

MEETING DATE: Monday August 25, 2008
MEETING TIME: 6:00 PM
MEETING LOCATION: City Council Chambers, 125 E. 3rd Street, Salida, CO

Present: Bavaria, Stephens, Pierce, Kasper, Cabe, Curtis, MacDonald, Yerman, Jefferson
 Absent: Vance, Hartslief, Wood, Tracy,

AGENDA SECTION:

- I. CALL TO ORDER BY CHAIRPERSON: Stephens- 6:01 PM**
- II. ROLL CALL**
- III. APPROVAL OF THE MINUTES – Monday July 28, 2008**
 - 1. Stephens found a couple of clerical errors on page 3, paragraphs 2 and 4. **Bavaria** made a motion to approve the minutes with the corrections. **Pierce** seconded the motion. All voters were unanimous and the motion carried.
- IV. UNSCHEDULED CITIZENS - None**
- V. AMENDMENTS TO AGENDA - None**
- VI. PUBLIC HEARINGS –**
 - 1. **Las Casitas Rezoning**– The request is to rezone the Las Casitas and Erbsen properties from High Density Residential (R-3) to Medium Density Residential (R-2). Both properties are located on West Crestone Avenue.
 - A. Open Public Hearing - 6:05 p.m.**
 - B. Proof of Publication - Yes**
 - C. Staff Review of Application – MacDonald** explained that this is an application to rezone the eight (8) lots at the Las Casitas Subdivision and one (1) lot west of the subdivision owned by Dave and Jill Erbsen. The Las Casitas Subdivision will be covenant restricted so that only single family homes will be built on each lot. Single family homes in the High Density Residential (R-3) zone district require a conditional use approval. Staff recommended that the applicant submit an application to rezone. With the intent of a single family home development it should be zoned appropriately so that we don't have to go through conditional use approvals for each of the single family homes, especially if the subdivision will be covenant restricted.

The lot owned by Dave and Jill Erbsen is also zoned High Density Residential (R-3) and staff recommended that they also apply to rezone their lot along with Las Casitas. It wouldn't make sense to keep the Erbsen property as High Density if the Las Casitas was rezoned to Medium Density.

The zoning in the area is varied, the Golf Course is zoned R-1, Cottonwood Green is zoned R-2 and the Mira Monte is a PUD. East of the Las Casitas Subdivision there are properties that are developed as single family homes.

MacDonald stated that in general she finds it confusing when people want to down-zone their property. For the city it is more economical and cost effective to develop density.

In the High Density Residential (R-3) zone district the total number of units allowed in the Las Casitas Subdivision and in the Erbsen property would be 80 and in the Medium Density Residential (R-2) zone district 59 units would be allowed. The applicants for the Las Casitas property want only 8 units and the Erbsen's have not set forth what they would like to do with their property. Going through our review criteria staff recommends approval because there are 2 single family residences immediately east of Las Casitas and the Cottonwood Green Subdivision, which have been developed with the character of single family.

D. Applicant's Presentation – Applicants representative- Bob Biglow-Biglow Land Surveying, 148 East Third Street - Biglow agreed that with down zoning this subdivision the city will be losing revenue but believes having bigger lots for single family residences will be beneficial for future owners of the lots.

E. Public Comment –None

F. Close Public Hearing – 6:10 pm

G. Commission Discussion – Bavaria said that she feels that the request to rezone is a reasonable one. **Stephens** stated that almost all of the R-3 zoning we have in Salida is located up on the Mesa with the exception of Sackett Avenue and a few others. If this subdivision is rezoned to medium density the potential for high density development in town is lost and he feels that density belongs closer to the city. **Pierce** agrees that down zoning is not a good idea but in this area and on the south side of Crestone he is okay with it and feels that the rezoning request is tolerable.

H. Commission Action – Curtis made a motion to make the recommended findings and take the recommended action. **Bavaria** seconded the motion. **Stephens** opposed, the motion carried.

2. Las Casitas Preliminary Plat – The request is to receive preliminary plat approval for the proposed subdivision of a 4.22 acre property into eight (8) lots.

