

GENERAL INFORMATION

APPLICANT	Richie Webster, Pro-Tec Construction
OWNER	Storage Units, LLC
PROJECT NAME	Storage Units, LLC Planned Development (PD)
HEARING TYPE	Planned Development / Land Use Plan (PD / LUP)
REQUEST	I-4 (Industrial District) and C-1 (Planned Development District) to PD (Planned Development District)

A request to rezone 3.15 acres from I-4 and C-1 to PD in order to construct 71,150 square feet of indoor storage uses, including boats, recreational vehicles, and 404 self-storage units.

In addition, the following waivers from Orange County Code have been requested:

1. A waiver from Section 38-1272(3) to allow for a five (5) foot western boundary setback adjacent to parcel 30-21-28-0000-00-009, a twenty (20) foot western boundary setback adjacent to parcel 30-21-28-4256-01-360, a fifteen (15) foot northern boundary setback, and a twenty (20) foot southern boundary setback; in lieu of the required twenty-five (25) foot PD perimeter setback.
2. A waiver from Section 38-1272(3)(d) to allow for a twenty (20) foot setback adjacent to Beach Avenue; in lieu of a thirty (30) foot right-of-way setback.

LOCATION	Generally located north of Beach Avenue and west of Ocoee Apopka Road.
PARCEL ID NUMBER	30-21-28-0000-00-008
TRACT SIZE	3.15 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing extended beyond 800 feet [<i>Chapter 30-40(c)(3)(a) of Orange County Code requires 300 feet</i>]. One hundred fifty-five (155) notices were mailed to those property owners in the mailing area. A community meeting was also held on Monday September 26, 2016 (<i>refer to Community Meeting Summary below</i>).

Proposed Use

71,150 square feet of indoor storage uses, including boats, recreational vehicles, and 404 self-storage units.

STAFF RECOMMENDATION

Development Review Committee (DRC) – August 24, 2016

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Storage Units, LLC Planned Development / Land Use Plan (PD/LUP), dated "Received August 11, 2016", subject to the following conditions:

1. Development shall conform to the Storage Units, LLC Planned Development / Land Use Plan (PD/LUP) dated "Received August 11, 2016," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received August 11, 2016," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on

the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal.
7. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.
8. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
9. Outside sales, storage, and display and rental trucks shall be prohibited.
10. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to the initial Certificate of Occupancy. Nothing in this condition, and nothing in the decision to

approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.

11. Plumbing shall not be provided to individual storage spaces / units, and plumbing fixtures such as sinks, toilets, and the like shall not be installed.

12. The following waivers are granted from Orange County:

1. A waiver from Section 38-1272(3) to allow for a five (5) foot western boundary setback adjacent to parcel 30-21-28-0000-00-009, a twenty (20) foot western boundary setback adjacent to parcel 30-21-28-4256-01-360, a fifteen (15) foot northern boundary setback, and a twenty (20) foot southern boundary setback; in lieu of the required twenty-five (25) foot PD perimeter setback.
2. A waiver from Section 38-1272(3)(d) to allow for a twenty (20) foot setback adjacent to Beach Avenue; in lieu of a thirty (30) foot right-of-way setback.

IMPACT ANALYSIS

Land Use Compatibility

The proposed PD (Planned Development District) zoning would recognize existing development that has been vested through CVC# 2003-4. Vested development includes a variety of existing outdoor storage activities; however, with this request, the applicant is seeking to construct new structures that would accommodate and fully enclose up to 71,150 square feet of storage space for boats, recreational vehicles and 404 self-storage units. In addition, two (2) waivers have been requested to reduce the standard 25-foot PD perimeter and 30-foot right-of-way setbacks.

Staff has determined that proposed site improvements, would greatly reduce the impacts of existing activities on adjacent properties, and would provide for a more compatible development.

