Final Minutes

Planning Commission April 2, 2012 City of Orange Monday 7:00 p.m.

PRESENT: Commissioners Buttress, Cathcart, Gladson, Grangoff and Steiner

ABSENT: None

STAFF

PRESENT: Leslie Aranda Roseberry, Planning Manager

Anna Pehoushek, Principal Planner

Jennifer Le, Senior Planner Chad Ortlieb, Senior Planner Doris Nguyen, Associate Planner Gary Sheatz, Assistant City Attorney Sandi Dimick, Recording Secretary

ADMINISTRATIVE SESSION

Chair Steiner opened the Administration Session of the Planning Commission Meeting at 6:54 p.m.

Chair Steiner stated there were 3 Public Hearings on the Agenda before them.

Planning Manager Leslie Aranda Roseberry stated there were 4.

Chair Steiner stated yes, that would include the item for Verizon. He asked if Commissioner Cathcart would be able to vote on all the items.

Ms. Aranda Roseberry stated yes, there were no conflicts and he would be able to participate in all items on the Agenda before them.

Chair Steiner asked if there were any questions for Staff.

Commissioner Grangoff stated he would have a clarification question on Item No. 3.4, CUP OC Vet, regarding the 24 hour on site personnel requirement, and if there were legal reasons behind that requirement or if the condition had potential for removal. He was unclear on the requirement and would bring that up for discussion on the dais.

Chair Steiner asked if the Ordinance Amendment was before them based on City Council action.

Ms. Aranda Roseberry stated yes.

Chair Steiner asked if there had been notification on the item.

Ms. Aranda Roseberry stated yes, and Staff would provide further details during their presentation on the notification process for that item.

Chair Steiner stated Principal Planner Anna Pehoushek would be presenting that first item on the agenda. He asked if there was a discussion on the minutes from the March 5, 2012 meeting. There were no corrections.

Commissioner Buttress asked if there had been any correspondence received on the cell tower item.

Senior Planner Chad Ortlieb stated there had been a phone call received and the nature of that inquiry was informational only.

Chair Steiner stated with a new member on the Planning Commission, he wanted to have a continuing discussion on the need for the Administrative Session prior to their open session and to reiterate that there was no decision making happening during the Administrative Session; and the public was welcome to sit in on that portion of their meeting.

There was no further discussion.

Administrative Session adjourned @ 6:57 p.m.

PUBLIC PARTICIPATION:

None

REGULAR SESSION:

Chair Steiner opened the regular Session of the Planning Commission Meeting with a review of the City's appeal process.

Consent Calendar:

(1) APPROVAL OF MINUTES FROM THE REGULAR SCHEDULED MEETING OF MARCH 5, 2012

Commissioner Buttress made a motion to approve the minutes from the Planning Commission Meeting of March 5, 2012 as written.

SECOND: Commissioner Gladson

AYES: Commissioners Buttress, Cathcart, Gladson, Grangoff and Steiner

NOES: None ABSTAIN: None ABSENT: None

NEW HEARINGS:

(2) ORDINANCE AMENDMENT – AMENDING TITLE 17 RELATING TO ACCESSORY SECOND HOUSING UNITS AND MULTI-FAMILY USES MADE NON-CONFORMING BY THE 2010 GENERAL PLAN

The draft Ordinance Amendment contains modifications to Title 17 whereby (1) detached accessory second units would no longer be counted toward the 50 percent cap on floor area for detached accessory structures in relation to the floor area of the principal single family residence; and (2) pre-existing duplex and multi-family residential structures on properties re-zoned to Single Family (R-1) due to land use changes in the 2010 General Plan Focus Areas would be classified as "permitted" rather than "legal non-conforming" uses. In conjunction with these changes, Section 17.17.065 of the Code, recognizing historic duplex and multi-family structures as permitted uses, would no longer be needed, and would therefore be deleted in its entirety.

LOCATION: Citywide

NOTE: The draft Ordinance Amendment is exempt from the provisions of

the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15305 (Class 5 – Minor Alterations to Land Use Limitations) because it involves a modification to areawide standards rather than a specific development project.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 16-12 recommending the City Council approve the amendment of Title 17 of the OMC relating to accessory second housing units and multi-family uses made non-conforming by the 2010 General Plan.

Principal Planner Anna Pehoushek presented a project overview consistent with the Staff Report.

Chair Steiner opened the item for any questions to Staff.

