MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, December 17, 2008, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Leirion Gaylor Baird, Gene Carroll, Dick Esseks, Wendy Francis, Roger Larson, Jim Partington, Lynn Sunderman and Tommy Taylor (Michael Cornelius absent). Marvin Krout, Steve Henrichsen, Mike DeKalb, Brian Will, Tom Cajka, Christy Eichorn, Jean Preister and Teresa McKinstry of the Planning Department; media and other interested citizens.
STATED PURPOSE OF MEETING:	Regular Planning Commission Meeting

Chair Gene Carroll called the meeting to order and requested a motion approving the minutes for the regular meeting held December 3, 2008. Motion for approval made by Sunderman, seconded by Larson and carried 6-0: Gaylor Baird, Carroll, Esseks, Larson, Partington and Sunderman voting 'yes'; Cornelius and Taylor absent; Francis abstained.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: December 17, 2008

Members present: Gaylor Baird, Carroll, Esseks, Francis, Larson, Partington and Sunderman; Cornelius and Taylor absent.

The Consent Agenda consisted of the following items: **ANNEXATION NO. 08025, CHANGE OF ZONE NO. 08061, CHANGE OF ZONE NO. 08059, CHANGE OF ZONE NO. 08060, CHANGE OF ZONE NO. 08063, CHANGE OF ZONE NO. 08062, SPECIAL PERMIT NO. 05046A, COUNTY SPECIAL PERMIT NO. 07043A and SPECIAL PERMIT NO. 08049.**

Ex Parte Communications: None

Item No. 1.4, Change of Zone No. 08063, was removed from the Consent Agenda and scheduled for separate public hearing.

Larson moved to approve the remaining Consent Agenda, seconded by Francis and carried 7-0: Gaylor Baird, Carroll, Esseks, Francis, Larson, Partington and Sunderman voting 'yes'; Cornelius and Taylor absent.

Note: This is final action on Special Permit No. 05046A and Special Permit No. 08049, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

SPECIAL PERMIT NO. 08034A,
WHISPERING MEADOWS COMMUNITY UNIT PLAN AMENDMENT,
ON PROPERTY GENERALLY LOCATED
AT S.W. 27TH STREET AND WEST A STREET.
CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: December 17, 2008

Members present: Gaylor Baird, Francis, Partington, Larson, Esseks, Sunderman and Carroll; Taylor and Cornelius absent.

The Clerk announced that the applicant has requested an additional deferral until January 28, 2009.

Larson moved to defer, with continued public hearing and action scheduled for Wednesday, January 28, 2009, seconded by Francis and carried 7-0: Gaylor Baird, Francis, Partington, Larson, Esseks, Sunderman and Carroll voting 'yes'; Taylor absent at time of vote; and Cornelius absent.

There was no public testimony.

CHANGE OF ZONE NO. 08063,
TEXT AMENDMENT TO TITLE 27,
RELATING TO PERMITTED SIGNS FOR
CHURCHES, SCHOOLS AND COMMUNITY PLAYHOUSES.
PUBLIC HEARING BEFORE PLANNING COMMISSION: December 17, 2008

Members present: Gaylor Baird, Francis, Partington, Larson, Esseks, Taylor, Sunderman and Carroll; Cornelius absent.

Ex Parte Communications: None

Staff recommendation: Approval.

Staff presentation: **Christy Eichorn of Planning staff** explained that this is a proposed amendment to the sign ordinance to allow electronic changeable copy signs for churches, schools and community playhouses. Although the applicant is Lincoln Community Playhouse, the text amendment would affect all churches and schools throughout the community, as well as the playhouse.

This proposal does not add any signs; it does not increase the height or area of any signs that would normally be allowed; but it allows for a sign that would normally be permitted to have electronic changeable copy, under certain conditions:

1. The total area of the electronic changeable copy sign shall not exceed 75% of the total allowed ground sign area.

2. The electronic changeable copy sign shall have a setback from residential lots of at least 150 feet.

3. The electronic changeable copy sign message shall hold for at least 3 seconds, and the transition to a new message shall not exceed a duration of 1 second.

4. The electronic changeable copy sign shall be turned off between 11:00 p.m. and 7:00 a.m.

With regard to the setback requirement, the sign must be at least 150' from each of the side lot lines if on a lot abutting a residential lot on either side. The 150' came out of the same language that was used in the 2004 text amendment to the sign ordinance to better regulate electronic changeable copy signs.