Comprehensive Plan (CP) Consistency

The property has an underlying Future Land Use Map (FLUM) designation of Planned Development – Commercial / Rural Settlement (PD-C/RS). The proposed use is consistent with this designation and applicable CP provisions, which include (but are not limited to) the following goals, objectives and policies:

FLU1.1.4 states that Rural Settlement related Future Land Use Map designations recognize and preserve existing development patterns, provide for a rural residential lifestyle, and manage the transition of rural areas near the Urban Service Area.

OBJ FLU6.2 states that Rural Settlements provide for a rural residential lifestyle, allow a transition of rural areas adjacent to the Urban Service Area, and were intended to recognize and preserve existing development patterns at the time the CP was adopted in 1991.

FLU6.2.3 states that development proposals consisting of greater than 25 residential units within a Rural Settlement shall have final approval as a Planned Development. The Planned Development shall reflect the intended rural character consistent with the criteria listed in Future Land Use Policies FLU6.2.4 and FLU6.2.5.

FLU6.2.4 states that the County may use the PD designation and include criteria to ensure new development within the Rural Settlement contributes to the community's sense of place, to include:

- Designs for new roads, and alterations to existing roads, should ensure the physical impact on the natural and historic environment is kept to a minimum;
- New roads or road improvements shall be designed to accommodate the anticipated volume and nature of traffic, but pavement shall be kept as narrow as safety allows while encouraging equestrian, bicycle, pedestrian, and other non-motorized, alternative means of transportation, preservation of wildlife corridors and habitat, and aesthetically pleasing landscape treatment;
- New buildings and structures shall be located where their construction or access does not cause substantial modification to the topography and natural resources; and,
- Provide for increased setbacks along roadways to preserve views, open space, and rural character; and provide guidelines for lot layout and cluster development for residential development to maintain open space and rural character.

FLU6.2.5 states that the permitted densities and intensities of land use within the Rural Settlements shall maintain their rural character, and consider factors including lot size, open space and views, tree canopy, building location and orientation, and compatibility with existing land uses.

FLU6.2.9 Neighborhood commercial and office uses shall be allowed in Rural Settlements in areas designated for such on the Future Land Use Map. Only those commercial and office uses that will support existing residential uses, i.e., neighborhood commercial, shall be permitted in Rural Settlements. The scale and intensity of commercial and office uses must be compatible with the development pattern of the existing Rural Settlement. Corner stores, professional services that utilize existing structures, small scale personal services permitted within agricultural zoning are the type of non-residential uses consistent with Rural Settlements. Limited C-1 zoning uses and FARs up to 0.15 shall be considered suitable for Rural Settlements that have maintained their historic character.

FLU6.2.10 Neighborhood commercial uses in Rural Settlements shall be developed according to the following criteria: A. These uses shall be located to serve the residents of the rural area and not primarily to attract "pass-by" trips; and, B. These uses shall contain retail and personal services intended to serve the immediate population.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

OS1.3.6 states that the for the “portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats.

All areas shown as High Recharge Areas identified in the Data and Analysis of this element on Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type “A” Hydrologic Soil Group identifying the most effective recharge areas. During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type “A” Hydrologic soils described by the NRCS Soil Survey maps. To maximize open space and preserve the natural environment, all development shall conform to the following requirements

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms.

The following text describes areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

Non-Residential land uses in existing Rural Service Area.

New non-residential uses permitted in the Wekiva Study Area within the Rural Service Area generally shall be limited to neighborhood and community commercial uses including small offices, institutional uses, agricultural uses, public parks and public conservation lands. Land uses existing prior to adoption of this policy shall be recognized and allowed to develop according to the appropriate Land Development Code in place at the time of development permitting. Comprehensive plan map amendments may allow neighborhood or community commercial uses only at intersections of collector or arterial roadways, and such uses shall be restricted to neighborhood and low-intensity community commercial uses. Such commercial uses shall not be considered to be an impetus for increased residential densities in proximity to those commercial uses. Nonresidential land uses within the Wekiva Study Area shall provide a minimum of 25% permanently protected open space. To minimize impervious surfaces, shared parking shall be required to the greatest extent practicable between adjacent non-residential uses.

