



City of Laramie

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LARAMIE PLANNING COMMISSION APRIL 27, 2020 STAFF REPORT

FILE: **FPUD-20-01 Grand View Heights Final Planned Unit Development Amendment**

REQUEST: A Final Planned Unit Development Amendment which will allow for modifications to the original approval to allow for residential lots for single family and twin-home development and replating of open space in tracts G, H and M on a 13.9 acre tract of land as part of the Grand View Heights PUD.

LOCATION: Changes located north of Bill Nye Avenue, east of Glacier Street.

AGENT: Country Club, LLC (John Edwards)

APPLICANT(S): Country Club, LLC (John Edwards)

OWNER: Country Club, LLC

CURRENT ZONING: R2 (Limited Multi-family Residential)/Grand View Heights PUD/Turner Tract Overlay Zone

PREPARED BY: Derek T. Teini, Planning Manager, AICP

RECOMMENDED MOTION:

Move to recommend **approval** to the City Council the Grand View Heights Final Planned Unit Development Amendment, based on findings of fact and conclusions of law.

APPLICABLE CITY CODE SECTION(S):

Final Planned Unit Developments are subject to review by the Planning Commission and City Council. Planning Commission action is forwarded to the City Council as a recommendation.

- Laramie Municipal Code Title 15, Unified Development Code – 15.06 Review Procedures and 15.08 Zoning Districts
- Laramie Comprehensive Plan 2007
- Turner Tract Area Plan 2001
- Major Street Plan 2010
- Parks and Recreation Master Plan 2016
- Housing Study 2030
- Thrive Laramie Community and Economic Development Action Strategy 2020

BACKGROUND:

The original Grand View Heights Preliminary PUD and Preliminary Plat were considered and ultimately approved by the City on February 14, 2006. Council subsequently approved six additional final plat filings to the Grand View Heights PUD. The six filings have built out areas generally located in the area bounded by Vista Drive and north of future Bill Nye Avenue, with development occurring on the east and west sides of Glacier Drive. This area has been developed with a mixture of 272 single-family attached and detached units. In addition to the residential units, as with all PUDs, open space and associated improvements were required. In total, 13.66 acres of Open Space with physical improvements such as trails, trees, irrigation and pathways, have been provided and the developer has made a \$277,400 in-lieu contribution towards development of this open space.

Following 1st – 4th filing, the applicant submitted (2013) a revised PUD and Preliminary Plat that included more land owned by the applicant south of Bill Nye, reconfigured undeveloped lots west of Glacier Street, included additional open space, trails and improvements, and included a commercial component, consisting of storage units near the corner of Vista Drive and Bill Nye Avenue. As part of the PUD the applicant was required to provide information related to the PUD in a PUD Handbook, in this case, titled the PUD Development Proposal. The PUD Development Proposal provided an overview of the project and detailed many aspects of the PUD, such as layout, design, current and proposed conditions, land use, commercial component (storage units), open space, phasing and building design, just to name a few. The PUD Handbook, Preliminary Plat and preliminary PUD; were all approved by the Laramie City Council on August 20, 2013. Following preliminary PUD approval, the Final PUD was approved by City Council on February 4, 2014.

The associated final plat, Grand View Heights 6th Filing, will add an additional 71 residential lots for single family and twin-home development, will replat two lots there were part of the Grand View Heights 5th Filing, and replat 3 open space tracts; G, H and M to accommodate the reconfiguration of lots in the area. The total development area is 13.9 acres.

Note: Grand View Heights 6th Filing was submitted by the applicant in 2016, but was withdrawn by the applicant due to changes in the market. Following the 6th filing being withdrawn the 7th filing (south of Bill Nye) was submitted.

PUD Amendment Summary:

As noted above the original preliminary plat and PUD were approved in 2006. As part of the preliminary plat and PUD the area associated with the 6th filing was shown to include only single-family detached units on lots of about 7,500 SF or larger, which are fairly typical of the other single-family home lots in the area and was consistent with the layout proposed in the preliminary plat.

Based on the PUD amendment proposal being made by the applicant, changes include:

- Lot Size Reduction: A reduction in lot size for all lots except 16 of the lots, which would allow for 30 addition lots within the same area to be developed. The lot will be smaller in size (roughly half the original size) and will accommodate different small-scale cottage and duplex

housing development. The increase in lot number is within the 10% allowed change per LMC.

