

AGENDA

Planning Commission Work Session 5:30pm

Tuesday, July 28, 2015
Evans Community Complex – 1100 37th Street
City Council Chambers

Planning and Zoning packets are prepared several days prior to the meetings. This information is reviewed and studied by the Commission, eliminating lengthy discussions to gain basic understanding. Timely action and/or short discussion on agenda items do not reflect lack of thought or analysis. An informational packet is available for public inspection on the website at www.evanscolorado.gov

WORK SESSION

Meeting called to order by Sean Wheeler

In attendance:

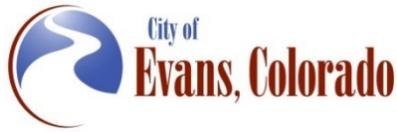
Chairman: Robert Phillips III
Vice Chairman: Deborah Linn
Julie Lowe
Laura Speer
Billy Castillo

Guests:

Staff:

Sean Wheeler, City Planner
Pat Zietz, Administrative Specialist

- I. DRT Agenda**
 - a. Development Update
- II. Conservation & Parks**
- III. Work Session adjourned**



Development Review Team Agenda
Tuesday, July 28, 2015
3:00 pm – 4:00 pm

DISCUSSION ITEMS:

1. 3:00 – 3:05 Social Time
2. 3:05 – 3:20 Project List – Overview of projects status.
3. 3:20 – 3:50 New Business: Development Process with Aden
4. 3:50 – 4:00 Other: Possible Pending Annexation: Swallow’s Nest

Project	Review Type	Location	Staff Assigned	Status	Date Accepted	Comments Due	Current Activity	Notes
ARB Transload Facility	Subdiv. Plat	GWE Plant Site	Sean, Fred	Pending Submittal	N/A	N/A	None	None
ARB Transload Facility	Site Plan	GWE Plant Site	Sean, Fred, Dawn, Ditesco	Under Review	Various	Various	Requires Updated Site Plan	Engineering review, waiting for updated SP following Council approval

COLOR KEY:

	Application Complete (For Current of Review.)
	Current Application, Active File
	Project Approved / Under Construction
	Hearing Review / Hearing Scheduled / Administrative Review
	Pending Review – Anticipate Submittal or Application Update.

Project	Review Type	Location	Staff Assigned	Status	Date Accepted	Comments Due to Applicant	Current Activity	Notes
ARB Transload Facility	Amended Annex. Agr.	GWE Plant Site	Sean, Fred, Scott, Ditesco	Sent to Council	May, 2015	N/A	2 nd Reading July 21, 2015	Approval July 21, 2015
ARB Transload Facility	Variance	GWE Plant Site	Sean, Fred, Scott	Approved	March, 2015	N/A	Approved	Approved April, 2015
Bella Vista MHP PUD	PUD / Site Plan Review	333 37 th St.	Sean	Pending Submittal (DRT 6-30-15)	N/A	N/A	None	None
Driftwood Condos	Site Dev.	2485 37 th St	Sean, Fred, Dawn, Ditesco	DRT 08-14 Submittal 01-28-15, incomplete. 07-15, app remains incomplete.	Various	Ongoing	Applicants consultant working on updated and complete info.	Working with applicant to resolve insufficient information
Innovative Foods	Amended Plat	4320 Industrial Pkwy.	Sean, Fred	Platting Process	July, 2015	Notified	Active Review	Anticipate mylar submittal.

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Project	Review Type	Location	Staff Assigned	Status	Date Accepted	Comments Due to Applicant	Current Activity	Notes
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Stonegate Industrial Park	Amended Dev. Agr. and site plan	SE Corner 17 th Ave and 42 nd St.	Sean, Dawn	Pending Submittal	N/A	N/A	On Hold, pending updates to drainage / construct. plans.	No submittal as of July 24, 2015
Synergy 22 Wells	USR	Tuscany 3 rd Filing	Sean, Fred, Dawn, Ditesco	USR and Site Plan Review	May, 2015 Updated Application Materials	Placed on Hold Dec, 2015, awaiting Council Action	Site Plan and Engineering Reviews	May, 2015 Council approves zoning amendment to allow USR in this zone
Werning	PUD Amendment	Large PUD, south of the SP River	Sean	PUD Amendment	No Applicant Response from on Draft Revisions	Draft Agreement Sent Feb. 2015	Waiting for response.	CC – May 19, 2015 for extension of deadline.