A. Open Public Hearing – 6:12 pm

B. Proof of Publication - Yes

C. Staff Review of Application – MacDonald explained that this application is similar to how it was presented as a sketch plan at the May meeting. Staff added some recommended conditions regarding the drainage plan, engineered foundations, infrastructure requirement, the landscape requirement including street trees and the open space requirement. The applicant has proposed that the parks and open space land dedication requirement has been met with the 1.37 acres of steeply sloped hillside. The volume of land dedicated with the eight (8) lots

exceed what would normally be required, however, it does not meet our code requirements in other ways. The purpose of the Parks, Trails and Open Space requirement for subdivisions is to provide active parks, open space, recreation facilities and/or recreation trails that will be made accessible to the public. The requirement is for usable space; generally the city is looking for park land to service the residents of these units. The 1.37 acres is not developable space and would be difficult to enjoy recreation on the steeply sloped hill. Also, the land is not dedicated land it would be private and held as part of the each of the lots rather than land dedicated to the city.

At the sketch plan discussion in May the Planning Commission discussed with the applicant the possibility of constructing a trail down the hillside that would link into the hospital's trail and tie into the County Road 160 trail. The applicants declined to pursue a trail and presented an argument that the hillside is an important natural wildlife habitat. Staff recommended that the applicants present a letter from the Division of Wildlife recognizing the hillside as a natural wildlife habitat area and the Planning Commission could consider the 1.37 acres as open space. Since a letter from the Division of Wildlife was not submitted with the preliminary plat application, staff has recommended the applicant pay the fee in lieu of land dedication.

Another recommended condition was soil stability testing and engineered foundations for each of the lots which need to be added as a plat note and be required with each building permit application. There are a few outstanding items that the Public Works Director has identified on the work that has already been done on the project that will need to be corrected as part of the subdivision improvements. Curb, gutter and sidewalk will also need to be installed. We also recommend that the street trees not be planted at the time of the subdivision improvements but be installed as each lot is developed. There are also a couple of items that were missing on the plat and will need to be filled in. The vicinity map is missing, the dimensional requirements need to be noted on the plat and submittal of the landscape plan as part of the final plat requirement. Staff was comfortable with approval of the preliminary plat application with the recommended conditions.

D. Applicant's Presentation – Applicants representative- Bob Biglow- Biglow Land Surveying, 148 East Third Street - Mr. Biglow provided new plats for the commission and explained that he has made a few changes. **Biglow** explained that the recommendations brought up by Land Use Attorney, Lee Leavenworth have been completed. The vicinity map has been added to the plat and the building envelopes are on the plat. The building envelopes are big enough to allow for the recommended setbacks.

Biglow stated that there are three easements on this property. On the north boundary line of this property there is a 10' utility easement which currently has an overhead power line and there is a 10' wide utility easement along the front of the proposed lots. There is also a 20' easement for the water line that goes to the hospital facility. **Stephens** asked if the building envelopes were 5 feet off of the water line easement and **Biglow** said yes. **Biglow** stated that the main sewer line and the main water line have been installed but the electrical has not been installed yet.

Regarding the storm water swales, **Biglow** stated that the swales are a modified enhancement in the barrow ditch. The effect of run-off on this property is minimal. The grass in the swale area will grow to knee height, if the swale will be allowed. The applicant is requesting the swales to be 10' wide with a depth of 1 to 1 ½ deep which will be between the sidewalk and the pavement. **Cabe** asked if we have specific requirements for swales and **MacDonald** explained that we typically do not allow drainage into the right of way. The swales are shown in the right of way and drainage is to be detained on site. **MacDonald** explained that the public works director has recommended that the streetscape be improved to the City's standard streetscape including curb, gutter, parkway and sidewalk. **MacDonald** stated there is existing drainage that comes down Crestone Avenue and directing the drainage into those landscaped parkways is something that we could possibly work with but not having drainage come off of the site into the right of way. **Biglow** said that if they add curb and gutter the run off will head towards Salida and will end up in the Arkansas River. **Stephens** asked if we were okay with the design as proposed by the applicant and **MacDonald** said no because their proposal does not include curb and gutter. **MacDonald** said that we would like to see the curb and gutter and a 4 ½ foot parkway and as the sheet runoff is coming down the street where it is being directed in the future by the curb and gutter to have inlets off of that into the parkway. **Biglow** stated that the applicant only wants to contain the water so the grass will grow. **Stephens** asked if the commission could add a condition of approval that the developers and Public Works Director get together and figure out a solution to contain the storm water.