- **Development Type:** Per the original PUD, this area was intended for detached single-family homes on standard R2 zoned lots. Under the requested change 20 detached single-family homes will now be 39 detached single family-homes, referred within the PUD Handbook as “cottages”. These units will be single-family homes on smaller lots that are not traditionally allowed within the R2 Zoning district unless they are duplex structures. Because this is a PUD these lots must be constructed as indicated in the PUD handbook and cannot be converted into twin-homes. These cottage structures will all face public rights-of-way and will be required to conform to LMC code for single family homes except for the request related to garage door percentage. In addition, to these 39 lots, 5 original lots will be converted into 8 duplex structures situated on an alleyway with rear loading garages. This change will introduce twin-homes into this area, where they were not original projected. The twin-home units in this area will have the fronts facing either Cliff Street or Bill Nye Avenue, with garages located to the rear of structure, accessing off the alleyway. For the units facing Bill Nye a sidewalk will be provided along the alleyway so residents can access the shared use path located in the open space tract. Originally, staff desired a sidewalk or access from each unit to the shared use path, however because of the grade difference in the area, no desired configuration that included the shared use path, a small retaining wall and fencing could be settled on. It was determined that the sidewalk along the alley would provide the best and most logical access for the units. The twin-home units also will have access to a small parking area off the alleyway, due to the fact that parking will not be allowed on Bill Nye Avenue.
- **Cul-de-sac Removal:** A short cul-de-sac of about 100 feet was removed from the project area and modified into an alleyway. The new configuration does not change any main streets in the subdivision and did not affect utility extensions, which is often the case with changes to right-of-way. Under this configuration a cul-de-sac, which is not discouraged in code is removed and an alleyway allows for an alternative configuration of homes that will face Cliff Street and Bill Nye Avenue, and include garages off the alleyway.
- **Replating of Open Space:** 3 Open Space tracts are found within the revised PUD area (tracts G, H and M). Normally these tracts would not be platted yet, however with the construction of Bill Nye Avenue, it was determined that if those tracts were platted, design and construction of Bill Nye Avenue would be easier and allow for the trail construction along Bill Nye Avenue to occur sooner. Due to the reconfiguration of the lots around the cul-de-sac and small adjustments on the other lots, modifications to the open space lots through replating is needed. Overall the adjustment are minor and the open space will continue to function as designed, however the size of the open space is reduced by 6,325 SF. Because of this reduction, additional park in-lieu fees will be required which is addressed in the final plat and are required prior to approval. Those fees will amount to \$7,250.00. Changes to open space is allowed by condition #7 of the Preliminary PUD Approval.
- **Garage Door Frontage:** Laramie Municipal Code requires that all single-family and duplex structures with two car or three car garages adhere to the maximum garage door size of 45% of the façade or 18 feet (lesser of the two) and 55% of the façade or 27 feet (lesser of the two) respectively. The applicant is requesting that this requirement not be required for the single-family detached cottage units located on lots 32-45, Block 1, Lots 2 -15, Block 5 and Lots 9 – 19, Block 6. Staff believes that with the additional design requirements for the

units that will be placed in the PUD Handbook that include no two cottages being the same next to each other, primary façade must have 100% decorative rock or brick fronts, and garage doors are not allowed to be white achieves as good design, while allowing a housing type that is needed in the community as recommended by the Laramie Housing Study.

Staff believes that these changes still conform to the overall intent of the PUD. These changes do not significantly modify the original layout, and instead makes the project more diverse by including a housing type that is not found anywhere else in Laramie at this time. Furthermore as it was noted above the density increase fall below the maximum 10% increase which is also important in assessing how the increase lots might affect public utilities, which they do not.

SURROUNDING LAND USE AND ZONING:

The property is currently zoned R2 (Limited Multi-family Residential)/Grand View Heights PUD/Turner Tract Overlay Zone and is undeveloped.