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US HIGHWAY CORRIDOR DEVELOPMENT								
Project	Review Type	Location	Staff Assigned	Status	Date Accepted	Comments Due to Applicant	Current Activity	Notes

CDOT PARK N RIDE	Site Dev.	Highway 85 (South End)		Under Construction	N/A	N/A	Under Construction	None
Kum & Go	SP	31 st St.	Sheryl					
Rush Truck Center	Amended Plat	625 31 st St.	Sheryl	Platting Process	07-09-15			
Rush Truck Center	Site Plan	625 31 st St.	Sheryl	Pending Submittal (DRT 12-15)	N/A	N/A	N/A	None

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Conservation Comes to the City

It's a whole new day for these land trusts. By DANIEL MCGRAW

When Jim Rokakis was a little kid growing up in Cleveland in the early 1960s, he and his pals used to do what young boys do: They'd explore. And that meant going to the edge of the valley, making their way down to Big Creek, and traipsing around on the closed landfill on the valley floor. "For us city kids, it was sort of our rural experience," Rokakis says. "Kids playing on a garbage dump."

He thought about that valley through the years. The Henninger Landfill sat on 25 acres, five miles south of downtown Cleveland, in a neighborhood of middle-class bungalows. It was part of Cleveland's industrial legacy. A city that made steel, cars, paint, and plastic also dumped its toxic refuse wherever it could, even if the dumping ground was surrounded by housing.

To the landfill's west sat the Cleveland Zoo and nearby parks, to the east the Cuyahoga River and the huge steel mills that belched orange smoke (a few still do). Rokakis was elected to the Cleveland city council in 1978 and served for 19 years (and then as Cuyahoga County Treasurer until 2011). He always thought how great it would be to turn that old dump into a park for the kids in the neighboring blue-collar neighborhoods.

"I was always trying to find ways to get our hands on this old landfill and use it for something better," he says. "Ways to get funding, ways to make all the pieces fit. But we could never get it done; the city always



For years Cleveland native Jim Rokakis thought the 25-acre Henninger Landfill site would make a great park. Today, that vision is becoming a reality thanks to a local land trust.

had other things to do besides repurpose an old landfill. The park district was concentrating on the lakefront. It was always one of those projects that could never get up higher on the list."

Now the old landfill is finally getting new life. Earlier this year, the Western Reserve Land Conservancy acquired the property for about \$500,000, according

to Rokakis, most of it provided by a grant from the Ohio green space conservation program. Early studies indicate that a relatively modest environmental remediation will be needed to convert the landfill into parkland; WRLC will likely deed the 25 acres in the next year or so to the regional park district, which owns the zoo, or to the city of Cleveland or some other entity

that will develop and maintain the property for public use. At this point, the old landfill property will most likely be used as passive open space with a bike trail connecting to trails on either side of the property.

Rokakis is now vice president of WRLC and heads up the organization's Thriving Communities Institute, which is working with local governments and community leaders and financial institutions to help clean up the foreclosure mess that began in 2008, leaving the Cleveland area with thousands of abandoned homes. Sometimes the WRLC/TCI acquires property, sometimes it helps find funding for property purchases, and sometimes it actively helps with regional planning issues.

What the WRLC is doing is blurring the lines a bit of the defined purposes of land trusts. Community land trusts have long focused on acquiring land for affordable housing in an urban setting. Conservation land trusts have often limited their focus to creating parks—sometimes in urban settings, but more often in exurbs where an old farm might be repurposed into public green space. The WRLC is doing both, focusing on creating open space—mostly in urban and rural settings—but also using its access to capital and expertise to acquire property in distressed areas so that the urban revitalization process is able to move more quickly and efficiently.

New take on land trusts

WRLC isn't the only land trust that is being repurposed. Conservation land trusts have historically represented wealthy estate owners on the outer edges of an urban area, and often performed the task of acquiring a "gentlemen's farm" that hadn't seen a plow in 50 years and then deeding it to the local government agency as passive open space. The end result was nice, but the purpose was mainly to keep housing and retail development out.