With regard to the holding time, when there is an off-premise sign that is electronic changeable and more than 80 sq. ft. in area, the ordinance requires it to hold for at least 10 sec. If smaller than 80 sq. ft., it must hold for at least 1 second. 3 seconds is more restrictive than the 1-second rule. The 1-second rule is also in the ordinance for off-premise and electronic changeable signs. The purpose of the 1-second rule is to keep from having multiple exploding messages. If it takes one second to change, then it has less visual impact on the passer-by.

In addition, Eichorn explained that the sign must be adjacent to an arterial street – meaning it must be perpendicular to an arterial street – which is a street that carries large volumes of through traffic.

(Taylor arrived at this point in the meeting.)

Francis inquired whether the signage is attached to the building or on the ground. Eichorn confirmed that it is on the ground.

Larson inquired about the frequency on the signage at the Lied Center. Eichorn believes that sign in the B-4 district would have to hold for 10 seconds, with a minimum change time of 1 second.

Gaylor Baird asked staff to discuss the relationship between electronic changeable signs and traffic safety. Eichorn recalled that during the revisions to the sign ordinance in 2004 when the electronic changeable copy was discussed, the evidence with regard to traffic safety was inconclusive. But, the ordinance does contain restrictions to mitigate the impact of the electronic changeable signs on motorists for off-premise signs and signs in commercial areas. Eichorn does not believe we can say it does or does not have an impact on motorists, but the restrictions in the ordinance attempt to mitigate any impact that there might be.

Gaylor Baird noted that the studies in support of this legislation were conducted by the Outdoor Advertising Association of America. In addition to traffic safety concerns, Gaylor Baird would like to know about the residential neighborhood aspect. Even for the houses across the street, it seems there may be concerns about the change in character of the street and the flavor and character of the neighborhood. Eichorn pointed out that the Comprehensive Plan suggests that especially schools, churches, playhouses, and such public areas do not function as a house, and that we want to keep these sorts of uses in residential neighborhoods to help make the character of the neighborhood provide vitality and structure to the neighborhood. In order to keep these uses within the neighborhoods, we have to weigh their needs as well as the needs of the neighborhood. There are schools in the city that are on publicly owned property that are in residential areas, but because they are on public property they are not regulated by the zoning ordinance and already have electronic changeable signs. Taking all of that into consideration, and limiting the size and the distance and only allowing them on arterial streets, really mitigates that impact. Therefore, staff is taking the position that this amendment is in conformance with the Comprehensive Plan.

Gaylor Baird inquired why these signs were not previously allowed in residential areas. Eichorn suggested that we really did not start addressing electronic changeable signs in great detail until the 2004 amendment. At that time, most of the electronic changeable language was for off-premise signs, i.e. billboards. She does not believe that at that time there was an opportunity to explore the impact of something smaller and it was not brought forward at that time.

Gaylor Baird understands the need to keep important institutions in neighborhoods, but she believes there is a flip-side that if in fact these institutions start to have huge blinking signs, people are not going to want to live near them.

Larson agrees there is a need for the signs to inform the community of what's going on and it would seem that the biggest value would be to inform the traffic. If that is the case, it seems the signs should be perpendicular to the street rather than parallel. Eichorn confirmed that the proposal does require the sign to be perpendicular to the street.

Esseks observed that the most serious issue is driver distraction in order to see what the institution has to offer, and he believes this is a potentially dangerous change. The source

we were given does not have hard facts about this being dangerous. We have a sizable city where we have had some of these signs in action for awhile. He wonders whether we can't monitor this to see if there have been accidents. He strongly recommended that there be some systematic monitoring.

Eichorn agreed. This text amendment was routed to the Police Department, who had no objection.

Taylor inquired whether the 3 second and 1 second restrictions are a minimum. Could it be longer? Eichorn confirmed that it has to take at least one second to change to avoid constant flashing. The 3-second hold is minimum in order to have less impact on the motorist to avoid flashing signs. These time restrictions are to help mitigate the impact.