Commissioner Gladson stated in the presentation there was a comment that the ordinance was for the focus areas of the historic district of the City of Orange; but the Ordinance Amendment was citywide and she asked for clarification on the impact to R-1 properties outside of Old Towne.

Ms. Pehoushek stated the City Council specified that the Ordinance Amendment applied to properties in any of the 8 General Plan focus areas, and those were areas that had potential when any Land Use changes were made, that would ultimately create changes to R-1 properties. She reviewed all the focus areas and the only area where that would occur was in the Old Towne focus area.

Commissioner Gladson asked if that was the same for the second unit elimination of the 50% cap.

Ms. Pehoushek stated the 50% cap would be something that was citywide.

Commissioner Gladson stated the concern she had was with the term "permitted use" or "permitted structure" as part of the proposed ordinance. By stating there were approximately 75 structures that were either duplexes or triplexes that were permitted, she asked if the City was somewhat afoul with the fact that the base zone would be R-1, and R-1 zoning needed to be in place to remain consistent with the General Plan? Was there any incongruency in having that as part of a permitted status for non-conforming structures?

Assistant City Attorney Gary Sheatz stated Staff had wrestled with that as well; but it would not be any different than what would be found with legal non-conforming uses. It was the same thing being called something different.

Commissioner Gladson stated that clarified a lot and she would have more comments later.

Chair Steiner asked if there had been any additional communication received on the item. There was none. Chair Steiner opened the hearing for public comment.

Jeff Frankel, address on file, representing the OTPA, stated he wanted to congratulate Commissioner Cathcart on his appointment to the Planning Commission, and it was nice to have a full Commission again. The OTPA supported the amendment change of legal non-conforming to permitted uses. They also agreed that the 50% cap was arbitrary and it would not do anything to limit negative impacts on historic resources. In fact it could encourage a larger project. The intent of the 50% cap was to ensure that an accessory structure would remain secondary to the primary structure. With that in mind, he would suggest that language be included in the Old Towne Design Standards Update which was currently on going, that would clearly imply that an accessory unit shall remain secondary to the primary structure; and that small historic homes would not become accessory units to larger backyard units. That type of development created adverse impacts on the single family character of Old Towne as demonstrated on South Grand Street.

Chair Steiner asked Ms. Pehoushek if she would provide her input on the comments presented by Mr. Frankel.

Ms. Pehoushek stated the issue of accessory units was something that would be addressed in the Old Towne Design Standards.

Commissioner Grangoff asked if there were very many situations where the secondary unit was the primary structure.

Ms. Pehoushek stated there had been such projects, but off hand she had not known how many there were. There had been instances where the 2nd unit was more dominant, or where a property had been added on to. The Amendment before them would remove those conditions that might have existed in the past to create those situations.

Chair Steiner brought the item back to the Commission for discussion or action.

Commissioner Gladson stated one of the other questions she had was the process of review of changes to existing duplex and multi-family dwellings that were in the historic district, and most in the southeast quadrants; in the case that a tragedy, such as a fire occurred and the entire structure was demolished, what would be the process for such a situation?

Planning Manager Leslie Aranda Roseberry stated the basic process would be to have the applicant go to the Planning Department counter with their set of plans and then it would go through the Design Review Committee before permits were issues. In that respect, the process would not change. There would need to be some manner of indicating which properties were contributing or non-contributing in order to apply the standards that would pertain to that property. If the ordinance before them moved through, there would need to be some additional follow up on Staff's part. One of the things that she and Ms. Pehoushek spoke of was there was an existing system for permit tracking and project tracking and there were notations on every parcel in Old Towne indicating what restrictions applied. The idea would be to have a similar system in place for tracking of contributing, non-contributing, triplex, duplex or other situation.

Commissioner Gladson stated one of the things she liked about the particular section of the code that they were discussing was the reference to historic triplexes and historic duplexes when the General Plan had been put into place in 2010. It was a mistake to lose the essence of that and she wanted to suggest that Section G be relabeled with a front header of "contributing and non-contributing duplex and multi-family dwellings" to call out that the section of the ordinance dealt with either type of situation. They could label it that way so they would know what they were all talking about, for clarity. She also wanted to suggest that there be additional language added to the paragraph for secondary accessory housing units that mirrored the paragraph above. The previous section had a nice reference to architectural compatibility standards and she would propose that the same reference be added to the second to the last sentence of the paragraph that stated "additions, reconstructions or alterations to affected properties", etc. It would provide more clarity. She would make that a motion; and to approve draft Ordinance 7-12. She would need to go back and read the beginning section.