Rich Cochran, the president and CEO of WRLC—formed in 2006 when eight Northeast Ohio land trusts combined to take a more regional approach to land preservation—says the trusts' leaders began seeing that their mission to provide green space in exurban communities had an unintended consequence.

"We began seeing," Cochran says, "that making the suburbs greener and less urban was making them more desirable and exacerbating the major problem in the region." It was making urban disinvestment worse. It was clear, he adds, that the trusts needed to rethink "what a land trust really is."

He adds that WRLC now has the resources and expertise to take a regional approach. "We found that we needed to take a course that vacant and abandoned homes in toxic areas affect everyone," Cochran says. "Instead of just trying to treat the symptoms, we looked at helping to determine the causes and change those."

There is no set allotment of funds set aside by the WRLC for inner city or suburban and rural projects, Cochran says, "but we are taking the approach that they are all connected to each other and we do not like to limit ourselves by more traditional geographic boundaries that land trusts often put themselves in."

The rationale

Jennifer Wolch, dean of the College of Environmental Design at the University of California–Berkeley, wrote an article called "Green Urban Worlds" that appeared in *Annals of the Association*

of American Geographers in 2007. Her paper detailed the links between social justice and ecological justice, the interconnectivity of agrarian and suburban and urban interests in a region, and the need to make environmental design appealing to people beyond the "hikey-bikies and tree hugging set."

The challenge, Wolch wrote, was how to do it: "As a new sort of urban regime takes shape, focused on regulating environmental relations, lines of authority are blurred, partnership is the order of the day, and almost anything goes in the scramble for funds."

Wolch was prescient. Part of the reason land trusts are doing more regional planning is that the dynamics of local governments have changed. Since the 1970s, the federal government has doled out Community Development Block Grant funding to cities to fix up blighted neighborhoods, but those funds have dropped substantially, from \$5 billion in 2000 to about \$3 billion this year. The decline in property values from the bursting housing bubble has left many local government budgets in deep decline as well.

In the scramble for funds, the process has become more complicated. For a community park project, the lead agency would combine local government funds with a grant from a private foundation and the deal was sealed. Now an identical project might need state tax credits for the property seller, federal environmental cleanup funds, utility easement transfers, and studies to determine traffic flows and community impacts. Local governments often don't have the expertise, staff, or funding to meet those needs.

From the ground up

"I think part of the reason we have broken out of our traditional [rural] conservancy role is that we had expertise in certain areas of acquiring land, and cities and towns needed help in many areas, especially finding different ways of funding a project," says Seth McKee, land conservation director for Scenic Hudson, a land conservancy organization that works along the Hudson River from Yonkers to Albany, New York.

Among other things, Scenic Hudson has championed the daylighting of the Saw Mill River in downtown Yonkers. The river was covered with concrete in the 1920s, and Scenic Hudson secured a \$30 million state grant and other funding to uncover the river, McKee says. More than the environment was at stake. "What Scenic Hudson and the city of Yonkers saw was the ability to revitalize a part of downtown with a river corridor that people will gravitate to and has become an anchor point for redevelopment," he notes.

In the Seattle metro region, the land conservation group Forterra is trying to manage growth in parts of the city that are either gentrifying or accommodating an influx of immigrants. One major project is long-term planning for the inner ring suburb of Tukwila (pop. 19,000), located on the Duwamish River.

Forterra has acquired and preserved more than 238,000 acres of land over the past 25 years for parks and community gardens and other uses, and it has set in motion a community outreach program for refugees from Bhutan and Burma who have settled in Tukwila. Some of these projects aim to preserve the balance between affordable housing and open space in an area that faces both density and economic issues.

"We started out just acquiring property, but we found we can do so much more while we are doing that. Sometimes we are a disrupter, and that is a role we can do in a thoughtful way," says

Michelle Connor, Forterra's executive vice president for strategic enterprises.

Yet another approach is being taken in Los Angeles. The Los Angeles Neighborhood Land Trust, formed in 2002, has adopted the neighborhood preservation ideals many old land trusts began with in the early 1900s. In effect, says Alina Bodke, LANLT's executive director, the organization is trying to keep property from being developed in poorer neighborhoods.