Proponent

1. Tim Gergen, a member of the Board of Directors of **Lincoln Community Playhouse,** the applicant, testified in support. This legislation has been heavily analyzed on the East Coast, especially with the New Jersey Turnpike. They studied before and after the sign and have found that crash rates either stayed the same or decreased as traffic volumes increased. The evidence suggested that these signs did not increase traffic volumes or create driver distraction. A survey has also been done on LED signs, and study after study has shown that driver crash rates did not increase whenever the signs were installed. Of course, the research was done on behalf of the US Sign Council; however, the actual work on the study was done by licensed traffic engineers.

The main purpose of this legislation is for the Lincoln Community Playhouse in general. The text has been written very stringently so that it will not distract or de-stabilize the residential neighborhood in any way. These signs can only be located on arterial streets and not in the heart of the residential network. The 150' setback from any other residential lot will result in the sign being well over two to three lots away from any other residential lot. The sign code now has a limit on the size of the sing. Lincoln Community Playhouse is requesting that of that allowable sign area, just half of that be dedicated to a LED sign.

The Lincoln Community Playhouse is getting to the point where there is some competition. One huge disadvantage to the existing site is that the building was awkwardly turned backwards away from the street, with parking in the back. We have worked hard to get new people to come to the playhouse and most people didn't know they existed.

2. Cleveland Reeves, President of the Board of Directors of Lincoln Community Playhouse and a practicing architect, also testified in support. This legislation would do a lot of things to advertise the Lincoln Community Playhouse programs and let the community know it exists. Reeves suggested that there is also a lot of precedence – only 8 blocks away at 48th and Normal there is a billboard many times larger that faces the traffic and the houses in the neighborhood much more directly and much more bluntly. The

Lincoln Community Playhouse wants the sign to be perpendicular to the street to address the motorists and not so much the neighborhood. Just driving by the site this morning, there is only about a one-block sight vista. 48th & Normal is about a four block sight vista. He believes what is already in place is more distractive than this proposal. This is an effort to communicate with the community.

3. Laurie Lessmann, Managing Director of **Lincoln Community Playhouse,** stated that it is important that the people in the community know where the Playhouse is located. They currently have only a very small sign in the yard on 56th Street. It is important to have the opportunity to give the information to the community and to advertise the classes and theater events.

Reeves clarified that the sign would be on the west side of the building in the front yard between 56th Street and the Playhouse and that it would be perpendicular rather than parallel. They are also looking to add some building signage but it already conforms to the code.

Taylor wondered whether the time restrictions are acceptable. Gergen stated that the Playhouse has been working with a sign company which believes three seconds for a hold on the sign is about what the Playhouse needs. Because of the size of the LED portion, they want to be able to have two messages as a vehicle passes by – one to advertise the show and one with the phone number, dates and times. They have found that a three-second hold for that message with a one-second delay to be acceptable. They are not interested in the sign becoming animated, which is when it becomes more distracting. The Playhouse has shows and educational opportunities, but they have not yet thought much about how many messages they will want to display.

There was no testimony in opposition.

Staff questions

Relating to static images of text, Gaylor Baird inquired how this amendment affects the ability to display images versus text. Eichorn stated that it could be an image as well as text.

Esseks inquired whether the sign could portray a 60 or 120 second story about the play so that people might get involved with the story and not watch the road. Or are they separate images? He is worried about driver distraction. He is not as concerned about the playhouse as other uses. Could there be 60 seconds per image, or 120 seconds per image? Eichorn explained that it must be a static image for at least 3 seconds – not a moving image.

ACTION BY PLANNING COMMISSION: December 17, 2008

Francis moved approval, seconded by Taylor.

Gaylor Baird does not think this is a good idea. It is not about the playhouse -- it is about this kind of signage. Regardless of how long the image, it is a distraction from driving. If memorizing a phone number, the driver is not paying attention to the road. She does not believe this is wise. In this case, it is a residential neighborhood so we are starting to change how our city looks. Largely, the safety issue and the driver distraction issue are real and she will vote no.

Francis suggested that there is plenty of opportunity for driver distraction other than an electronic sign. She is more disturbed about someone texting a message and driving, or lighting their cigarette and reaching to play the radio at the same time. The Lincoln Community Playhouse has been there a long time and people do not know it is there. It will be an added benefit to the Playhouse and to the community as a whole. She does not believe it will be a distraction.

