



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: July 8, 2010
AGENDA DATE: July 15, 2010
PROJECT ADDRESS: 402 S. Hope Avenue (MST2010-00141)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Kelly Brodison, Assistant Planner *KAB*

I. PROJECT DESCRIPTION

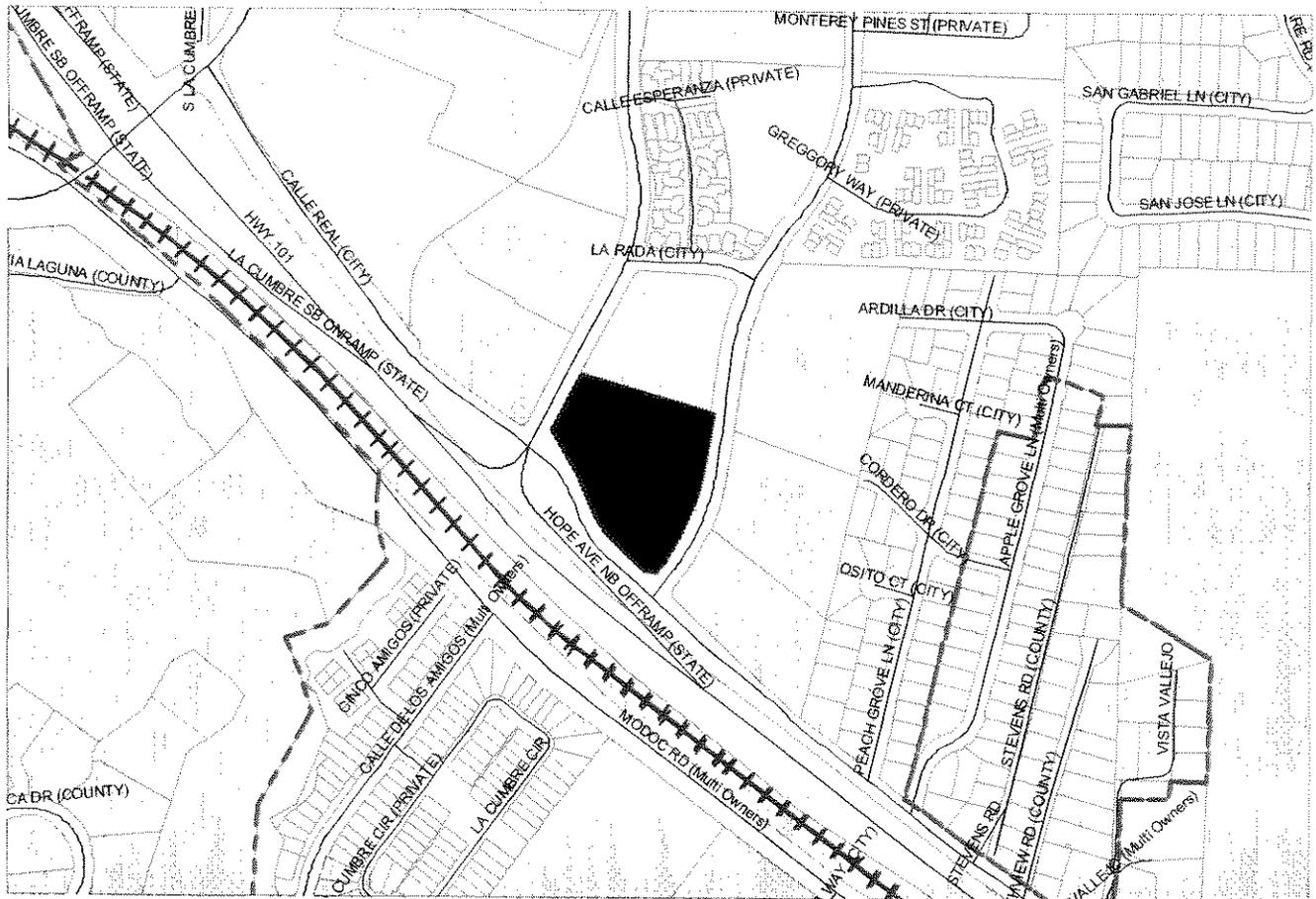
The project consists of a proposal to enclose an existing covered display area for a 450 square foot addition to the existing 33,105 square foot Mercedes Benz Auto Dealership, resulting in a 33,555 square foot building on a 4.37 acre lot. The parcel is also currently developed with an existing 7,120 square foot BMW Auto Dealership. No changes are proposed to the existing BMW Dealership.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project is a Development Plan to allow the construction of 450 net square feet of non-residential development within the P-D Zone (Planned Development SBMC §28.39).