"Study after study has shown that a person's health is directly related to their proximity to parks and green space," Bodke says. "So we find land parcels for community gardens, and try to carve out open space where we can." As the group moves forward on this planning-based health initiative, it may help bring health care screening programs and grocery stores into impoverished areas like East LA, Bodke says.

"I think it is important that the land trusts be at the table in regional decision making: transportation, commercial, residential, conservation," she says. "What we can do is keep from making the same mistakes that many urban centers made when they were being planned out many years ago."

Time and money

Avana Andrade is getting her master's degree at the Yale School of Forestry and Environmental Studies and recently wrote a research paper on how land trusts are making the foray into urban planning. She came to two conclusions about what is driving the change.

"First, I discovered that land trusts have the skills and tools to solve many of the issues that cities are dealing with, and they have the funding and the ability to move on things more quickly than government agencies do," Andrade says.

But she also says age is a factor: "A younger generation is defining preservation as more than just having some open space in a rural setting."

Anthony Brancatelli, who headed up a community development organization before being elected to the Cleveland city council in 2005, agrees with Andrade's first assessment. He points out that most projects now have "mezzanine financing," meaning layer upon layer of different funding may be involved. "The complexity of structuring any sort of land deal today is just much harder," he says.

Still, he says, WRLC and the city share similar goals. "We know that more forests and parks within our city are good for us all, yet we sometimes don't put them up on the list. And we found that [the WRLC] has been crucial to moving quickly on . . . the abandoned housing that needs to be torn down. Their ability to acquire the properties and move them through the process cuts down the time in a huge way."

"Turning that landfill into a park does not happen without them," he says.

Caveats

In adding planning duties to their mission, today's land trusts are also entering unknown territory. They are working with public entities, but their boards and donors aren't answerable to the public the way a government agency is.

Two examples: WRLC helped a park district east of Cleveland

acquire 600 acres for a park that included about 1.6 miles of Lake Erie shoreline. A dozen funding groups were involved in the \$10 million purchase. But WRLC kept about 50 acres inland and will be selling that property to private interests that may want to pursue an industrial use.

Likewise, Forterra may buy a mobile home park in Tukwila and possibly retool it into affordable housing for the refugee community—also without direct government involvement.

"I think what is now different is that we see economic development as a part of our work," says Sarah Ryzner, a real estate lawyer who gave up the private sector to work with WRLC in 2012. "We are not of a single mind on anything we do. But we won't survive and be a major contributor if we do not take into account all the stakeholders, and come up with a plan that makes sense economically as well as fits in with the regional planning."

That approach certainly went into practice for Cleveland's Henninger Landfill. In acquiring the property, WRLC had to balance the interests of eight different groups, some of which were government agencies and neighborhood community groups.

A key point of interest in the acquisition plan was that WRLC proved the landfill offers a vital connection to other open spaces: On the eastern end it will connect with the Towpath Trail, which ultimately winds through downtown Cleveland and to Lake Erie. On the western end, it will connect with the 70 miles of paved trails operated by the Cleveland Metroparks (known as the "Emerald Necklace").

Rokakis says he is proud to help move the landfill project along so that within a few years he may see kids playing next to Big Creek—but playing in a much safer environment than the one he encountered there many years ago. He also imagines bike riders using the trails as part of their downtown commute—and bird-watchers strolling along on a fall afternoon.

"We have seen population decline, state funding being stripped from Ohio cities, the federal government saying we have no more money to help out the working poor, [plus] the foreclosure crisis," Rokakis says. "But what we are doing is finding a way for many players in the region to speak with one voice, and not be competing interests."

The land trusts in Cleveland and elsewhere are very important, Rokakis adds, "because we have made some people aware that what happens in our inner cities has a very big effect in other areas of our region. It's taken this crisis of sorts to make people see that. But seeing that landfill getting redone as a park makes it real for me. It's not just going to be green space. It's going to be a key part of this community." ■

Daniel McGraw is a freelance journalist and author living in Lakewood, Ohio.

ONLINE

Forterra: forterra.org.

Scenic Hudson: scenichudson.org.

Los Angeles Neighborhood Land Trust: lanlt.org.

