



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

MEETING OF THE PLANNING COMMISSION BOULDER COUNTY, COLORADO

WEDNESDAY, JUNE 17, 2020 AT 1:30 P.M.

PLEASE NOTE: Due to COVID-19 concerns, this hearing will be held virtually. Information regarding how to participate will be available on the Planning Commission webpage in advance of the hearing (www.boco.org/pc).

This agenda is subject to change. Please call ahead or check the Planning Commission webpage to confirm an item of interest (303-441- 3930 / www.boco.org/PC). Public comments are taken at meetings designated as Public Hearings. For special assistance, contact our ADA Coordinator (303-441-3525) at least 48 hours in advance.

Information regarding how to participate in this virtual meeting will be available on the Planning Commission webpage in advance of the hearing (approximately June 10) at www.boco.org/PC There will be opportunity to provide public comment remotely on the subject dockets during the respective virtual Public Hearing portions for each item. If you have comments regarding any of these items, you may mail comments to the Community Planning & Permitting Department (PO Box 471, Boulder, CO 80306) or email to planner@bouldercounty.org Please include the docket number of the subject item in your communication. Call 303-441-3930 or email planner@bouldercounty.org for more information.

Call to Order

Roll Call

Approval of Minutes/Miscellaneous Business

Approval of meeting minutes for May 20, 2020.

Nomination of Officers

Staff Updates

Items

1. Docket SU-18-0017: Phelps-Tointon Inc.

Public Hearing

Request:	REVISED: Special Review for an approximately 28,000 square-foot indoor riding arena and barn. ORIGINAL: Special Review for an approximately 37,700 square-foot indoor riding arena.
Location:	6871 N. 55th Street, the parcel located on the Southwest corner of the intersection of N. 55th and Niwot Rd., Section 33, Township 2N, Range 70W.
Zoning:	Agricultural (A)
Applicant/Property Owner:	Phelps-Tointon Inc.
Agent:	Bill Tointon
Website:	www.boco.org/SU-18-0017

Action Requested: Recommendation to BOCC
Public testimony will be taken

Staff Planner(s): Summer Frederick

**2. Docket SU-20-0002: Ward Agricultural Structures
Public Hearing**

Request: Special Review and Site-Specific Development Plan to allow for the permitting of an existing 3,200-square-foot agricultural structure and the construction of a second 3,200-square-foot agricultural structure on a 39.58-acre parcel with 30,326 square feet of existing structures.

Location: 2300 75th Street, approximately .88 miles northeast of the intersection of 75th street and Arapahoe Road, in Section 25, Township 1N, Range 70W.

Zoning: Rural Residential (RR)

Applicant/Property: Tom Ward

Owner:

Website: www.boco.org/SU-20-0002

Action Requested: Recommendation to BOCC

Public testimony will be taken

Staff Planner(s): Ryan Kacirek

**3. Docket SU-19-0014: Niwot Business Association Parking Lot
Public Hearing**

Request: Special Use review to allow for the construction of a 50-space multimodal parking facility (to be developed in phases) on 2.06-acre parcel #131725400009.

Location: Parcel #131725400009, on the west side of Murray Street, at the intersection of 3rd Avenue and Murray Street in Niwot, in Section 25, Township 2N, Range 70W.

Zoning: Rural Residential (RR)

Property Owner: County of Boulder

Applicant: Niwot Business Association

Agent: Bruce Warren

Website: www.boco.org/SU-19-0014

Action Requested: Recommendation to BOCC

Public testimony will be taken

Staff Planner(s): Molly Marcucilli

**4. Docket BVCP-20-0001: Boulder Valley Comprehensive Plan (BVCP) Mid-Term Update
Public Meeting**

This is an update regarding the community- and staff-initiated amendments to the BVCP as part of the mid-term update. Staff will review the process including providing a recap of the May 28, 2020 Planning Board meeting and take feedback from Planning Commission to consider as the update proceeds.