Larson suggested not putting the phone number on the sign because it might cause driver distraction. He will vote in favor.

Esseks stated that he agrees with Gaylor Baird's arguments. He has raised the same issues previously. However, we have asked the staff for evidence for or against the issue of driver distraction and they did not come up with information indicating there is a significant risk here, and because of that (although intuitively he believes it is a problem), he will have to go along with the applicants. He is hopeful that this will be monitored by the Police Department and is hopeful this community can handle these distractions. If there is an accident, then we could come back and change this text.

Taylor believes the sign will be facing S. 56th Street and that street is really wide. If you it does not have something they need to write down like an address or phone number, it makes it easier to look at and could minimize the hazard. He understands the competition issue in this era. He believes it will be an effective tool for the community.

Gaylor Baird believes the applicant can achieve additional signage without going electronic. Their sign is very attractive, but we can't count on every applicant coming forward in the future to have the same aesthetic attention to detail. She agrees that there are other distractions, but that is maybe not a reason to support something that is a little less distracting. We need to take the safety issue more seriously.

Taylor believes this is something that Building & Safety should address when people apply for the sign.

Gaylor Baird asked staff to discuss enforcement and monitoring. Is it possible to monitor pragmatically? Marvin Krout, Director of Planning, stated that he will talk with the Chief of Police about it, but he does not believe it will rank high on his priority list in creating new fields of information, etc. Krout believes that the Chief could possibly ask his staff to make anecdotal notes on it and capture the information.

Esseks suggested that they could add a field such as "proximity from" and any evidence whether the sign was a factor.

Carroll recalled that the safety issues were addressed at length during the 2004 update of the sign ordinance. The Planning Commission came up with different and longer times, but the City Council made the final decision on the times. With these restrictions, he does not believe it is going to hurt the residential areas. For other sites in the city, these restrictions will really narrow the field of opportunity and not encroach into residential areas. The restrictions make a better fit for the sign on the street.

Motion for approval carried 7-1: Francis, Partington, Larson, Taylor, Esseks, Sunderman and Carroll voting 'yes'; Gaylor Baird voting 'no'; Cornelius absent. This is a recommendation to the City Council.

WAIVER NO. 08008
TO WAIVE THE SIDEWALK REQUIREMENTS
ON PROPERTY GENERALLY LOCATED
AT SOUTH 39TH STREET AND CALVERT STREET.
PUBLIC HEARING BEFORE PLANNING COMMISSION: December 17, 2008

Members present: Gaylor Baird, Francis, Partington, Larson, Esseks, Taylor, Sunderman and Carroll; Cornelius absent.

Ex Parte Communications: None

Staff recommendation: Denial.

Staff presentation: **Christy Eichorn of Planning staff** presented the proposal. A year ago today, the Snell Addition final plat was approved, moved the lot lines and created two lots. With any final plat, there are improvements that are required. In this case, one of the requirements was the installation of a sidewalk along South 39th Street or posting of a bond. At that time, Public Works and Planning took a very careful look at the site to determine whether the sidewalk could be constructed. The topography of the area is a little difficult for a sidewalk because of a retaining wall 8' west of the current street. At first the staff thought a sidewalk would not fit. However, upon further examination, it was determined that if the sidewalk were to go against the curb, it could be installed. The applicant was asked to post a bond or construct the sidewalk. The applicant posted a bond for $750.00.

Today, the applicant is requesting a waiver of that sidewalk and return of the $750.00. Today, the staff has determined that it is still possible to install a sidewalk. There is very limited amount of sidewalks on S. 39th Street. It T's off into an alley so it does not make any connection to another street besides Calvert on the south. The Comprehensive Plan talks about connectivity and pedestrian circulation, and we have ADA guidelines to help set precedent for establishing a sidewalk pattern for those who have difficulty driving or need wheelchair accessible paths.

Eichorn added that the Comprehensive Plan, the zoning ordinance and the design standards talk about sidewalks on both sides of all streets, including cul-de-sacs and dead-end streets. In this case a sidewalk can be constructed. Although it will not complete the sidewalk system on this street, it is an incremental way for the city to try to achieve its ultimate goal of connectivity throughout the city. On the east side of S. 39th Street there are three duplexes with sidewalk in front of them. The only way to achieve the goal to have sidewalks on both sides of the street, or at least connectivity, is to use the tool to get those sidewalks, which is through the final plat. The staff sees no reason or justification to waive this sidewalk requirement.