Commissioner Gladson made a motion to adopt PC Resolution No. 16-12, recommending approval to the City Council of Ordinance Amendment-Amending Title 17 Relating to accessory second housing units and multi-family uses made non-conforming by the 2010 General Plan, subject to the CEQA findings as part of the Staff Report which was an exemption.

Ms. Pehoushek asked for clarification on the language she was proposing regarding multi-family properties?

Commissioner Gladson stated she was referring to Section No. 2.

Ms. Pehoushek stated the intent of the language was to equally apply the Ordinance to contributing and non-contributing properties.

Commissioner Gladson stated it had not specifically stated that and had read duplex and multi-family, she was suggesting that they be specifically labeled; she knew it was covering Old Towne.

Commissioner Buttress asked Commissioner Gladson what page she was referring to.

Commissioner Gladson stated page 2 of the actual draft ordinance that Staff had prepared for the Council, in section 2, where the actual code was written. She was in the G section, where the very last sentence started with "multi-family properties". She was suggesting that language be added: "architectural compatibility standards". This had been listed at the top in section 1.

Commissioner Grangoff asked if that was the only change she was proposing?

Commissioner Gladson state that one and a heading change, in front of duplex and multi-family dwelling, in section 2, to label it "contributing and non-contributing duplex and multi-family dwellings" instead of just "duplex and multi-family". It would give homage to contributing multi-family.

Commissioner Grangoff asked if the affect of that change would just be for clarification in the code or would it have any policy ramifications?

Mr. Sheatz stated the inclusion of further language of architectural compatibility would highlight that, but it would not include anything additional that was already intended to be included. The language read "with all applicable code standards". The standards already included the language that was being suggested. It highlighted it, called it out and emphasized it, but it would not be bringing something in that was already intended to be there.

Commissioner Gladson stated it was just giving her a comfort level that there was a higher level of review in the historic district and to have the reminder in there. It was already part of section 1, and she thought it would be nice to have it in both sections. She was wrestling with, and the other reality was that she understood the direction of the City Council and they were champions of property rights, frankly the particular need was not necessary in her opinion in the code, but she was comfortable in having all the changes she proposed because it got them to the end zone for down zoning the different quadrants. In her opinion it was not really necessary, but she could see why it gave comfort to her colleagues and she could support it. She wanted to further clarify because it had

appeared like there had been a misunderstanding on how structures were legal, but non-conforming would continue to be in their community forever. She believed it gave guidance for that; but obviously she was not the only individual on the dais and they all had good thoughts.

Chair Steiner stated he was struggling with the suggested changes as he was not a Planner, he was not comfortable voting for the resolution without fully understanding what Commissioner Gladson was proposing. He would want some feedback from City Staff in terms of the comfort in changing the language in the Resolution before them.

Ms. Pehoushek stated she concurred with Mr. Sheatz in his comments regarding Commissioner Gladson's initial request for language change, that it would not change anything, but would reiterate or highlight the intent of the ordinance. In terms of the second change, the intent was that the ordinance would be applied equally to both non-conforming and conforming uses and it had the same outcome, but might create some confusion in the General Plan focus areas. That was her initial reaction

Commissioner Gladson asked if that was the more worrisome part of her suggestion, the heading suggestion. She would be willing to withdraw her request, if they would accept her suggestion to add the architectural compatibility language to match up with the language that was written for second units. She was willing to compromise. She had not wanted to operate from a position where she had to vote no on something just because it was something she had thought they had not needed to do, but she would want the reassurances in place. The City Council had asked her to chime in on it from a Land Use perspective and a zoning perspective. Her personal opinion and belief was that it was not necessary to have those protections, but if it gave comfort and direction that was clearer she could understand that. She wanted the other caveat there to insure compatibility for all future potential additions.

Commissioner Cathcart asked Chair Steiner if someone could distill down what Commissioner Gladson was asking for. If it was to clarify conforming and non-conforming it would not do that, it made it contentious and he had understood that the direction was to do away with the contentiousness of the conforming and non-conforming. What were they looking at based on the motion that was suggested and what was the difference in what Commissioner Gladson suggested and what had been presented by Staff. They had been dancing around this and he wanted to get back to the same ball park.