	Future Land Use Designation (Map 3.2)	Zoning	Land Use
Subject Property	(SR) Suburban Residential / (POS) Parks and Open Space / (AUM) Auto Urban Multi-family / (SC) Suburban Commercial	R2 (Limited Multi-family) / Grand View Heights PUD / Turner Tract Overlay Zone	Currently Undeveloped
North	(POS) Parks and Open Space / (AUM) Auto Urban Multi-family / (SC) Suburban Commercial	R2 (Limited Multi-family) / Grand View Heights PUD / Turner Tract Overlay Zone	Single-Family homes
East	(SR) Suburban Residential / (POS) Parks and Open Space / (AUM) Auto Urban Multi-family	R3 (Multi-family Residential) / R2 (Limited Multi-Family Residential) Grand View Heights PUD / Turner Tract Overlay Zone	Single-Family and Single-Family Attached Residential
South	(SR) Suburban Residential / (POS) Parks and Open Space / (AUM) Auto Urban Multi-family	R3 (Multi-family Residential) / Grand View Heights PUD / Turner Tract Overlay Zone	Currently Undeveloped / City Park (undeveloped)
West	(SC) Suburban Commercial	B1 (Business) / Turner Tract Overlay Zone	Currently Undeveloped

APPLICABILITY TO THE COMPREHENSIVE PLAN:Future Land Use:

The City of Laramie's Comprehensive Plan, Future Land Use Map – Future Land Use Map, Map 3.2, shows this property as mixture of (SR) Suburban Residential, (POS) Parks, Open Space and (AUM) Auto Urban Multi-family. Because of the multiple Land Use character types encompassed within the property, the PUD lends itself to accommodating the mixture of uses, densities and open space associated with the Future Land Use Plan. As filed, the proposed final plat complies with the Land Use Plan and does not prohibit future development in accordance with the Plan.

APPLICABILITY TO THE TURNER TRACT AREA PLAN AND OVERLAY DISTRICT:

On February 3, 2003, the Planning Commission recommended approval of the Turner Tract Preliminary Plat according to the guidelines set forth in the Turner Tract Area Plan. City Council approved the preliminary plat on February 18, 2003. On November 5, 2013 the City of Laramie adopted the Turner Tract Area Plan – 2013 via Resolution No. 2013-78, updating the 2001 plan.

As part of the Turner Tract Area Plan – 2013, an area land use plan was approved. In reviewing the final plat and the Turner Tract Area Plan, the proposed final plat is consistent with the plan creating open space and a mixture of single-family and attached single-family residential units. Staff considers the associated final plat to meet the Plan's summary goals, land use and development standards, and concludes that the proposed final plat conforms.

RELATIONSHIP TO THE AQUIFER PROTECTION PLAN:

The final plat is not located within the Aquifer Protection Overlay Zone.

Relationship to the Parks and Recreation Master Plan:

The associated Final Plat and PUD, although developed prior to the adoption and development of the Parks and Recreation Master Plan, conforms to the Plan. The Grand View Heights 6th Final Plat is located within Service Area 10, which includes open space to be used for the trail network within the Turner Tract.

PROJECT DESIGN AND ADDITIONAL ANALYSIS:Lot Layout:

The proposed PUD amendment will allow for the reconfiguration of lots to permit single family and twin-home development, will replat two lots there were part of the Grand View Heights 5th Filing, and replat 3 open space tracts; G, H and M to accommodate the reconfiguration of lots in the area. All lots within the final plat meet R2 dimensional requirements set forth in LMC 15.12, except for the lots intended for "cottage" development located on lots 32-45, Block 1, Lots 2 -15, Block 5 and Lots 9 – 19, Block 6. These lots normally would require a minimum of 6,000 SF per building, where these lots will be about 3,500 SF, which is about half

Street/Access:

New local right-of-way, is proposed with this PUD. All Streets within the PUD will be local streets within a 50 foot right-of-way. Four main segments of street will be constructed including the extension of Geronimo Way, Painted Horse Trail, Buckskin Trail and Cliff Street.

With the Preliminary Plat, alternative street design was recommended and approved for this Final Plat and PUD as allowed under PUD provisions of code. The street section is a hybrid that staff has evaluated and has recommended as associated with the PUD. For all local streets in the PUD, a 50 foot right-of-way will be dedicated, that will include a 34 foot wide roadway width (curb, gutter and asphalt) and a 5 foot sidewalk located on both sides of the street, within the 50 feet. For comparison, standard City local streets are found within a 60 foot right-of-way, with a 46 foot paved roadway width in existing areas of the city or a 40 foot roadway width in new areas. Standard PUD street widths are 40 or 50 foot rights-of-way with a 32 or 24 foot width of roadway pavement, respectively. In each of these cases, parking is restricted on one or both sides of the street. As proposed by the applicant for this PUD, the paving width will allow for parking on both sides of the street. No vehicular access to Bill Nye Avenue will be allowed for lots that are located on Bill Nye Avenue, with all residential vehicular access using local streets of the alleyway located off of Cliff Street and Glacier Street.