Larson inquired as to what is on the north side where 39th terminates. Eichorn advised that there is an alley running east/west at the north side of South 39th Street. Larson inquired about the sidewalks that are missing on the east side of South 39th Street. Eichorn explained that this is an older area of town and sidewalks were not required when this area was developed. The street was repaved in the late 70's and the requirement for sidewalks did not exist at that time. The builder of the duplexes put the sidewalks in of their own will.

Esseks noted that there is another lot north of this property that could potentially be subdivided in the future. If that happens, they would also be required to install sidewalks. There is a vacant lot on the east side and if it were subdivided, they would be required to install sidewalks.

Taylor clarified that the sidewalk going north would in effect go nowhere. It would serve the people living on S. 39th Street. Is there a connection going south? Eichorn stated that there are sidewalks on Calvert Street and this sidewalk would connect to Calvert Street.

Taylor inquired as to the frequency of pedestrian traffic on that street. Is there any record or concept of pedestrian traffic on that street? Eichorn does not believe this question can be answered. There is no sidewalk now. She does not know if that is a deterrent for pedestrians in this area or not. She also does not know how much traffic goes up and down this street, but there are multiple families living in a close area.

Eichorn pointed out that sidewalks are for everyone in the community and not just for the people abutting the right-of-way. If we are going to look at it city-wide, we have to figure out a way to have a sidewalk for everyone. We are charged with the overall plan of connectivity.

Taylor stated that he is in favor of sidewalks, but he is not sure who will use this sidewalk.

Proponents

1. Bob Snell, 3060 Stratford Avenue, formerly residing at 3880 Calvert Street, the applicant, stated that he is requesting this waiver because Harry Kroos from Public Works inspected the site and stated that in his judgment sidewalks were neither necessary nor practical. South 39th Street is a dead-end street, less than 500 feet in length. He lived there for three years and, from his observation living on the corner for three years, there is no pedestrian traffic on 39th Street. He did subdivide the property, subsequent to purchasing it, cutting a 60' lot off the back. These sidewalks will cost $4600.00.

At the time he subdivided, communication to him and the surveyor was that the requirement for the sidewalk would be on the 60' lot and not on the 185' of the entire property. He paid the $750.00 bond. He was anxious to get the subdivision approved so he could sell the lot to make the property affordable. He believed that the requirement was for 60' of sidewalk in front of the subdivided lot. When it came time to close on the property, the city had indicated that there were no encumbrances or contingent liabilities for that property. Then the people who purchased the property were told that the sidewalk would be necessary on the entire 185'. This is the first time Snell knew there was a requirement for 185' of sidewalk versus 60' of sidewalk.

The property immediately to the north is the back yard of a house that fronts upon a street one block to the east. So this sidewalk would go from Calvert Street to someone's back yard. The rest of the north side of 39th Street is fully developed and there are no sidewalks. This would be a $4600.00 sidewalk that would go nowhere and serve no one.

The lot on the east side of 39th Street is already planned to be developed with additional duplexes. Those sidewalks do not connect to Calvert.

There was no testimony in opposition.

Staff questions

Partington stated that he would normally consider this a simple question such as upholding an agreement that was made in the beginning. However, it appears that the applicant was advised by the city that the sidewalks are not necessary or practical and that is a concern to him. Eichorn clarified that there are written comments from Public Works during the final plat process that indicate the sidewalk can and should be constructed. There may have been some miscommunication. After the applicant applied for this waiver, Public Works also provided written comments that the sidewalk is needed.

Dennis Bartels of Public Works believes that the sidewalk inspector did inspect it. There is 60' of dedicated right-of-way. If the sidewalk is installed 3' from the property line with the

retaining wall also being in that 60' of right-of-way, Public Works did have a concern at that time about curb sidewalks due to snow removal. When the waiver was submitted, Public Works revisited the site and determined that it would be better to have a curb sidewalk as opposed to no sidewalk. Sidewalks are routinely required on cul-de-sacs that are dead-end streets. The City Council could order the rest of the sidewalks constructed. It is assumed that a curb sidewalk could be built north to get transition past the retaining wall.
It was confirmed that the final plat includes the sidewalk as a required improvement.