Biglow explained that the grading plan is finished as shown on the plat. The contours shown on the plat are the final grade excluding the meter pits and manhole covers which need adjusting. **Stephens** said that he has been to the site and the grading looks complete. **Biglow** stated that the applicant will plant street trees and will landscape as required. They reseeded the steeply sloped hillside with a seed mix. **Stephens** asked if they reseeded the whole hillside or just the parts that were disturbed and **Biglow** said that he believes that the whole hillside was reseeded. **Bavaria** asked what the attorney was asking for in terms of the landscape

plan. **MacDonald** said that there is not a lot of common area in this subdivision and she believes the attorney was asking for a landscape plan in terms of the parkways. **Stephens** asked if there would be one tree per lot planted and **Biglow** said yes. **MacDonald** stated that on the final plat the landscape plan has to show one tree for every 50 feet of frontage. The trees should be planted as the lots are developed.

MacDonald stated that the applicant will need to submit a cost estimate for improvements which will become part of the subdivision improvement agreement that will be recorded with the final plat. We will require the applicant to provide a financial guarantee for improvements.

Biglow stated that for the parking plan there are plenty of spaces provided between the lots in the corridor. A traffic analysis that was completed by the Mira Monte subdivision, west of Las Casitas, determined that 1,111 cars travel this part of Crestone Avenue each day. **Biglow** said that since there will be only 1 house built per lot in the Las Casitas subdivision the impact will be minimal with up to 16 vehicles per day added. **MacDonald** stated that as part of the preliminary plat application we usually receive a narrative that explains preliminary grading, drainage and traffic which was not submitted with this preliminary plat application. **Stephens** asked about parking requirements and **MacDonald** said that typically we don't worry about the parking with single-family lots.

Biglow stated that the open space requirement is a matter of how the definition is read and said that the open space should be for land set aside for public or private use. Open space should be used for the enjoyment of owners, occupants and guests. **Biglow** explained that the 1.37 acres that they are providing is 7 times what is required for open space. **Pierce** asked if the property owners would be able to use the steeply slope for personal use or out buildings. **MacDonald** stated that the building envelopes have been platted and that property owners would not be able to build outside of the building envelopes. **Stephens** said that in the last sentence of Section VIII, Open Space, which Mr. Biglow referred to, states that all areas designate common or public open space shall be accessible by proper physical and legal access points. **Stephens** explained that the open space requirement has not been met with the applicants' proposal and agrees with staff regarding the fee in lieu. **Bavaria** agreed that the steep slope does not meet the open space requirement. **Pierce** said that he sees both sides and made the suggestion that maybe the applicants can use the steep hillside as open space, green space, and pay half of the fee in lieu at \$1500 per unit instead of the required \$3000 per unit. **Bavaria** said that the commission needs to be careful about setting precedents. **Curtis** asked if the applicant would want to push the building envelope out so that a property owner could build over the steep slope. **Cabe** said that he didn't have a problem with the down zoning but the

1.37 acres of steeply sloped hill does not meet the open space requirement and the applicant should pay the fee in lieu. If the rezoning was denied the applicant would have been paying for more units for the fee in lieu.

E. Public Comment – None

F. Close Public Hearing – 7:21 p.m.

Commission Comments – Bavaria said that she hopes that the applicant can work with the Public Works Director regarding the curb and gutter.

Stephens stated that he is comfortable approving this preliminary plat application with the recommended conditions that staff proposed.

G. Commission Action – Bavaria made a motion that the recommended findings be made and the recommended action be taken with the nine conditions made as recommended by staff. **Cabe** seconded the motion. **Curtis** opposed, the motion carried.

3. Lichtenegger Conditional Use - The request is to be granted a conditional use approval to construct two principal structures on one parcel in the Medium Density Residential (R-2) zone district at 1147 'F' Street. The applicant is requesting to build two duplexes that will be condominiumized when finished. In the (R-2) zone district, the proposed use is conditional.

A. Open Public Hearing – 7:41 pm

B. Proof of Publication - Yes

C. Staff Review of Application – MacDonald explained that the applicant had a structure fire a few years ago and the house has been sitting ever since. The applicant could subdivide the four lots into two and construct duplexes on each of the lots. The preferred site design of the applicant would not meet the required setbacks for each of the lots. It is possible to have the four units without a conditional use approval as use by right and this application is not about the density. This conditional use approval is more about making sure the site design and the buildings are compatible with the neighborhood and making sure the two principle structures will work on the applicant's parcel.