In addition to the typical access issues normally associated with streets, pedestrian access is also a factor for consideration. Throughout the existing subdivision, as well as this area to be developed, numerous pathway and connections are provided throughout the open space tracts that extend along Bill Nye and into the subdivision to the north. In addition all the streets will have sidewalks that will provide standard pedestrian access along the streets.

Park Land Dedication

Unlike non-PUD Preliminary and Final Plats, where parkland dedication is required based on the number of units within a residential subdivision (commercial plats require no dedication), PUDs are required to provide a minimum of 20% open space, based on total land acreage of the PUD (residential and commercial components apply). Because this project is a PUD, the 20% open space dedication applies to the project as a whole.

Based on the 112.63 acre revised Grand View Height PUD, a total of 22.53 acres of open space would be required for dedication to meet the 20% open space PUD requirement.

- As part of the 6th Addition 2.81 acres of additional open space and park land will be provided.
- As part of the 1st – 5th and 7th Additions of the Grand View Heights PUD, has contributed the remaining open space of 10.85 acres of open space, plus some of the required improvements such as trails, irrigation and trees.
- In total 13.66 acres of land will be provided for open space, trails and parks within the PUD, making the PUD deficient by 8.87 acres of land per the required 20% open space.

- Because of the deficiency in dedicated land the applicant was required by the City Council to compensate the City through improvements/development of the open space and cash. Based on parkland dedication requirements and calculations, City Council per staff recommendation, conditioned approval of the Preliminary PUD and Preliminary Plat to require that the additional in-lieu fees be provided as part of the Open Space Agreement already established. On November 19, 2013, the Laramie City Council approved "Amendment Number One" to the original Open Space Agreement between the City and Country Club, LLC. The amendment establishes total acreage of open space and \$443,500 in in-lieu fees to be dedicated as part of the Final PUD and subsequent Final Plats.

NOTE: As part of this Final Plat, and based upon the PUD Amendment, a small reduction in the total amount of landscaping was proposed by the applicant in order to accommodate the reconfiguration of homes within the 6th Filing (Allowed by condition #7 of the Preliminary PUD Approval). Small changes to the Open Space Tracts G, H and M resulted in a reduction of the open space by 6,325 Square Feet. Due to this reduction the city has required compensation for the loss in open space, which calculates out to an amount of \$7,250.00. This amount is required to be paid prior to consideration and approval by the City Council.

Stormwater Management:

Drainage plans have been reviewed and approved by the City Engineer. Drainage for property to the north of Bill Nye is handled regionally and is designed to drain mainly northward towards the open space tracts located within the subdivision, eventually leading to the regional detention area at the corner of Beech Street and Boulder Drive. The final drainage plan complies with the requirements of the preliminary plat.

Water and Sewer Service:

This subdivision will be served by City water and sewer. Adequate water supply and volume exists in this location as well as adequate sewer capacity for maximum build out of the subdivision.

ANALYSIS OF REQUIRED FINDINGS FOR FINAL PLANNED UNIT DEVELOPMENTS:

Because this project was submitted prior to the adoption of the current version of Laramie Municipal Code, mainly the code that governs PUD, applicants are allowed to modify PUD's through the Final PUD approval process which requires full approval of all changes by Planning Commission and City Council. This process is almost the same as required today, except that PUD's must be changed through ordinance as they are adopted as an overlay zone.