Esseks inquired whether the bond specifies how the money is to be used. Bartels stated that at that time, the cost to construct the sidewalk was estimated to be $3000.00. The applicant is required to post 25%, which was the $750.00.

Francis sought to confirm that at the time the bond was set, it was for the entire 185'. Eichorn stated that it was for both lots.

Response by the Applicant

Snell stated that the $3000.00 estimate was never shared with him. The way the bond was computed was not shared with him. It was just presented to him to post a $750.00 bond. As far as he knew it was a bond for a sidewalk.

Snell also advised that there is a picket fence along what was the north boundary of the subdivided property. He put the picket fence there to divide the two lots. He wanted to continue the picket fence to replace the 4' high unattractive ugly fence with rusty metal stakes and chicken wire. He wanted to replace that with the picket fence in complete conformity with all requirements. At the time he wanted to do that he had someone from Public Works come out and look at it because he had to dedicate 10' to the city for the 60' of right-of-way. He was asking to replace the unattractive fence on the now city property. He was told he never should have had to give up the 10' considering how 39th Street has developed and that it will never be lengthened. He was also told he should not have had to put up a bond for the sidewalk.

ACTION BY PLANNING COMMISSION: December 17, 2008

Sunderman moved to deny, seconded by Esseks.

Francis stated that she has mixed feelings. When a person subdivides, there are some guidelines about sidewalks, etc., and it is the owner's responsibility to find out the facts and not just take one department's word for it and seek more information. On the other hand, it appears to be a waste of concrete and money to put in a sidewalk to nowhere. It is not going to join another sidewalk continuing on that street.

Esseks sees one lot newly created by the applicant that fronts on South 39th Street. He sees three duplexes that front on South 39th Street. The applicant mentioned that there is another parcel on the east side that also fronts on South 39th Street. So, we're looking at at least 7 homes and he thinks there should be sidewalks on both sides. If we approve this waiver, there is never gong to be a opportunity for a sidewalk going down the west side of the street. He does not see how to maintain the policy of connectivity if this exception is granted.

Larson inquired whether the waiver of the sidewalk at this time is irrevocable. Carroll suggested that if this waiver is granted, the owner would not be required to put in the sidewalk. Marvin Krout, Director of Planning, suggested that it might be overstating to say "irrevocable" because the City Council does have the authority to order in sidewalks in certain locations where they think necessary. If the Planning Commissioner were to recommend granting the waiver, it means that the sidewalks would not be required to be built through the subdivision process.

Taylor indicated that he definitely understands that we need the connectivity. But here he sees a sidewalk that really leads to nowhere. He does not think we will accomplish any good end by completing a sidewalk to nowhere.

Esseks suggested that we certainly want the residents to be able to walk around. Calvert is a major street. He does not see it as a sidewalk leading to nowhere.

Gaylor Baird suggested that it heads out to a very major road with sidewalks to other sidewalks. She is sorry the applicant has had such a frustrating experience working with the city. $4600.00 is a sizable sum, but one aspect of sidewalks is pedestrian safety for pedestrians and children who ride their bikes and are outside. $4600.00 becomes a relatively nominal figure compared to the price of an injury or accident to a child or adult.

Partington questions the safety of a sidewalk that runs all the way to the curb if you have children riding bicycles. Gaylor Baird stated that she would rather have them on the sidewalk than the street. It is still a safer spot.

Carroll observed that, as the staff has said, the subdivision agreement states that the sidewalk must be installed the whole length of the two lots. Whenever you sign a bond for a sidewalk it explains clearly what you are signing, percentage of the bond and what it is for and it would list the length of the sidewalk. He believes that the documents are in place to show that the sidewalk was to be built. He believes in the connectivity for safety reasons. We need to have people on the sidewalk and not in the street. It is important to have these sidewalks.

Motion to deny carried 8-0: Gaylor Baird, Francis, Partington, Larson, Esseks, Taylor, Sunderman and Carroll voting 'yes'; Cornelius absent. <u>This is a recommendation to the City Council.</u>

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The next regular meeting of the Planning Commission will be on **Wednesday, January 14, 2009, at 1:00 p.m.** The regular meeting for December 31, 2008, has been canceled.

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There being no further business, the meeting was adjourned at 2:30 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on January 14, 2009.

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