III. RECOMMENDATION

The proposed project conforms to the City's Zoning and Building Ordinances and policies of the E-3/P-D/SD-2 Zone. In addition, the size and massing of the project are consistent with the existing facility and surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.



402 S. Hope Avenue Vicinity Map

APPLICATION DEEMED COMPLETE:
DATE ACTION REQUIRED:

June 10, 2010
August 9, 2010

IV. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Santa Barbara Auto Group	Property Owner: Cutter Properties, Ltd.
Parcel Number: 051-240-017	Lot Area: 190,357 sq. ft.
General Plan: Residential 5 units/acre	Zoning: E-3/P-D/SD-2
Existing Use: Auto Sales	Topography: ~3%
Adjacent Land Uses: North – Commercial South – Highway 101 East – Commercial West - Commercial	

B. PROJECT STATISTICS

	Existing (net)	Proposed (net)
Mercedes Benz	41,771 sq. ft.	450 sq. ft. addition
BMW	10,156 sq. ft.	No Change

V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks -Front -Interior -Rear	10' See Text Below	>10'	No Change
Building Height	Three (3) stories or 45'	40'	No Change
Parking	173	255	No Change
Lot Coverage -Building -Paving/Driveway -Landscaping	N/A N/A N/A	42,475 sq. ft. 24% 99,835 sq. ft. 53% 48,047 sq. ft. 23%	No Change

In the P-D zone (SBMC Chapter 28.39) Development Plan approval by the Planning Commission, with special findings outlined below, is required for any building or structure is erected on a site. Therefore, the proposal to enclose an approximately 450 net square foot outside display area requires approval by the Planning Commission. This proposal involves enclosing an existing covered area, with no additional changes to the building or operations. This area meets the basic requirements of the P-D Zone. However, the P-D Zone allows the Planning Commission to further limit the allowed uses and building height, and require additional setbacks where necessary to secure an appropriate development, because of special

uses and circumstances. Staff believes that this minor project is consistent with the PD Zone, and does not warrant additional limitations.

VI. ISSUES

A. ENVIRONMENTAL REVIEW

Staff has determined that the project qualifies for an exemption from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (small additions to existing structures) of the California Environmental Quality Act (CEQA) Guidelines.

B. DESIGN REVIEW

This project was reviewed by the ABR on June 1, 2010 (meeting minutes are attached as Exhibit D). The ABR stated that the addition was minor in nature and posed no adverse negative impacts to the existing building or surrounding neighborhood.

C. NONRESIDENTIAL DEVELOPMENT POTENTIAL

Charter Section 1508, which became effective in 1990, limits nonresidential development (See Santa Barbara Municipal Code (SBMC) §28.87.300). All developed parcels are eligible for a Small Addition of up to 3,000 square feet of additional floor area through the year 2012. The subject site is eligible for the entire 3,000 square feet of additional floor area under Measure E.

VII. FINDINGS

The Planning Commission finds the following:

1. That the total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided, because the addition is simply the enclosure of an existing roofed area that meets the setbacks of the PD Zone;
2. That prescribed hours and days of operation of the facilities are such that the character of the area is not inappropriately altered or disturbed, because they are not proposed to change because of the proposed minor addition;
3. That the design and operation of outdoor lighting equipment will not be a nuisance to the use of property in the area, because they are not proposed to change because of the proposed minor addition;
4. That the appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area and of the City, because the addition is simply the enclosure of an existing roofed area that meets the setbacks of the PD Zone.;

5. The development plan complies with all provisions of Title 28, as described in Section V above.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated May 13, 2010
- D. ABR Minutes

PLANNING COMMISSION CONDITIONS OF APPROVAL

402 S. HOPE AVENUE
DEVELOPMENT PLAN
JULY 8, 2010

In consideration of the project approval granted by the Planning Commission and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

- A. **Design Review.** The project is subject to the review and approval of the Architectural Board of Review (ABR). The ABR shall not grant preliminary approval of the project until the following Planning Commission land use conditions have been satisfied.
1. **Screened Check Valve/Backflow.** The check valve or anti-backflow devices for fire sprinkler and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building.
 2. **Permeable Paving.** As specified in the City's Storm Water BMP Guidance Manual incorporate a permeable paving system for the new access ramp that will allow a portion of the paved area runoff to percolate into the ground, except as necessary to meet Fire Department weight requirements. Materials in driveways and parking areas must be approved by the Public Works Director/Transportation Manager.
- B. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute *a written instrument*, prepared by Planning staff, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Approved Development.** The development of the Real Property approved by the Planning Commission on July 8, 2010 is limited to approximately (up to 450 net square feet of commercial development and the improvements shown on the Development Plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
 4. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said

landscape plan. If said landscaping is removed for any reason without approval by the ABR, the owner is responsible for its immediate replacement.

5. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan.
 - b. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.

- C. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.
 1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.
 2. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.

- D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the Architectural Board of Review, outlined in Section A above.
2. **Conditions on Plans/Signatures.** The final Planning Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner		Date
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Contractor	Date	License No.
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Architect	Date	License No.
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Engineer	Date	License No.
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- E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below: (look at longer or shorter hours and Saturday construction, depending on project location)

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31st
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

2. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
3. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.

4. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
5. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
6. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.
7. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

- F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:
1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and

approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.

- G. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF DEVELOPMENT PLAN TIME LIMITS:

The development plan approved, per Santa Barbara Municipal Code §28.87.350, shall expire four (4) years from the date of approval unless:

1. A building or grading permit for the work authorized by the development plan is issued prior to the expiration date of the approval.
2. A time extension is granted by the Staff Hearing Officer for one (1) year prior to the expiration date of the approval, only if it is found that there is due diligence to implement and complete the proposed project. No more than one (1) time extension may be granted.

Applicant:
Santa Barbara Auto Group
402 S. Hope Ave. Santa Barbara, Ca
Contact: Mike Ramsey – 760-744-3133 x1310

City of Santa Barbara
630 Garden Street
P.O. Box 1990
Santa Barbara, CA 93102

RECEIVED
MAY 13, 2010

CITY OF SANTA BARBARA
PLANNING DIVISION

Re: Seeking Planning Commission Approval for an approx. 550SF (gross) addition of a New Car Delivery Area by enclosing an existing covered vehicle display area.

The existing Mercedes Benz dealership has a requirement from Mercedes Benz corporate to add a new car delivery area which provides an area for the new owner to become familiar with the purchase car, its functions, accessories manuals & etc. The area is to be separate but a part of the existing showroom . The cars will access the area form a proposed ramp constructed out of a concrete paver system (architecturally pleasing and required for no storm water impact), the cars are driven in and out of the area by a dealership representative and the new owner then takes control of the new car outside of the delivery area.

The new car delivery area will be approximately 550 sf. Gross/ 450 sf. Net. The ramp approximately 240 sf. The room will be created by enclosing an existing improved roofed overhang (lights, ceiling, and fire sprinklers) with a matching glass system. The access ramp made with a concrete paver system will be close in color to existing paving and is being used so that there is no storm water impact to the project. The overall square footage impact is very minor, no changes in use, and is compatible with the surrounding existing dealerships.

The current use of the area of the addition is being used for new car display and the proposed new use is very similar.

A property profile was done by the city of Santa Barbara and the information regarding the existing site and buildings was used to prepare this submittal.

The project is currently submitted for ABR as of May 10, 2010.

The building and property use will remain as they are right now and we are asking only for the small increase in building square footage. There are no major impacts to the site and a landscape plan has been submitted and proposes new landscape at the proposed ramp and replacement landscape in an area that is deficient on site. Parking on the project will remain the same as 173 spaces required and 255 spaces provided. There will be no added exterior lighting, no creation of smoke or odors, no creation of new noise, no geotechnical studies are required for the existing developed site, resource or constraint studies not needed (see property profile), sidewalks and improvements are existing around existing improved site, site is not located around creek or water course.

The proposed construction activity consists of tile removal at the display area and area of new addition, the removal of lawn area at new ramp, the estimated demo will take approximately 1 week. No grading will be required. The estimated duration of construction activity will be approximately 2 months. Equipment and materials will be staged out of public view when not in use.

Sincerely,

Mike Ramsey

EXHIBIT C

Project Statistics and Data

Site: 402 South Hope Avenue -Existing Mercedes Benz

- 1) Lessee and Applicant:
Santa Barbara Auto group
402 south Hope Ave
Santa Barbara , CA
Contact - Duane Sanders
Phone - 805-682-2000
- 2) Owner:
Cutter Properties Ltd.
Cutter Management Co.
Corporate Offices
1100 Alakea Street , PH-2
Honolulu, HI 96813
Contact: Nick Cutter
Phone- 808-529-2000
- 3) Architecture/Design:
Davy Architecture and Lusardi Construction Co.
811 Tenth Avenue 1570 Linda Vista Dr.
San Diego, CA 92101 San Marcos, CA 92078