The following findings must be made in the affirmative in order to approve the Final Planned Unit Development Amendment:

1. The proposed Final PUD complies with the conditions of approval of the Preliminary PUD.

Staff Response: The final PUD complies with all conditions of approval or has requested modification per this application request. Staff has denoted the changes below with an asterisk and explanation of the change (listed below)

1. All lots shall comply with the dimensional standards of the underlying zoning district. *The PUD amendment would allow for single-family detached units on lots smaller than 6,000 SF for an R2 Zoning district.
2. A 50 foot wide right-of-way with a full 40 foot roadway width, and 5 foot sidewalks on both sides, with parking allowed on both sides will be permitted. *The PUD amendment will allow for a slightly reduced width down to 34 feet.
3. A pedestrian connection, located between Lot 24 and 25, Block 1 shall be required in conjunction with any final plat that encompasses the area. The access shall be a minimum of 20 feet in width, and include an 8 foot wide sidewalk.
4. All trail signage shall reference the AASHTO and MUTCD guidelines for shared use paths.
5. The Landscape Plan and general notes details the typical open space and drainage swale section with an 8 foot shared use path. Shared use path sections shall be 11 feet in width, 6" concrete on 6" of compacted base with control joints saw cut.
6. The typical street/shared use path crossing shall detail a minimum of two (2) bollards to be located at each street/shared use path entrance in accordance with the City of Laramie, Parks and Recreation standards.
7. The open space agreement shall be amended with each filing to incorporate all the details and requirements of the revised Grand View Height PUD. Based on the calculations of acreage of the PUD and the 20% required dedication of land it is estimated that the in total 13.66 acres of property for the use of open space, parks and trails will be dedicated as well as financial contribution in the amount of \$50,000 an acre for the 8.87 acres deficient, in total requiring \$443,500, less the amount already bonded in the original open space agreement of \$277,400, equaling \$166,100 in additional contribution. Note: Minor changes in the numbers will be allowed based on exact acreage associated with each final plat as well as any added open space required such as the westerly pedestrian connection. *The PUD amendment does modify and reduces the total amount of square footage of open space required per the original approved PUD. However, per this condition minor changes are permitted, which staff considers this reduction minor. Because this is a reduction, the applicant is required to provided compensation per the park in-lieu fee requirements of code for the reduction. An amount of \$7,250 is required to be paid to the City for this reduction.
8. All drainage culverts shall have trash guards detailed to prevent children from entering the culverts as well as outlet and riprap needs to reduce erosion and dissipate flows.
9. The shared use path crossings on Glacier Street, Buckskin Trail and Cliff Street are not aligned at 90 degrees to the street and shall be aligned at 90 degrees.
10. All shared use paths shall meet the requirements of the 2010 ADA Standards for accessible design and the 2012 AASHTO guidelines for bicycle facilities.
11. Storage Unit Complex Specific Conditions:
 - a. Design Review and Building Permits for the complex will be required to be approved prior to construction of the complex. Any conditions recommended by the Planning Commission or City Council will be reviewed at the Design Review and/or Building Permit stage. Additionally, all conditions as well as items noted as part of the Development Handbook related to the commercial component of the PUD will also be required. Any conflicting condition or requirement in UDC, the stricter will apply.

- b. Developer shall confirm the proposed vehicle pathways are designed with the minimum turning radius required for LFD emergency apparatus.
 - c. Dead-end vehicle roads or accesses, exceeding 150', shall be provided with approved width and turnaround provisions. The RV Storage area seems to exceed this length.
 - d. Security gates shall be equipped with a means of opening by fire department personnel for emergency access.
 - e. Locking device specifications shall be submitted for approval by the fire code official.
 - f. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.
 - g. A secondary, emergency only access gate at the SE corner of this project will be required. This will provide access to prevent a delayed response due to main roadway/access gate blockage. If the primary access gate is a lift type then a secondary swinging or sliding gate shall be installed.
 - h. No residence will be allowed in conjunction with the storage unit complex.
 - i. 50% of the L2 required bufferyard, include landscaped units and width will be required to be redistributed along the 3 remaining sides of the site.
 - j. All signage associated with the complex will be required to conform to B1 signage requirements and shall permit only monument style signs.
 - k. The rod iron fence associated with the storage unit complex will be required to meet all UDC fencing requirements, including fencing requirements for those adjacent to Arterial and Collector Streets.
12. A Final Landscaping Plan shall be provided with each PUD phase.
 13. The landscape plan shall be prepared by a certified landscape architect.
 14. The area located in "Tract E" designed for stormwater detention shall be counted towards the open space dedication requirement for this PUD.
 15. Cross sections of the trails A, B and C shall be shown on the landscape plan that can demonstrate the drainage way trail can be accommodated in the dedicated area.
 16. No access for any lot associated with the preliminary plat or PUD shall be permitted access to Bill Nye Avenue.
 17. Driveway widths will be allowed to match garage widths of a unit as long as the requirements of 15.14.080.C.4 are met. *The PUD Amendment will allow for garages that do not conform to this section of code.
 18. Residential xeriscaping option will be allowed within the PUD subject to the xeriscaping standards of 15.14.050.E.5 of the UDC for front yard required landscaping. Any remaining yard may follow the xeriscaping standards of the PUD Development Plan.
 19. Cul-de-sacs will need to accommodate fire apparatus turning radius minimums. This information shall be provided at the Final Plat stage for any cul-de-sac.
 20. For all areas adjacent to open space, public ways and street, white vinyl split-rail, white vinyl (similar to that found in the existing areas of the PUD) and no fencing are options for fencing.
 21. As part of the first filing of the revised PUD, "Tract E" will be platted and provided as open space.
 22. For all subsequent final plat filings, a proportionate amount of open space shall be provided in relationship to the number of units platted.