Website: www.bouldercolorado.gov/pages/2020-mid-term-update

Action Requested: None, Information item only

Public testimony will be taken

Staff Planner(s): Abby Shannon, Alberto De Los Rios

Adjournment



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Applicant/Property Owner:	Phelps-Tointon Inc.
Agent:	Bill Tointon
Website:	www.boco.org/SU-18-0017

Action Requested: Recommendation to BOCC
Public testimony will be taken

Staff Planner(s): Summer Frederick

2. **Docket SU-20-0002: Ward Agricultural Structures** *Item rescheduled to July 15, 2020*
Planning Commission

Public Hearing

Request: ~~Special Review and Site-Specific Development Plan to allow for the permitting of an existing 3,200-square-foot agricultural structure and the construction of a second 3,200-square-foot agricultural structure on a 39.58-acre parcel with 30,326 square feet of existing structures.~~

Location: ~~2300 75th Street, approximately .88 miles northeast of the intersection of 75th street and Arapahoe Road, in Section 25, Township 1N, Range 70W.~~

Zoning: ~~Rural Residential (RR)~~

Applicant/Property Owner: ~~Tom Ward~~

Owner: ~~Tom Ward~~

Website: ~~www.boco.org/SU-20-0002~~

Action Requested: Recommendation to BOCC

Public testimony will be taken

Staff Planner(s): ~~Ryan Kacirek~~

3. **Docket SU-19-0014: Niwot Business Association Parking Lot**

Public Hearing

Request: Special Use review to allow for the construction of a 50-space multimodal parking facility (to be developed in phases) on 2.06-acre parcel #131725400009.

Location: Parcel #131725400009, on the west side of Murray Street, at the intersection of 3rd Avenue and Murray Street in Niwot, in Section 25, Township 2N, Range 70W.

Zoning: Rural Residential (RR)

Property Owner: County of Boulder

Applicant: Niwot Business Association

Agent: Bruce Warren

Website: www.boco.org/SU-19-0014

Action Requested: Recommendation to BOCC

Public testimony will be taken

Staff Planner(s): Molly Marcucilli

4. **Docket BVCP-20-0001: Boulder Valley Comprehensive Plan (BVCP) Mid-Term Update**

This is an update regarding the community- and staff-initiated amendments to the BVCP as part of the mid-term update. Staff will review the process including providing a recap of the May 28, 2020 Planning Board meeting and take feedback from Planning Commission to consider as the update proceeds.

Website: www.bouldercolorado.gov/pages/2020-mid-term-update

Action Requested: None, Information item only

Public testimony will be taken

Staff Planner(s): Abby Shannon, Alberto De Los Rios

Adjournment



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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: June 17, 2020

TIME: 1:30 p.m.

PLEASE NOTE: Due to COVID-19 concerns, this hearing will be held virtually. Information regarding how to participate will be available on the Planning Commission webpage in advance of the hearing (www.boco.org/PC).

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the date and time specified above. All persons interested in the following items are requested to participate in such hearing and aid the Commission members in their consideration.

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ORIGINAL: Special Review for an approximately 37,700-square-foot indoor riding arena. The application is submitted by Phelps-Tointon Inc. and Bill Tionton. The proposal is in the Agricultural (A) zoning district, at 6871 N. 55th Street, the parcel located on the Southwest corner of the intersection of N. 55th and Niwot Rd., Section 33, Township 2N, Range 70W.

Docket SU-20-0002: Ward Agricultural Structures

Special Review and Site-Specific Development Plan to allow for the permitting of an existing 3,200-square-foot agricultural structure and the construction of a second 3,200-square-foot agricultural structure on a 39.58-acre parcel with 30,326 square feet of existing structures. The application is submitted by Tom Ward. The proposal is in the Rural Residential (RR) zoning district at 2300 75th Street, approximately .88 miles northeast of the intersection of 75th street and Arapahoe Road, in Section 25, Township 1N, Range 70W.

Docket SU-19-0014: Niwot Business Association Parking Lot

Special Use review to allow for the construction of a 50-space multimodal parking facility (to be developed in phases) on 2.06-acre parcel #131725400009. The application is submitted by Bruce Warren, Niwot Business Association, and County of Boulder. The proposed project is in the Rural Residential (RR) zoning district, at Parcel #131725400009, on the west side of Murray Street, at the intersection of 3rd Avenue and Murray Street in Niwot, in Section 25, Township 2N, Range 70W.

Docket BVCP-20-0001: Boulder Valley Comprehensive Plan (BVCP) Mid-Term Update

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Published: June 3, 2020-- Daily Times-Call

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PUBLIC HEARING – AMENDED BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: June 17, 2020

TIME: 1:30 p.m.

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Item rescheduled to July 15, 2020 Planning Commission.

Docket SU-20-0002: Ward Agricultural Structures

~~Special Review and Site Specific Development Plan to allow for the permitting of an existing 3,200-square-foot agricultural structure and the construction of a second 3,200-square-foot agricultural structure on a 39.58-acre parcel with 30,326 square feet of existing structures. The application is submitted by Tom Ward. The proposal is in the Rural Residential (RR) zoning district at 2300 75th Street, approximately .88 miles northeast of the intersection of 75th street and Arapahoe Road, in Section 25, Township 1N, Range 70W.~~

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Published: June 11, 2020-- Daily Times-Call

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PUBLIC HEARING BOULDER COUNTY, COLORADO
PLANNING COMMISSION

DATE: June 17, 2020
TIME: 1:30 p.m.