The two structures are laid out as two duplexes. Three of the units face 'F' Street and one unit faces 12th Street and they all have attached garages. The garage on the unit that faces 12th Street encroaches into the 20' rear setback, which could be addressed in a couple of different ways. The garage could be detached and built as an accessory structure. There is some play in the site design to accommodate a detached garage for the 12th Street unit. One of the recommended conditions of approval is that the buildings meet the required setbacks.

Another suggestion from staff was that the front porches be slightly projecting. Staff recommended to the applicant that he take advantage of the allowed 25% increase into the front setback to project the front porches. The applicant is right at the 40% lot coverage so he will need to work with the site design to make sure he doesn't go over the required lot

coverage.

Staff feels that this application is compatible with the neighborhood and has recommended approval.

- D. Applicant's Presentation – Rod Lichtenegger, 317 Teller Street –** **Lichtenegger** stated that he plans to build something compatible with the F Street neighborhood. He said that he could have done four little shot gun houses without having to apply for a conditional use but didn't want to do that. He explained that he wants to build Victorian style duplexes.

Lichtenegger agrees with Dara that the front porches will look nicer if they projected out 5 feet more and he is willing to do that. He was also planning on adding the curb and gutter on 12th Street so that all of the units would have the same aesthetics.

Lichtenegger said that he went to the building department and asked if they could see any problems with the duplexes as shown on the site plan. The Building Official told Mr. Lichtenegger that one problem he sees with the structures is that they are 4 feet apart and have to be at least 5 feet apart. Also, if the eaves are 12 inches they need to be built fire rated.

Lichtenegger stated that the two structures will be built 5 feet apart as required and he will build the eaves with the required two-hour fire rated materials.

Lichtenegger said that he wants the neighbors to accept what he is doing and will work with them.

- E. Public Comment – Laura Siemers– 1131 F Street -** She is concerned with the parking and what the duplexes will look like.
- F. Close Public Hearing – 7:55 p.m.**
- G. Commission Comments – Kasper's** only concern was density. **Bavaria** said that the project is not in scale with the surrounding neighborhood. Alley access is another concern because the back yard is used up with driveways. **Bavaria** stated that with each of the condominiums being 1,500 square feet the duplexes will not be to scale with the neighborhood. She said that if the applicant could reduce the size of each of the units to 1,200 square feet each they might be more compatible with the neighboring properties. **Bavaria** said that the height and mass of the duplexes are also a concern to her. **Lichtenegger** said that the structures will only be 24 feet in height and he is trying to keep both structures in scale with other properties along 'F' Street. He stated that there is a nice variety of one story and two story homes on 'F' Street which he wants to add to. **Lichtenegger** explained that whether he builds the two duplexes or two big houses there will still be a lot of building fronts and he thinks it would look nicer with three smaller units facing 'F' Street rather than two large houses. **Bavaria** said that she appreciates the fact that he is trying to

build the duplexes compatible with the neighborhood but with this conditional use application it is one of the few times that Commission has a say about scale and mass.

Curtis stated that he thinks this is a good use of the property and the applicant can make this parcel look really nice which would be an asset to the area. He said that he understands that the applicant could build four shot gun houses as use by right but wants to blend with the neighborhood. **Bavaria** asked Mr. Lichtenegger if he had considered building detached garages along the alley. **Lichtenegger** said that he had considered that but he would not be able to meet the required rear setbacks for four detached garages. **Stephens** asked if the applicant could build three units and **MacDonald** said yes by right he could build a triplex and an accessory unit.

Cabe agrees with Bavaria regarding the mass and scale of the duplexes. He likes the diversity of the neighborhood and doesn't think that these duplexes will add to the diversity. **Pierce** asked if these would be market affordable or higher priced. He would like to see quality homes that are some what affordable. **Lichtenegger** said that his goal is to make these homes nice and affordable if possible. **Pierce** said that he would urge Mr. Lichtenegger to build nice units but not over the top so that they might be affordable.