2. The layout and design of the proposed final PUD is in compliance with the approved preliminary PUD including but not limited to number of lots, parcels, street and block layout, and access.

Staff Response: The final PUD complies with the layout and design of the approved preliminary PUD, including items such as number of lots, parcels, streets and block layout, and access. As noted above the layout of the site remains in compliance with the PUD, despite a change in lot sizes and housing types as well as removal of the cul-de-sac and modification of that property in that area to accommodate twin-homes. Overall the intent of the PUD has remained the same, with changes proposed being consistent with the overall vision.

3. All required improvement plans for parks, open space, or other public or private facilities as shown on the final landscape plan, parks and open space plan and development handbook have been reviewed and approved by the City for consideration.

Staff Response: All requirements related to parks and open space have been met. On November 19, 2013, the Laramie City Council approved "Amendment Number One" to the original Open Space Agreement between the City and Country Club LLC. The amendment establishes 13.66 acres of open space and \$443,500 in in-lieu fess to be dedicated as part of the final PUD and subsequent final plats.

PUBLIC COMMENTS:

Public notice was mailed on April 10, 2020 and published in the Laramie Boomerang on April 11, 2020. Staff has received multiple public comments related to this project; those public comments are attached. Generally, all public comments are not in support of the changes to the PUD or Plat, citing the following summary of concerns:

- The increase in density and smaller single-family home lots
- The inclusion of twin-homes
- Open Space and parks
- Parking
- Potential for units to become rentals
- Water and sewer capacity and fire flow
- Access
- Traffic
- Street Widths
- Devaluation of area homes
- Any change at all in what was approved
- Property maintenance (snow removal and upkeep of properties)

FINDINGS OF FACT AND CONCLUSIONS OF LAW:

Findings of Fact:

- The Final Planned Unit Development as recommended, including proposed conditions, complies with the requirements of Laramie Municipal Code Title 15.

Conclusions of Law:

- The petitioner is proceeding in accordance with the applicable requirements of the Laramie Municipal Code Title 15.

ALTERNATIVES:

1. Approve the Final Planned Unit Development Amendment based on findings of fact and conclusions of law **(Staff recommendation)**;
2. Approve with conditions the Final Planned Unit Development Amendment based on findings of fact and conclusions of law **(Staff recommendation)**;
3. Deny the Final Planned Unit Development Amendment based on findings of fact;
4. Postpone the Final Planned Unit Development Amendment until issues identified during the meeting can be resolved.

STAFF RECOMMENDATION:

Move to recommend **approval** to the City Council the Grand View Heights Final Planned Unit Development Amendment, based on findings of fact and conclusions of law.

Note: Planned Unit Developments may be conditioned if the Planning Commission or Council chooses to make changes, different then that of staff.

ATTACHMENTS

1. Vicinity Map (1 page)
2. Grand View Heights 6th Filing, Final Plat (2 pages)
3. Applicant Cover Letter and Attachments (18 Pages)
4. Grand View Heights Preliminary Plat (1 page)
5. Grand View Heights Open Space Plan (1 page)
6. Parks and Recreation Master Plan – SA 10 (1 page)
7. Amended PUD Handbook (46 Pages)
8. Public Comments (18 Pages)