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Published: Longmont Times Call June 3, 2020--1710246

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder
State of Colorado

The undersigned, Lisa Schmidt, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Longmont Times Call*.
2. The *Longmont Times Call* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Jun 3, 2020



Signature

Subscribed and sworn to me before me this

3rd day of June, 2020.



Notary Public

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES JULY 31, 2021

(SEAL)

Account: 1050753
Ad Number: 1710246
Fee: \$69.60

DATE: June 17, 2020
TIME: 1:30 p.m.

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Item rescheduled to July 15, 2020 Planning Commission.
Docket SU-20-0002: Ward Agricultural Structures-Special Review and Site-Specific Development Plan to allow for the permitting of an existing 3,200-square-foot agricultural structure and the construction of a second 3,200-square-foot agricultural structure on a 39.58-acre parcel with 30,326 square feet of existing structures. The application is submitted by Tom Ward. The proposal is in the Rural Residential (RR) zoning district at 2300 75th Street, approximately .88 miles northeast of the intersection of 75th street and Arapahoe Road, in Section 25, Township 1N, Range 70W.

Docket SU-19-0014: Niwot Business Association Parking Lot
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Docket BVCP-20-0001: Boulder Valley Comprehensive Plan (BVCP) Mid-Term Update
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Detailed information regarding these items are available online at www.boco.org/cpp.
Published: Longmont Times Call June 11, 2020--1712408

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder
State of Colorado

The undersigned, Elizabeth Maes, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Longmont Times Call*.
2. The *Longmont Times Call* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Jun 11, 2020

Signature

Subscribed and sworn to me before me this

11th day of June, 2020

Notary Public

(SEAL)

MELISSA L. NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DECEMBER 11, 2022

Account: 1050753
Ad Number: 1712408
Fee: \$71.34



Community Planning & Permitting

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MEETING OF THE PLANNING COMMISSION BOULDER COUNTY, WEDNESDAY, JUNE 17, 2020 {Approved July 15, 2020}

The Planning Commission of Boulder County held a regular afternoon via Microsoft Teams on Wednesday, June 17, 2020.

Call to Order

The meeting was called to order at 1:36 p.m. by Chair Lieschen Gargano.

Roll Call

Members Present: Vice-Chair Ann Goldfarb
Gavin McMillan
Chair Lieschen Gargano
Mark Bloomfield
Sam Fitch
Second Vice-Chair Sam Libby
Melanie Nieske

Members Excused: Daniel Hilton
Todd Quigley

Approval of Minutes/Miscellaneous Business

Approval of meeting minutes for May 20, 2020.

MOTION: Sam Libby MOVED that the Boulder County Planning Commission APPROVE the meeting minutes from May 20, 2020.

SECOND: Mark Bloomfield

VOTE: Motion PASSED {7:0}

Nomination of Officers

MOTION: Gavin McMillan nominated Ann Goldfarb for Chair of the Planning Commission, Lieschen Gargano seconded.

VOTE: Motion PASSED {7:0}

MOTION: Gavin McMillan nominated Sam Libby for Vice-Chair of the Planning Commission, Mark Bloomfield seconded.

VOTE: Motion PASSED {7:0}

MOTION: Sam Libby nominated Mark Bloomfield for Second Vice-Chair of the Planning Commission, Melanie Nieske seconded.

VOTE: Motion PASSED {7:0}

Staff Updates

None.

Items

1. Docket SU-18-0017: Phelps-Tointon Inc.

Public Hearing

Summer Frederick, Planning Division Manager, presented the application for Phelps-Tointon Inc. and Bill Tointon, a Special Review for an approximately 28,000 square-foot indoor riding arena and barn. The proposal is in the Agricultural zoning district, at 6871 N. 55th Street, the parcel located on the Southwest corner of the intersection of N. 55th and Niwot Rd., Section 33, Township 2N, Range 70W.

PUBLIC HEARING OPENED

SPEAKERS: Beth Potter- 5371 Desert Mountain Ct.

PUBLIC HEARING CLOSED

MOTION: Mark Bloomfield **MOVED** that Planning Commission **CONDITIONALLY APPROVE** and recommend that the Board of County Commissioners **CONDITIONALLY APPROVE** Docket SU-18-0017: Phelps-Tointon Inc. subject to the 13 conditions listed in the staff report.