FLU8.2.1 states that land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.10 states that to ensure land use compatibility with nearby residential zoned areas and protection of the residential character of those areas, office and commercial uses within residential neighborhoods shall be subject to strict performance standards, including but not limited to the following:

- A. Building height restrictions;
- B. Requirements for architectural design compatible with the residential units nearby;
- C. Floor area ratio (FAR) limitations;
- D. Lighting type and location requirements;
- E. Tree protection and landscaping requirements including those for infill development; and
- F. Parking design.

FLU8.5.1 states that subject to any vested development rights, developed land that is inconsistent with the adopted comprehensive plan shall be “grandfathered.” The existing structures of the grandfathered uses may be enlarged, renovated, demolished or removed, and rebuilt or replaced without amendment to this plan if:

- A. Such actions are confined to the boundaries of the site as it existed on the date of adoption of CP;
- B. The density/intensity of the proposed change to the grandfathered use does not exceed any of the following Level of Service (LOS) impacts;

Facility Type	LOS Impact
Roads	Twenty average trip ends
Potable Water	700 gallons per day
Wastewater	600 gallons per day

- C. Such actions do not violate other land development regulations and the grandfathered development has not been terminated, abandoned or demolished for a period of twenty-four (24) consecutive months.

Community Meeting Summary

A community meeting was held on September 26, 2016 with no residents in attendance.

SITE DATA

Existing Use	Undeveloped Land
Adjacent Zoning	N: AG (Agriculture, City of Apopka)
	E: A-1 (Citrus Rural District) (1957)
	Mixed-EC (Mixed-Use Employment Center, City of Apopka)
	W: AG (Agriculture, City of Apopka)
	A-1 (Citrus Rural District) (1957)
	S: A-1 (Citrus Rural District) (1957)
Adjacent Land Uses	N: Agricultural Uses
	E: Farmland
	W: Undeveloped Land
	S: Single Family Residential

APPLICABLE PD DEVELOPMENT STANDARDS

Maximum Building Height:	35 feet
Maximum Impervious:	70%
Minimum Open Space:	25%
Floor Area Ratio:	.519

Minimum Building Setbacks

North Property Line	15 feet
South Property Line	20 feet
East Property Line	30 feet
West Property Line:	
<i>Adjacent to AG Zoning (City)</i>	5 feet
<i>Adjacent to A-1 Zoning</i>	20 feet

SPECIAL INFORMATION

Subject Property Analysis

The applicant is seeking to rezone the 3.15-acre subject property from IND-4 (Heavy Industrial District) and C-1 (Retail Commercial District) to PD (Planned Development District) in order to construct new structures that would accommodate and fully enclose

up to 71,150 square feet of storage space for boats, recreational vehicles and 404 self-storage units. In addition, two (2) waivers have been requested addressing building setbacks.

Comprehensive Plan (CP) Amendment

The property has an underlying Future Land Use Map (FLUM) designation of Planned Development - Commercial / Rural Settlement (PD-C/RS). The proposed use is consistent with this designation and all other applicable CP provisions.

Rural Settlement

The subject property is located within the Paradise Heights Rural Settlement.

Joint Planning Area (JPA)

The subject property is located within the Apopka JPA.

Overlay District Ordinance

The subject property is not located within an overlay district.

Environmental

Wildlife - This project proposes to locate a stormwater pond in the adjacent vacant parcel 009. Development of that parcel shall comply with all state and federal regulations regarding wildlife and plants listed as endangered, threatened, or species of special concern. The applicant is responsible to determine the presence of listed species and obtain any required habitat permits from the U.S. Fish and Wildlife Service (USFWS) and/or the Florida Fish & Wildlife Conservation Commission (FWC).