Stephens said that he is concerned with the street façade on both units and the parking configuration. The scale of the project is out of line with the neighborhood. **Cabe** asked the applicant to explain how the cars will enter and exit the property. **Lichtenegger** stated that there are two options, one is backing out into the alley or there is enough room that once you back out of the garage you could turn around and drive straight out into the alley. **Stephens** asked if the garages are two-car and Lichtenegger said yes. **Cabe** asked if the whole back yard will be driveway and **Lichtenegger** said no that the back yard will have a play area and there will also be a barbeque area.

Kristen Stock -1135 F Street- said her main concerns were mass, height and scale facing the street. She also said that projecting the front porches out is important to her. She asked the applicant if instead of having the second story on the front of the units if he would consider putting the second story on the garages. **Lichtenegger** said that adding the second floor over the garages could be an option but right now he couldn't promise anything.

Stephens asked if the applicant if he would be willing to go back and talk to his neighbors and resubmit any changes at the next Planning Commission meeting in September. **Lichtenegger** stated that he has time

constraints because of the insurance company. He has been fighting with the insurance company for 2 ½ years and now has until October 2008 to have a foundation in the ground or he will not get the remainder of his insurance claim money. **Cabe** said that because of what can be done with the use by right he will not object to the conditional use application but asked the applicant to work in good faith with his neighbors.

Bavaria suggested making the condominiums as small as possible so that they don't look so crowded. **Stephens** said that he does not like the parking situation and would like to see the garages detached on Units 1 and 2 so that there will be a rear yard. **Curtis** stated that he is fine with the garages and the parking because whether you move the garages to the alley or leave them as presented, vehicles will be backing into the alley. **Bavaria** stated that the only way she would vote to approve this was if there was a limitation to the square footage.

H. Commission Action – **Cabe** made a motion that the recommended findings be made and the recommended action be taken with the added condition that the applicant agree to make a good faith effort to address the concerns raised by the Commission regarding parking and circulation issues in the back and the scale and mass of the buildings as they appear from the street. **Curtis** seconded the motion. **Bavaria** and **Stephens** opposed, the motion carried.

4. Nonconforming Signs Ordinance: An ordinance adopting a new section 16-15-50 (b) of the Salida Municipal Code regarding discontinuance of nonconforming signs.

A. Open Public Hearing – 8:45 pm

B. Proof of Publication – N/A

C. Staff review of application – **MacDonald** explained that when the Planning Commission made a recommendation to the City Council on this section of the code, the City Council failed to take action. Council directed staff to come back to City Council with proposed changes after a re-examination of the nonconforming section of the sign code regarding signs.

MacDonald stated that she went back and reviewed examples of other communities and made some recommendations that clarify some of the confusion about some things like, what does destroyed or damaged mean when talking about exceeds 50% of the value or if there is an immediate health hazard or safety threat. **MacDonald** also clarified if the use terminates then the sign would have to be brought in to compliance with the new use or be removed.

The code currently does not allow for an existing business to change their name without bringing their sign into compliance. The proposed change would allow an existing business to continue to operate in the same

manner without changing the nonconforming sign and continue to maintain that nonconforming sign.

D. Applicant's Presentation - None

E. Public Comment: 8:55

F. Close Public Hearing:

G. Commission Comments – Cabe suggested that we change around some of the paragraphs that Dara recommended. **Cabe's** suggestion is that paragraph (5) becomes paragraph (1), paragraph (6) becomes paragraph (2) and add a new paragraph (3) that states the administrator or his or her designee finds that a legal nonconforming sign fails to comply with the provisions of the Land Use Code other than size and height requirements and this failure of compliance is not remedied on the occurrence of the following conditions-(which are the remaining paragraphs 1, 2, 3 and 4). The current Section 16-15-50(b) would be removed and replaced with the following: (b) Discontinuance states – A legal nonconforming sign shall be removed if any one of the following conditions occurs: (1) The nonconforming sign is destroyed, etc., (2) The building official determines that the sign is an immediate hazard, etc., (3) one of the other four things happen and the owner refuses to bring the sign into compliance with the non-size and height requirements.

Cabe said that he does not believe that we should make a business take down a sign if they change a name and he likes the diversity of the signs.

Bavaria stated that she agreed with the recommendation that Commission referred to City Council even though that was not the intent of the sign code. The intent of the code is to slowly reduce the size of signs.

MacDonald said that the motion City Councilman Baker made was to modify the section so that the business name could be changed unless the type of use changed.