SECOND: Lieschen Gargano

CONDITIONS OF APPROVAL:

1. The applicant shall provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Community Planning & Permitting Department and prior to the recordation of said agreement.
2. All applicable permits must be obtained and maintained.
3. The structure location, size, and elevation are approved as shown on plans dated 03/18/2020.
4. Prior to the submission of any permit applications, a Landscape Plan shall be submitted for review and approval by Boulder County staff. This Landscape Plan is to show the locations and species of trees to be planted in close proximity to the structure, especially along the north and east facades.
5. If indoor lighting is to be installed in the structure, light-blocking treatments shall be installed for the upper-story windows located on the north and south facades so that no light may be emitted after dark.
6. At building permit application, underground electric distribution facilities shall be shown on site plans.
7. At building permit application, a Lighting Plan shall be submitted showing specific locations of proposed exterior lights and shall include lighting cutsheets for each proposed fixture. Only one lighting fixture per entrance/exit is approved.
8. At building permit application, one set of proposed colors and materials shall be submitted for review and approval by Boulder County staff.
9. At building permit application, the applicant must submit an updated access design that complies with the Boulder County Multimodal Transportation Standards, along with nonfoundational grading information.
 - a. Prior to final inspection, the Community Planning & Permitting Department must verify that the access and driveway comply with the Boulder County Multimodal Transportation Standards.
10. At building permit application, the applicant shall submit a Drainage Plan for review and approval by Boulder County staff.
11. At building permit application, the applicant shall submit a Revegetation and Weed Control Plan for review and approval by the Boulder County Parks and Open Space Natural Resource Planner and Community Planning & Permitting staff.
12. Prior to the issuance of a Certificate of Occupancy, confirmation from Rocky Mountain Fire Protection District that all requirements of the Fire Code have been met shall be provided to the Boulder County Community Planning & Permitting Department.

13. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket SU-18-0017: TOINTON RIDING ARENA.

VOTE: Motion PASSED {7:0}

**2. Docket SU-20-0002: Ward Agricultural Structures
Public Hearing**

Item rescheduled to July 15, 2020 Planning Commission.

**3. Docket SU-19-0014: Niwot Business Association Parking Lot
Public Hearing**

Molly Marcucilli, Long Range Planner, presented the application for County of Boulder, Bruce Warren, and the Niwot Business Association, a Special Use review to allow for the construction of a 50-space multimodal parking facility (to be developed in phases) on 2.06-acre parcel #131725400009. The proposed facility is in the Rural Residential zoning district, at Parcel #131725400009, on the west side of Murray Street, at the intersection of 3rd Avenue and Murray Street in Niwot, in Section 25, Township 2N, Range 70W.

PUBLIC HEARING OPENED

SPEAKERS: Bruce Warren (Applicant) and Chuck Klueber (Streetscape representative); Galen Scheidenhelm - 520 Murray Street; Anne Postle - 8392 Niwot Meadow Farm Road; Eric Bergeson - 7781 Nikau Drive; Stevan Simich - 104 2nd Avenue (written comment via Microsoft Teams)

PUBLIC HEARING OPENED

MOTION: Mark Bloomfield **MOVED** that Planning Commission **CONDITIONALLY APPROVE** and recommend that the Board of County Commissioners **CONDITIONALLY APPROVE** Docket SU-19-0014: Niwot Business Association Parking Lot, subject to the 20 conditions in the staff packet with the modification to condition 5 to extend the ADA standards to the walkway/sidewalk and a modification to condition 9 to indicate that the interior landscaping will cover at least 5% of the parking area as the phases are implemented, as opposed to waiting until all 50 spaces are constructed.

SECOND: Gavin McMillan

CONDITIONS OF APPROVAL:

1. The lot must be designed to comply with Section 5.6.2 of the Boulder County MMTS for Parking Lot Design and the Boulder County LUC Article 4-513.D for a Multimodal Parking Facility
2. The layout of the parking area shall be conducive to safe and logical internal circulation (MMTS Section 5.6.2.3.b).
 - a. Internal traffic circulation systems shall be designated to mitigate conflicts between vehicular, bicycle, and pedestrian traffic. Pedestrian paths or sidewalks will connect to transit or shuttle stops, and the public area served (LUC Article 4-513.D.4.e).
 - b. Dead-end aisles shall provide back-around space of three (3) feet in depth and the same width as the aisle (MMTS Section 5.6.2.3.c).
3. The access must be between 16-26 feet wide (MMTS Standard Drawing 14).
4. To facilitate internal lot circulation and to provide a second egress from the modular lot, parking spaces that would preclude access to the event parking from the new gravel-surfaced parking lot (those located along the northeastern edge of the modular lot) must remain open during special events.
5. The gravel-surfaced parking lot must be designed to comply with the ADA Standards for Accessible Design.
 - a. ADA parking spaces must be labelled on the plans and must reflect the appropriate van spaces required for 50 vehicular parking spaced (i.e. the total number proposed for the developed parking lot).