Commissioner Gladson stated they were in the same ball park. What she was sharing was that they had some very good clarity already in place that dealt with historic duplexes and triplexes as part of the second item on the agenda, which would cover the specific language that dealt with those particular Land Uses. She stated fundamentally there would be those non-conforming structures that would go away, but she understood that was not going to happen, she got that. Those could be allowed to continue in the community although they might not be architecturally compatible and there were multiple properties that were not permitted in R-1 Zoning. It dealt with the possibility of

the structures going away or if there were additions down the road, it should be considered how it all integrated in a plan that anyone might come up with for the structure. She wanted to match up the two language pieces. It was part of the code requirement. She was wrestling with that more than anything. Density was not a big issue for her; it was really compatibility that was the issue for her.

Chair Steiner asked if there was a second to the motion.

Commissioner Buttress asked if Commissioner Gladson had amended her motion.

Commissioner Gladson stated she would amend her motion to delete the request to change the title, and only suggest the addition of language to include architectural compatibility standards that would mirror the language in Section No. 1.

Chair Steiner stated he did not hear a second and asked if there was another motion.

Commissioner Grangoff made a motion to adopt PC Resolution 16-12, recommending approval to the City Council, Amending Title 17 of the OMC relating to accessory secondary housing units and multi-family uses made non-conforming by the 2010 General Plan.

SECOND: Commissioner Cathcart

AYES: Commissioners Buttress, Cathcart, Grangoff and Steiner

NOES: Commissioner Gladson

ABSTAIN: None ABSENT: None

(3) ZONE CHANGE 1263-12-REZONE CERTAIN PROPERTIES TO SINGLE FAMILY RESIDENTIAL (R-1)

Adopt Planning Commission Resolution 16-12 recommending the City Council approve the amendment of Title 17 of the OMC relating to accessory second housing units and multi-family uses made non-conforming by the 2010 General Plan.

LOCATION: Citywide

NOTE: Final Program Environmental Impact Report (EIR) No. 1815-09

for the Comprehensive General Plan Update was certified on March 9, 2010 and prepared in accordance with the California Environmental Quality Act (CEQA). The proposed activity is within the scope of the previously approved General Plan and is adequately described in the previously certified General Plan

Program EIR for purposes of CEQA.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 14-12 recommending City Council approval and adoption of a draft ordinance to rezone certain properties to single family residential (R-1), to establish consistency between the zoning classification and the low density residential (LDR) land use designation in accordance with state law.

Senior Planner Jennifer Le presented a project overview consistent with the Staff Report.

Chair Steiner opened the item for any questions to Staff.

Commissioner Grangoff asked if she would speak to the previous item and how that would relate to the zone change before them.

Ms. Le stated the zone change would change R-2 to R-1; the primary affect would be on duplex or muti-family properties that had been non-conforming and would be permitted uses.

Chair Steiner opened the hearing for Public Comment. There was none.

Chair Steiner brought the item back to the Commissioner for further discussion or an action.

Commissioner Buttress made a motion to adopt PC Resolution 14-12, recommending approval to the City Council of Zone Change 1263-12-ReZone Certain Properties to Single Family Residential (R-1).

SECOND: Commissioner Gladson

AYES: Commissioners Buttress, Cathcart, Gladson, Grangoff and Steiner

NOES: None ABSTAIN: None ABSENT: None

(4) CONDITIONAL USE PERMIT NO. 2829-11 – VERIZON WIRELESS

The applicant requests a Conditional Use Permit to exceed the height limitation of the zone in order to construct a new 62 foot tall telecommunication monopine with antennas. A generator, enclosure, and accessory telecommunication equipment would be constructed on site to support the facility.

LOCATION: 601 N. Main Street

NOTE: The proposed project is categorically exempt from the provisions

of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15303 (Class 3 – New Construction or Conversion of Small Structures) and 15311 (Class 11 – Accessory

Structures) because the project involves the addition of an

accessory (appurtenant) wireless facility to the site.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 11-12 approving a 62 foot tall monopine to be constructed in exceedence of the 20 foot height limitation for the M-2 zone.

Senior Planner Chad Ortlieb presented a project overview consistent with the Staff Report.

Chair Steiner opened the item for any questions to Staff.

Commissioner Cathcart stated he appreciated that there were multiple plantings of real plant materials at the site.