MacDonald stated that the City has determined the size of sign that it feels is acceptable. Part of the purpose of the sign code is economic vitality, #5 in the purpose, while providing uniform standards that allow equal opportunity and the competition to attract and inform new customers. The expectation, over time, is that nonconforming signs come into compliance so when a new business goes in an existing business the sign comes into compliance. **Stephens** said that the City also wants to get these nonconforming sign into compliance.

Curtis said that he personally does not think the size of signs in our community is a problem. **Cabe** stated that he believes that the diversity of signs that we currently have is an asset to our city. He doesn't think that it is right that we can make somebody tear down a perfectly good sign structure just because it is bigger than we allow today.

MacDonald proposed that if a business changes a use classification then the sign would need to come into compliance. If a business is making a

substantial investment when they change the type of business the sign should be changed by the requirements of the code. If a business is changing from a motel to a restaurant, that is a big investment so the sign would have to come into compliance.

H. Commission Action: **Pierce** made a motion to approve staff's recommendation of the change to Section 16-15-50 (b) and recommend City Council adopt the changes to the land use code as recommended by staff. **Bavaria** seconded the motion. **Curtis** and **Cabe** opposed, the motion carried.

5. Affordable Housing ordinance – An ordinance amending land use codes to facilitate the creation of affordable housing.

A. Open Public Hearing – 9:20 pm

B. Proof of Publication – N/A

C. Staff review of application – **MacDonald** explained that the proposed ordinance is similar to what was discussed by the Commission at their last work session. Some additional language was added to the annexation requirement to require that the affordable units be similar to market units in size and exterior finish. The other change was to make the minimum lot size for attached units consistent with the minimum area needed for a unit of density. This will avoid confusion between the density requirement and minimum lot sizes for attached units. Staff has provided a number of examples of how these minimum lot sizes could work in various zone districts with minimum lot frontages, including maximum footprints of units given existing lot coverage maximums.

D. Applicant's Presentation: N/A

E. Public Comment – Rick Smith – Wanted to speak with regards to Item C – Mr. Smith said we are creating a new class of homeowners because of the restrictions placed on affordable housing. He said that there are other ways of making houses affordable and we should all bear the costs of making housing affordable, maybe by taxing. **Smith** stated that maybe one way the city could contribute to the affordable housing is by waiving tap fees. **Bavaria** stated that the homeowners would have equity in five years if they decided to sell. **Smith** said that not necessarily would an affordable home have equity because the market is unpredictable.

Stephens said that it is difficult for young families to make a living here and afford a house which is one of the goals here. **Pierce** said that if a developer could build units lower end then maybe they could sell the units as affordable. **Curtis** stated that as long as the costs of water and sewer taps and the cost of the fee in lieu and open space increase the houses have to be built more elaborate for builders to recoup their cost and in turn we don't get affordable housing.

MacDonald said that new construction pays the up front fees but what

about the older homes in Salida that continue to appreciate. An existing house that resells is just as expensive as the new houses that are being built. It's the market that is driving the prices up not the cost of construction; it is what the market will bear. **MacDonald** stated that the City Council will consider waiving tap fees for affordable housing and paying the fees out of the general fund. The County will also consider waiving the building permit fees for affordable units.

Stephens said that we are adding a section for the affordable housing to the Land Use Code. **MacDonald** said that we are adding a requirement for annexation, amending the lot sizes to allow attached units to own dirt and allowing modular homes in all zone districts. **Stephens** asked if the Commissions' recommendation on the affordable housing goes to City Council for approval and Dara said yes.

Pierce asked if there are different definitions for modular homes. **Curtis** explained that what used to be a mobile home is no longer a mobile home but is built under the HUD guidelines. Modular homes are built to the IRC standards.

F. Close Public Hearing: 9:40pm

G. Commission Comments:

H. Commission Action: Bavaria made a motion that we take the recommended action and recommend to City Council the following changes to the land use code as recommended by staff. **Pierce** seconded the motion. All were in favor, the motion carried.

VII. UNFINISHED BUSINESS –

1. Update from Salida Regional Planning Commission:

Bavaria said that the commission looked at a grid system that the county put together but had nothing new to report.

VIII. NEW BUSINESS – Pierce asked about a trail to the new soccer fields.

IX. COMMISSIONER'S COMMENTS:

X. ADJOURN

With no further business to come before the Commission, the meeting closed at 10:00 p.m.