miwok Park.
- The different angle of the buildings improves the on-site and long range visual looks.
- She likes the variety of housing types, the community center, and pool area.
- She would prefer the looping road and felt it would be safer.
- She has no problem with the Sanitary District building.
- She has a major problem with the location of the corporation yard and the fuel tanks and feels it is too close to the EAH project and the hotel.
- She can not make the findings that the corporation yard is compatible with the goals of the General Plan. The Hazardous Materials Section, Goal 9, states that Larkspur should be protected against accidental exposure to hazardous materials, spills, vapor releases and limit the storage of hazardous materials to commercial and industrial areas. There are similar goals under the Air Quality and Noise Sections.
- She could approve the project with the condition that the corporation yard and refueling station be relocated.
- She acknowledged these uses currently exist but they are changing the General Plan and the Zoning to PD and the parameters are different.

Chair Deignan asked staff for details about the fuel tanks (number, capacity, above or below ground). Planning Director Kaufman stated that the applicant could respond more specifically to the details relating to the tanks. She stated that staff included a condition that the tanks should be moved further away from the EAH project and the hotel and

closer to the Sanitary District building itself. These types of tanks are not uncommon in corporation yards that are near residential areas.

Commissioner McCluney provided the following comments:

- He agreed that this was a vastly improved plan that responded to many of the Commission's comments.
- He is in favor of the project and the specific detail in terms of the parking variance, FAR, tree removal, height exceptions, etc.
- He would like to see solar energy incorporated into the plans but he is also concerned about the cost filtering down to the buyers. He acknowledged the huge, south-facing roof of the hotel.
- The architecture was great.
- There was no compelling argument one way or another about the Connector Road. "Loop" vs "no loop" was not a big issue.
- The view lines were improved and he was glad there was a pool and a clubhouse.
- Moving the Sanitary District building to the west would create a better situation but this was not a huge issue.
- It was a great idea to try to minimize the number of corporation yards in the area but this probably will not happen. The property is owned by the Sanitary District. He is not troubled by the location of the corporation yard and tanks.
- He is in favor of the project.
- He asked staff whether the hotel was a necessary part of the plan. Planning Director Kaufman stated they would need to revise the Preliminary and Precise Development Plan to eliminate the hotel.

Chair Deignan asked for comments regarding the location of the fuel tanks.

Commissioner Stahl stated he supported the staff condition to move them away from the EAH project and the hotel. Commissioner Young agreed. Commissioner McCluney stated it would be nice if there were other options but there did not seem to be any.

Commissioner Heitkamp stated other options should be explored and she could not make the General Plan findings.

Chair Deignan provided the following comments:

- This is a big improvement over the previous plan for the following reasons: fewer buildings, less hardscape, better circulation, more open space, etc.
- It is unfortunate that it will be a more expensive development and not as affordable.
- He would support moving the fuel facilities away from the EAH project.
- He would have a problem telling the Campus Property developers to move a building and change their plans to accommodate the new Connector Road design.
- He would like to see the Connector Road built per the Campus project plans.

Planning Director Kaufman recommended that Condition #9 in Exhibit A be replaced with the following: "Plans submitted for Precise Development shall have the review and

recommendation of the City Engineer relative to the design of the Connector Road such as grades and wall heights and shall have proper sight distances and safety features”.

Commissioner Heitkamp discussed the Heritage Board policy regarding reconnaissance for human remains. Mr. Upton stated they already performed a reconnaissance.

Commissioner Stahl asked if the Commission would like the Sanitary District building moved to the west. Commissioner Young stated “yes”. Commissioner McCluney stated he was not sure. Commissioner Heitkamp stated she would like the fuel tanks and the corporation yard moved. Planning Director Kaufman stated that earlier plans had the entry patio for the Sanitary District Building expanding into the park space to be dedicated. Staff was concerned that the park would become the “District’s Park” and an extension of the office complex and requested that the patio, as shown on the plans, be removed from the park space. Commissioner McCluney stated that it seems punitive and they should be allowed to enjoy the park. He was not in favor of moving the building to the west. Chair Deignan stated he did not have a problem with the location of the building. Commissioner Stahl stated moving the building back to where it was in the original plan would open up a vista to the park and Tubb Lake. Pushing the buildings another 20’ away from each other would be the right thing to do without any apparent sacrifice to the functionality of the Sanitary District site.

Mr. Matt Guthrie, representing Sanitary District No. 1, made the following comments:

- The building was moved 20’ to the east to accommodate additional parking.
- He asked them to consider leaving the building where it is and resolving the issue at the Precise Plan stage.
- He stated that the District was willing to work with the City in coordinating the entry to their building and the park and that the District may be willing to take over some maintenance responsibility.

Mr. Victor Gonzalez made the following comments:

- He referred to condition #9 and stated their intention is to start construction of the road once the Preliminary Plan is approved. They do not want to wait until the Precise Plan is approved.
- They want to make sure the road design does not change any more.
- They will be selling lots soon.
- In order to build the road they need to work across the property line.
- He asked that Condition #9 include a statement that the Sanitary District allows them access to build the road. Planning Director Kaufman stated this is something that would have to be worked out by the two parties. Mr. Upton stated they could work something out. Mr. Guthrie stated they have been in discussions with both parties about temporary use of the site but they can not have a permanent encumbrance on the property.

Commissioner Stahl asked for comments regarding the requirement for solar panels. Commissioner Heitkamp stated it seemed logical for the hotel to have solar panels but she was not comfortable with requiring it. Commissioner Young suggested it be required for the pool. Commissioner McCluney stated he would like to encourage it at the hotel and require it at the community center pool. Mr. Upton stated they have not looked at the feasibility for this technology for the hotel or the pool but they would be happy to study this.

Planning Director Kaufman responded to the issue regarding a bicycle route to the Ferry Terminal and stated bicycles could get through the development on surface roads and once they get across East Sir Francis Drake Boulevard there is a path that leads directly to the ferry.

M/s, Stahl/McCluney motioned and the Commissioner voted 4-1 (Heitkamp voted no) to recommend that the City Council approve the Draft Resolution and Ordinance approving the Draft Mitigated Negative Declaration, General Plan Amendments, Preliminary Development Plan, Exceptions to the Zoning Ordinance and Circulation Assessment Permit, subject to the findings and conditions of approval in the staff report plus the following additional conditions: 1) the changes mentioned by staff in the presentation, 2) Condition #9 shall read: "Relative to the Connector Road, plans submitted for Precise Development Plan shall have been reviewed by the City Engineer relative to its design (slope and walls) as it relates to this project and for recommendations relative to safety features, such as stop signs, warning lights, low vegetation, etc. that should be incorporated into the roadway design at the garage entry to Building 9 (Parkside); and 3) The application for the Precise Development Plan shall include a feasibility study relative to the installation and use of solar panels or similar technology at the hotel and the two proposed swimming pools. The applicant is strongly encouraged to implement solar technology.

Commissioner Heitkamp stated she could not support the project because of the inclusion of the corporation yard refueling station. It is a major safety hazard on the site and is contrary to the General Plan Goal #9 (regarding materials), Goal #10 (regarding air quality), Goal #11 (regarding noise).

## **BUSINESS ITEMS**

### 1. Commissioner's Reports

The Commission discussed the recent Federal decision regarding eminent domain and the possible effects to local government.

The meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Toni DeFrancis  
Recording Secretary