Chair Steiner opened the Public Hearing and invited the applicant to address the Commission.

Michelle Nguyen, address on file, thanked Staff for their support and patience throughout the preparation of the proposed project before them. They spent a lot of time on the monopine design to add more foliage and to gain a more tapered appearance.

Chair Steiner asked Ms. Nguyen if she was accepting the 30 Conditions of Approval.

Ms. Nguyen stated yes, they had reviewed them and because they had worked so closely with Staff and they had gone through similar designs, they had provided photo simulations and it was a very collaborative environment. It was something that they felt confident in producing.

Chair Steiner brought the item back to the Commission for discussion or action.

Commissioner Buttress made a motion to adopt PC Resolution 11-12, approving CUP No. 2829-11-Verizon Wireless, subject to the conditions contained in the Staff Report and noting the item was categorically exempt from CEQA.

SECOND: Commissioner Cathcart

AYES: Commissioners Buttress, Cathcart, Gladson, Grangoff and Steiner

NOES: None ABSTAIN: None ABSENT: None

(5) CONDITIONAL USE PERMIT NO. 2848-12 – OC VET MEDICAL CENTER PET BOARDING

The applicant proposes to convert a veterinary hospital to a for-profit pet boarding and non-profit animal rescue facility.

LOCATION: 434 N. Tustin Street

NOTE: The proposed project is categorically exempt from the provisions

of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) because the project includes no expansion of the existing building.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution 15-12 approving the allowance of conversion of a veterinary hospital to a for-profit pet boarding and non-profit animal rescue facility.

Associate Planner Doris Nguyen provided a project overview consistent with the Staff Report.

Chair Steiner stated the approval had a condition regarding having a staff member of the facility to be on site over night at the facility. He opened the item for any questions for Staff.

Commissioner Gladson stated regarding the condition that was in question, she asked if there was another facility in Orange on Chapman that had the same condition and was the language in their CUP identical.

Ms. Nguyen stated yes, it was identical. The location Commissioner Gladson spoke about was 50% retail, 50% kenneling site and the condition had applied to that location. It was a mandatory condition as it was an Orange Municipal Code. There was a requirement to have someone monitoring the animals 24 hours per day.

Chair Steiner asked if it was a condition for 24 hours monitoring on that other site and not for the proposal before them.

Ms. Nguyen stated it was a mandatory condition for the proposed project before them.

Commissioner Buttress stated she was familiar with a kennel and grooming facility on Batavia, and for many of those types of businesses, the business owners had a home with kennels; and was that a reason why the OMC had that requirement?

Ms. Nguyen stated she was not certain why there was that requirement in the OMC. It might possibly have been a condition to address noise that might be created by barking dogs, or if there was an animal that needed immediate care that could be addressed with

having someone on site.

Commissioner Buttress stated she could understand that reasoning, but if there was someone who was staying overnight, it generally was not a veterinarian that could provide immediate care. She asked if there was a state or federal law that required the 24 hour monitoring of kennel facilities.

Ms. Nguyen stated she was not aware of any state or federal law. She had contacted Orange County Animal Care and there was not such a requirement in any of their regulations or licensing guidelines.

Commissioner Grangoff stated as it was a mandatory condition would they have the discretion to remove that condition?

Assistant City Attorney Gary Sheatz stated no, it was a mandatory condition. He had reviewed the section of the code that dealt with special use regulations and there was not any way around it. It would require amending the code, to have the code catch up to what the times were. If the animals could be monitored via video cameras, there was potential for changes to the code. The way the code was written and the section that it appeared in, especially with regards to kenneling, it was a mandatory requirement for kennel use.

Commissioner Grangoff stated the recourse for the applicant if they should want that condition removed would not be through the Planning Commission, but through the City Council.

Mr. Sheatz stated yes, they could lobby the City Council members to remove that mandatory requirement or to change the code section. Once that was done they could have the CUP amended to remove the condition.

Chair Steiner opened the Public Hearing and invited the applicant to address the Commission.