Contact: Mike Ramsey - 760-744-3133 - mramsey@lusardi.com
- 4) APN - 051-240-17
- 5) Zoning Designation: E-3/PD/SD-2
- 6) General Plan Designation RES - 5 Units Per AC
- 7) Construction Type - VB
- 8) Occupancy Group - B, S-1
- 9) Building Code - 2007 CBC, 2007 UMC, UPC, UPE, UFC
- 10) Gross & Net Lot Size - 4.37 Acres / 190,357SF
- 11) Average slope % of property - Existing developed site varies on finished surface grades approx. 1% to 2+%. Site is fully developed and landscaped per approved plans.
- 12) No grading or grading permit required.
- 13) Non Residential Floor Area (Measure E) = Proposed Area 550sf Gross, 450sf Net
- 14) Lot Coverage Data: (Obtained from Record Docs. From City of Santa Barbara and City Property Profile)

Building Footprints :

	<u>GROSS</u>	<u>NET</u>
MERCEDES	33,827 SF	33,224 SF
PROPOSED NEW CAR DEALERSHIP	550 SF	450 SF
BMW	8,095 SF	7,933 SF
TOTAL BUILDING FOOTPRINT	42,472 SF	41,607 SF
TOTAL BUILDING COVERAGE	22.31%	21.85%
PAVING 99,834 SF	52.45%	52.91%
LANDSCAPE 48,046 SF	25.24	

Total Lot Area - 190,357 SF = 100%

Floor Area of all Bldgs on Property Per Property Profile and Plans :

Existing Mercedes Benz 1st & 2nd Floor = 33,827 sf + 8,722 sf = 42,549 sf Gross
33,224 sf + 8,547 sf = 41,771 sf Net

Proposed New Car Dealership 550 sf Gross, 450 sf Net

Existing BMW 1st & 2nd Floor = 8,094 sf + 2,475 sf = 10,569 sf Gross
7,933.1 sf + 2,222.5 sf = 10,155.6 sf Net

Existing Underground Parking Garage Net & Gross = 34,396 sf

15) Parking: Required Parking : 173 Spaces Provided : 255 Spaces

Scope of Work (Project Description):

The Proposed Work at the Existing Mercedes Benz Auto Dealership is as follows:

- 1) The enclosing of an EXISTING covered display area (existing roof, finished ceiling, lighting, columns and fire sprinklers).
A glass system matching the existing will be used along with a glass entry door and a glass door system to move the car in and out of the proposed New Car Delivery Room (A room used to go over all the new cars features and functions with the new car's owner before the Sales person takes it out of the room and it is turned over to the Owner/Purchaser). The area of the new enclosed room is 550 SF which is well below the 3,000 SF of additional floor area allowed under Measure E for this site based on the City of Santa Barbara Property Profile for 402 S. Hope done 10/26/09.
- 2) Outdoor Display area at the showroom and the New Car delivery to receive a new Non-Slip Tile to replace the existing tile. Color to be similar to exist tile in place.
- 3) Added access vehicle ramp to get the cars in and out of the New Car Delivery Room created with a concrete paver system that would work well with the surrounding hardscape and also meet the drainage requirements from Engineering. New Hardscape approx. 240 SF
- 4) Existing landscape verification plan was done. Landscape replacement required in a location shown on landscape plans and a small amount of planting proposed at new vehicle access ramp "See Landscape Plans".





ARCHITECTURAL BOARD OF REVIEW
CASE SUMMARY

402 S HOPE AVE

MST2010-00141

C-ADDITION

Page: 1

Project Description:

Proposal to enclose an existing covered display area for a 450 square foot addition to the existing 33,105 square foot Mercedes Benz Auto Dealership, resulting in a 33,555 square foot building on a 4.37 acre lot. The parcel is also currently developed with an existing 7,120 square foot BMW Auto Dealership. No changes are proposed to the existing BMW Dealership. The non-residential addition requires Planning Commission Review for a Development Plan in the P-D Zone.

Activities:

6/1/2010 **ABR-Concept Review (New) - PH**

(Comments only; Project requires Environmental Assessment, Compatibility Analysis, and Planning Commission Review for a Development Plan in the P-D Zone.)

(3:10)

Present: Mike Ramsey with Lusardi Construction Company.

Public comment opened at 3:12 p.m. As no one wished to speak, public comment was closed.

A letter of concern from Paula Westbury was acknowledged by the Board.

Motion: Continued indefinitely to Planning Commission and return to Consent with the following comments:

- 1) The Board feels the project is ready for preliminary approval as the additions are minor in nature.*
- 2) Recess the proposed glass consistent with the existing glass adjacencies.*
- 3) Provide window mullion spacing to be consistent with the existing window mullion spacing on the building.*
- 4) Provide identical finish and color of window mullions and glazing.*
- 5) Provide specifications for the interlocking pavers for the proposed ramp.*

Action: Aurell/Mosel, 5/0/0. Motion carried. (Gross stepped down, Gilliland/Zink absent).

6/1/2010 **ABR-Mailed Notice Prepared**

notice prepared 5/19/10 for 6/1/10 meeting.