Western Reserve Land Conservancy: wrlandconservancy.org.

"Green Urban Worlds" by Jennifer Wolch, in *Annals of the Association of American Geographers* (2007): <http://tinyurl.com/joulnfzs>.

'If you build it they will come. . . . And it doesn't have to be five acres. It can be a fifth of an acre. Really, a safe green space is all you need to provide and the kids will use it.'

MARVIN BOUKNIGHT, DIRECTOR, CHARLOTTE NATURE MUSEUM

ON A RELATED TOPIC

WILD (URBAN) PARKS ARE PUTTING NATURE FIRST—FOR KIDS *By Charlene Oldham*

At the Cincinnati Nature Center's Marge & Charles Schott Nature PlayScape, children have 1.6 acres to explore, but it often doesn't take much more than an old log to entertain kids for hours. "It might become a balance beam. It might become a rocket ship," says Eve Smallwood, the center's family program coordinator. "It could be anything."

At the Charlotte Nature Museum's Fort Wild, Marvin Bouknight sees children transform landscaping timbers cut into one-foot segments into everything from towers to pieces for an invented game with its own intricate rules. "And that was facilitated just by providing blocks," says Bouknight, the museum's director. "There's no right or wrong. It's just letting children use their imaginations."

Other nature-oriented play spaces are popping up everywhere from Brooklyn's Prospect Park to Chicago's Indian Boundary Park. They are part of a trend toward providing less structured, more imaginative play spaces for children.

With funds from the U.S. Forest Service, the National Wildlife Federation and North Carolina State University's Natural Learning Initiative recently produced *Nature Play & Learning Places*, national design guidelines showing managers of schools, parks, child care centers, and public lands how to integrate nature into children's outdoor play and learning areas. The guidelines suggest introducing logs and "loose parts" like sticks or pine cones, or setting aside digging areas, that could make natural play areas more accessible to a greater number of kids.

"Those provide endless opportunities for creativity," says Smallwood. "You really don't have to have a ton of space or money to make these small changes."

It's relatively easy to introduce elements of natural play spaces into backyards, neighborhood parks, or school playgrounds. And a growing body



Movable rocks and flowing water are great tools for imaginative play and learning. Kids at the Nature PlayScape in Cincinnati experiment, plan, build, and cooperate.

of research emphasizes the importance of kids spending more unstructured play time in natural settings.

"It appears that creative play, balance and large motor skills, healthier body weight, and concentration are just a few of the developmental benefits fostered by nature play," says Andrea Faber Taylor, child environment and behavior researcher at the University of Illinois Landscape and Human Health Laboratory. "The evidence suggests that taking a break in a natural setting is potentially much more productive than heading to the basement to play video games or to the shopping mall."

Attention Restoration Theory, the basis behind Faber's findings, suggests that small spaces can be restorative if they have elements like water and plants, and wildlife like squirrels and bees. Natural areas can provide a sense of escape, even if kids just go outside to read or take a stroll, says Robin Moore, director of the Natural Learning Initiative and lead author of *Nature Play & Learning Places*.

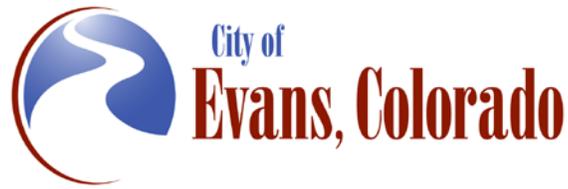
"The human species has only been living in cities and . . . experiencing our

contemporary lifestyle for a very short period of time," he says. "So 99 percent of human evolution has taken place in nature and has been dependent on nature."

In previous generations, children spent time outside playing games and exploring without much prompting. But with cultural shifts, including a growing reliance on structured academic and athletic activities, parents' concerns about safety, the rapid development of the digital environment, and cuts in parks and recreation funding, kids today spend less time outside.

Moore says a number of health statistics and other factors, including the 2005 publication of *Last Child in the Woods* by Richard Louv, served as a call to action. Today, parks departments, school administrators, public health officials, and parents are identifying and adding natural play spaces in their communities to show kids that watching a video of a firefly can't compare with seeing the real thing.