- b. ADA parking spaces must be sited appropriately to provide convenient access to Murray Street.
6. Bicycle parking is required for the gravel-surfaced parking lot
 - a. The number of bicycle parking spaces required shall be ten percent of the number of automobile parking spaces in the lot. Phase 1 of the lot includes 14 vehicular parking spaces and will require 1 bicycle parking space. Additional parking must be installed as future modules are constructed.
 - b. The location of all bicycle parking required for the 50 vehicular spaces in the parking lot must be shown.
7. EV charging stations are required for the gravel-surfaced parking lot once it expands beyond the initial 14 spaces.
8. The gravel-surfaced lot shall be partially screened from public view by providing either decorative fencing or walls, contoured earth mounts, or suitable landscaping (MMTS Section 5.6.2.5).
9. Interior landscaping must cover at least 5% of the parking area for surface lots with 50 or more automotive parking spaces (LUC 4-513.D.4.f).
10. Plans showing all expansion modules for the gravel-surfaced parking lot (50 spaces total) must be submitted to the Engineering Development Review Team for review and approval prior to submittal of a building or grading permit application.
 - a. The plans must show where the required EV stations, ADA parking spaces and bicycle parking spaces will be located through each phase of the modular expansion.
 - b. The plans must include the locations of required interior landscaping and any treatments used to provide screening of the lot from public view
 - c. Dimensions must be shown on the plans that demonstrate compliance with the MMTS Section 5.6.2 and LUC Article 4-513.D.
11. During construction, all materials, machinery, dumpsters, and other items shall be staged on the subject property or to one side of Murray Street so as not to impede the travel way.
12. During construction (i.e. during the day while work is being performed), all vehicles shall be parked on site or to one side of Murray Street so as to not impede the travel way.
13. A stormwater management plan or drainage plan is required for final design and construction (LUC Article 4-513.D.4.h). If the total combined area of disturbance for all phases of the proposed 50-space lot exceeds 1 acre in size, a Boulder County SWQP is required. The SWQP application shall be submitted with any building or grading permit applications and obtained prior to any work beginning on this project.
14. Fencing or a hedge shall be constructed along the BNSF ROW to discourage vehicles and pedestrians from trespassing onto BNSF Railway.
15. Drainage will not flow on BNSF property
16. If access to BNSF property is required, an agreement with BNSF will be required as well as safety badging for all employees on BNSF property.
17. The specific drought resistant species proposed for the landscaped islands shall be approved prior to construction.
18. A building permit, plan review, inspection approvals, are required for any electrical work or other utility work that is part of the project.
19. If grading work exceeds 50 cubic yards of soil movement, a grading permit and plan review and inspections approvals will be required.
20. If a grading permit is triggered, the design professional responsible for the design or a similarly qualified Colorado-licensed design professional is to observe the grading and submit a stamped report to Building Safety & Inspection Services for review and approval. The final

report is to state that the work has been completed in substantial conformance with the approved engineered plans.

VOTE: Motion PASSED {7:0}

4. Docket BVCP-20-0001: Boulder Valley Comprehensive Plan (BVCP) Mid-Term Update Public Hearing

Alberto De Los Rios, Long Range Planner, presented an update regarding the community- and staff-initiated amendments to the BVCP as part of the mid-term update. Staff will review the process including providing a recap of the May 28, 2020 Planning Board meeting and take feedback from Planning Commission to consider as the update proceeds.

PUBLIC HEARING OPENED

SPEAKERS: David Rechberger -8756 Skyland Drive; Dinah McKay - 4695 Portside Way (Pooled time with Miho Shida - 6783 Idylwild Ct. & Mike Smith - 4596 Tally Ho Trail); Donna George - 4661 Tally Ho Court (Pooled time with Mark George and Sara George, 4661 Tally Ho Court, read statement for Paige Doughty - 4697 Tally Ho Court); Susan Bailhache - 6848 Bugle Court; Harold Hallstein - 3664 Pinedale Street

PUBLIC HEARING CLOSED

Adjournment

The meeting was closed at 5:00 p.m.