Dr. Jeff Horn, address on file, stated he was the Veterinarian for the OC Medical Center and he was also the tenant at 434 S. Tustin, which was their old building. He was trying to convert to boarding and also for pet rescue, to board animals and hold adoption events. The building had been in use as a veterinary hospital and boarding facility for about 50 years and he was not aware of any complaints. Some of the current staff had been at that location for over 11 years and there had not been any complaints or overnight problems, no safety issues. All the pets were completely contained. If the requirement for the permit was such that there was the need for an overnight attendant, he would ensure that it would occur. If they needed to go before the City Council to request amendment of the OMC, he could pursue that. It would be a burden to have someone overnight at the facility. He was concerned with the liability of having an employee there overnight with no other support in the event there was an emergency of some type and no one available to help that person. Pet safety was always a concern, and any pet that he felt would be

unsafe in that environment would be moved to his other facility, which was only a block away. The County of Orange had no such requirement for overnight stay and the Veterinary Medical Board had no requirement as well. It was strange that the City of Orange had that requirement.

Commissioner Buttress stated she understood what they were offering in place of someone staying overnight, and that was video monitoring. She asked who would be watching the video overnight to ensure that the animals were o.k.

Dr. Horn stated there would be no overnight monitoring of the video. It would be a publicly viewed webcam, but no overnight monitoring.

Commissioner Gladson stated the letter to Staff referred to employees being available during business hours of the facility and a veterinarian being available within 5 minutes; would that not also be the case for overnight hours?

Dr. Horn stated he lived in Anaheim Hills; he would be too far away. His other facility was only a block away and during day time hours, he was only a block away.

Commissioner Gladson stated the floor plan of the facility showed the use of the facility as it had been previously used for the old hospital. She asked if the space would be modified to have more places for boarding or kenneling.

Dr. Horn stated the spaces would not be modified. The exam rooms would be used for interview rooms for perspective new pet owners of any rescues that were up for adoption. The surgery room would be used for the employee who would be there overnight. He would not be using the facility for continuous veterinary services if the CUP was approved.

Commissioner Gladson asked if there would be vaccination clinics or other services at the facility.

Dr. Horn stated no, that would take place at his other facility.

Commissioner Grangoff stated his concern if he lived in the neighborhood would be the noise, he asked if he could elaborate on that issue? It appeared that the number of kennels at the site would not increase and he asked if there would be more animals at the facility on a daily basis.

Dr. Horn stated no, the number of animals would not change. There were animals that were boarded there and exercised outdoors in an area designated as a dog park and there had not been any problems. All the animals were housed completely indoors at night and they were in separate kennels. The facility was a cinder block construction and not a lot of noise would escape. Any time there had been a noise complaint, the noise had actually come from the apartment building and not from the kennel.

Chair Steiner opened the hearing for Public Comment.

Christian Von, address on file, stated initially it was unclear if there would be additional animals and that question had been answered. There was some concern with the noise issue and if there were more animals that could cause more noise. The unintended consequences of having more animals was that they would get coyotes and neighborhood dogs and other animals from time to time; he had been concerned if there were more animals and if those were rescues that had been abused or had issues those types of animals could keep the other dogs awake and provoke the other dogs. They felt pretty comfortable if there was not going to be an increase in the number of animals. They had not personally experienced any extreme noise situations to date. It was conditional and there was no guarantee.

Commissioner Gladson stated in the letter they had received from Dr. Horn he had stated that he had given his phone number and email address to the neighbors. She asked Mr. Von if he had received that information.

Mr. Von stated yes he had.

Chair Steiner brought the item back to the Commission for discussion or action.

Commissioner Gladson made a motion to adopt PC Resolution No. 12-12, approving CUP No. 2848-12-OC Vet Medical Center Pet Boarding, noting the item was categorically exempt from CEQA.

Commissioner Cathcart asked if that included Condition No. 2.

Chair Steiner stated yes, as they had no authority to remove that condition. The City Council and the Planning Commission were not interested in placing obstacles in the way of businesses; he would encourage Dr. Horn to deal with that condition with the City Council.

SECOND: Commissioner Buttress

AYES: Commissioners Buttress, Cathcart, Gladson, Grangoff and Steiner

NOES: None ABSTAIN: None ABSENT: None

(6) ADJOURNMENT:

Adjournment to the next Planning Commission Meeting scheduled for Monday, April 16, 2012.

Commissioner Buttress made a motion for adjournment to the next regular scheduled meeting of the Planning Commission on Monday, April 16, 2012.

SECOND: Commissioner Grangoff

AYES: Commissioners Buttress, Cathcart, Gladson, Grangoff and Steiner

NOES: None ABSTAIN: None ABSENT: None

MOTION CARRIED

Meeting Adjourned @ 8:09 p.m.