Charlene Oldham is a writer and teacher based in St. Louis whose work can be found at charleneoldham.com.



Notes
Planning Commission
Work Session 5:30

Tuesday, June 23, 2015
Evans Community Complex – 1100 37th Street
City Council Chambers

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WORK SESSION

Meeting called to order by Sean Wheeler at 5:35pm

In attendance:

Robert Phillips III ✓
Deborah Linn ✓
Julie Lowe ✓
Laura Speer ✓

Guests:

John Clark, Zoning Board of Appeals Member ✓
Billy Castillo, Potential Planning Commission Member ✓
Daniel Usery, Potential Planning Commission Member or Zoning Board of Appeals ✓

Staff:

Sean Wheeler, City Planner ✓
Pat Zietz, Administrative Specialist ✓

1) CITY CHARTER: Role of the Planning Commission

- Review Evans Charter
Sean started on the Charter in Chapter 12, Planning.
- General Discussion
Sean asked the commission how they would like the Public Meetings to be handled. Discussion that it would be good to have engineers that are involved with any

projects that come in front of the commission to be at the Public Hearing for any questions. It would be helpful to have the professionals here to help make better decision since this is a volunteer group. Suggestions for trainings on EQR's, vacating utility lines, etc. Sean went over the time-line on how far out things have to start the process so they can get on the Council Agenda.

Laura replied to Seans question about if the commission would like him to completely read his staff report or just hit the high lights. Discussion on they would like them to brief them, they can read the entire packet and ask questions.

Discussion on members attending APA conference meetings. Aden would have to approve money for those trainings. Laura did ask Aden, he explained to her that members would be reimbursed for mileage and he would check into the costs of the conferences. She also asked him for the budget for the planning department.

The commission would like to do a request to council, Sean will take the request up to management and then to council. Need to find out if the entire commission attends or do they vote for one.

Adjourn work session at 6:35pm and move into regular session.



MINUTES

Planning and Zoning Commission Regular Meeting
Tuesday, June 23, 2015
Regular Meeting 6:40pm
Evans Community Complex – 1100 37th Street
City Council Chambers

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REGULAR MEETING

- 1) **CALL TO ORDER by Robert S. Phillips, III at 6:43pm**
- 2) **ROLL CALL**

Chairman: Vacant
Vice-Chairman: Robert S. Phillips, III
Commissioners: Deborah Linn
Julie Lowe
Laura Speer

- 3) **APPROVAL OF MINUTES**

Point of clarification of the minutes, the May 26th, meeting was a work session; no official minutes were recorded.

- 4) **APPROVAL OF THE AGENDA**

Laura Speer made the motion to approve the agenda, seconded by Julie. VC Phillips asked for discussion. All approved,

- 5) **AGENDA ITEMS:**

A. Selection of Officers of the Planning Commission

Nomination by Julie Lowe to nominate Laura Speer.
Deborah Linn nominates herself.
Laura would like to decline the nomination for Chairman.
Richard Phillips would like to nominate himself for Chairman.

Close of nominations. Deborah Linn and Richard Phillips are nominated for the open Chairman position. Laura Speer opened the floor for deliberation from the candidates and their asked to hear their experience. Deborah Linn was part of the Planning and Zoning in Oregon. Richard Phillips has been a part of this board for 8 years and is the current Vice Chairman.

Discussion lead by Laura Speer; she asked Deborah Linn if she would be willing to take the Vice Chairman position, Deborah agreed that would be acceptable. Motion by Laura Speer to accept Richard Phillips III as the new Chairman of the Planning Commission and Deborah Linn as the Vice Chairman, seconded by Julie Lowe. All in favor state Ay, any opposed state Nay. Motion carried.

6) AUDIENCE PARTICIPATION

No audience participation

7) STAFF UPDATE

A. City Council Item Update

Sean went over the major projects that are in the Development Review Process.

- 1) ARB
- 2) Synergy – the third filing of Tuscany III
- 3) Kum & Go – Sheryl Trent is the planner for this project
- 4) Rush Trucking
- 5) Subdivision out by the middle school – 1300 homes proposed

B. Community Development Project List

8) GENERAL DISCUSSION

9) ADJOURNMENT at 7:06pm