Septic System - If a septic system is required or in use, the applicant shall notify the Florida Department of Health (FDOH), Environmental Health Division (407-858-1497), about the septic system permit application, modification or abandonment. Also refer to Orange County Code Chapter 37, Article XVII for details on Individual On-Site Sewage Disposal as well as the FDOH.

Transportation / Concurrency

Based on the concurrency management system database dated 03-24-16, capacity is available to be encumbered for this project. This information is dated and subject to change. An approved Capacity Encumbrance Letter (CEL) will be required prior to obtaining a building permit.

Water / Wastewater / Reclaim

	<u>Existing service or provider</u>
Water:	City of Apopka
Wastewater:	Septic
Reclaimed:	City of Apopka

Schools

This request will not result in an increase in the school age population.

Parks and Recreation

Orange County Parks and Recreation staff reviewed the request, but did not identify any issues or concerns.

Code Enforcement

No code enforcement, special magistrate or lot cleaning issues on the subject property have been identified.

Specific Project Expenditure Report and Relationship Disclosure Forms

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – (September 15, 2016)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Storage Units, LLC Planned Development / Land Use Plan (PD/LUP), dated “Received August 11, 2016”, subject to the following conditions:

1. Development shall conform to the Storage Units, LLC Planned Development / Land Use Plan (PD/LUP) dated "Received August 11, 2016," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received August 11, 2016," the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners (“Board”) at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the

recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. A current Level One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review and approval as part of any Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) submittal.
7. Pole signs and billboards shall be prohibited. Ground and fascia signs shall comply with Chapter 31.5 of the Orange County Code.

8. Tree removal / earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
9. Outside sales, storage, and display and rental trucks shall be prohibited.
10. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a Capacity Encumbrance Letter (CEL) prior to construction plan submittal and must apply for and obtain a Capacity Reservation Certificate (CRC) prior to the initial Certificate of Occupancy. Nothing in this condition, and nothing in the decision to approve this land use plan / preliminary subdivision plan, shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a CEL or a CRC.
11. Plumbing shall not be provided to individual storage spaces / units, and plumbing fixtures such as sinks, toilets, and the like shall not be installed.
12. The following waivers are granted from Orange County:
 - a. A waiver from Section 38-1272(3) to allow for a five (5) foot western boundary setback adjacent to parcel 30-21-28-0000-00-009, a twenty (20) foot western boundary setback adjacent to parcel 30-21-28-4256-01-360, a fifteen (15) foot northern boundary setback, and a twenty (20) foot southern boundary setback; in lieu of the required twenty-five (25) foot PD perimeter setback.
 - b. A waiver from Section 38-1272(3)(d) to allow for a twenty (20) foot setback adjacent to Beach Avenue; in lieu of a thirty (30) foot right-of-way setback.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend approval of the requested PD (Planned Development District) zoning, subject to the twelve (12) conditions listed in the staff report.

Staff indicated that one hundred fifty-five (155) notices were mailed to surrounding property owners within a buffer extending beyond 800 feet from the subject property, with two (2) commentaries in opposition and none (0) received in support of the request. Finally, Bill Ray, the applicant's representative, was present and expressed support for the staff recommendation.

A motion was made by Commissioner Barrett to find the request to be consistent with the Comprehensive Plan and recommend **APPROVAL** of the Storage Units, LLC Planned Development / Land Use Plan (PD/LUP) dated "Received August 11, 2016", subject to the twelve (12) conditions listed in the staff report. Commissioner Dunn seconded the motion, which was then carried on a 7-0 vote.

Motion / Second

Marvin Barrett / James Dunn

Voting in Favor	<i>Marvin Barrett, James Dunn, Jose Cantero, Paul Wean, Rick Baldocchi, JaJa Wade, and Yog Melwani</i>
Voting in Opposition	<i>None</i>
Absent	<i>Pat DiVecchio and Tina Demostene</i>