

Kent Lawson & Kasia Nowak  
524 Oasis Drive  
Santa Rosa, CA 95407

January 3, 2023

Planning Commission  
County of Sonoma

RE: Appeal of DRH22-0008 regarding APN 134-074-022

Dear Planning Commission,

During the prior hearing and throughout this process, the forest seems to be getting lost for the trees. The main reason for the pending appeal is that we strongly disagree with the way that the WCTA is interpreting several of the 1999 Board of Supervisors conditions. They have offered far-fetched interpretations of the 1999 conditions in order to allow for a project that is vastly in excess of what the Board of Supervisors intended. The role of the Planning Commission is to provide its own independent review of the 1999 conditions.

The historical context of the WCTA project seemed to get lost during the hearing. The WCTA project is the product of an extraordinary land use decision. By a narrow vote in 1999, the Board of Supervisors granted the WCTA a zoning change from rural residential zoning to allow an industrial use next to rural residential homes. The zoning change was allowed because there was a large cost savings that was created by allowing the WCTA to share facilities with the adjacent Sonoma County Transit facility. The Board of Supervisors imposed 57 detailed conditions in attempt to strike a balance between the WCTA's need for a school bus storage yard and the need to preserve the rural character of the neighborhood.

The WCTA's approach has largely been to ignore these 57 conditions and PRMD's approach is to leave the interpretation and enforcement of the 57 conditions to the Design Review Committee and now, to the Planning Commission. The 1999 conditions require that the Planning Commission find compliance with all 57 of the 1999 conditions before any permits can be issued. There is no way for the Planning Commission to do so without systematically working through the details of all 57 conditions. The 1999 conditions have the same force of law as the other ordinances in the Sonoma County Code. The Planning Commission does not have discretion to change the 1999 conditions and must enforce them as they are written.

The 1999 conditions also require design review, which gives the Planning Commission discretion to require improvements beyond the minimum requirements established by the 1999 conditions. Section Sec. 26-82-050. of the Sonoma County Code explains the design review requirement:

The committee, or other applicable decision-making body as the case may be, shall endeavor to provide that the architectural and general appearance of buildings or structures and grounds are in

keeping with the character of the neighborhood and are not detrimental to the orderly and harmonious development of the county and **do not impair the desirability of investment or occupation in the neighborhood.** (Emphasis added.)

This review should be conducted de novo and should be a separate review from the 1999 conditions. The design review process requires the Planning Commission to use its discretion to protect **“the desirability of investment or occupation in the neighborhood.”** (Emphasis added.)

In order for us to have a meaningful appeal, we need to be given an adequate chance to be heard. At the last hearing we were only given a short amount of time to speak. Because we were asked to make ten points all at once several of our points seemed to get lost and were given very little consideration by the Planning Commission. Additionally, several points were raised after we spoke and we were not given the chance to respond. We would be grateful if we could have the opportunity to participate in the discussion of each of our points as it is being reviewed by the Planning Commission. The fact that this opportunity was afforded to the WCTA and not to us raises concerns about having adequate due process.

Because our ability to speak at the December 1, 2022 hearing was so limited, we would be grateful if you would read the attached written comments and allow a discussion of them at the January 5, 2023 hearing that allows everyone to participate equally. Please see our more detailed comments below.

Sincerely,

Handwritten signature of Kent Lawson and Kasia Nowak in black ink.

Kent Lawson and Kasia Nowak

## COMMENTS

### **1. The Planning Commission should use its discretion to require a design that prevents bus backup beepers from destroying the quiet, rural character of the neighborhood.**

Section Sec. 26-82-050. of the Sonoma County Code explains the design review requirement:

The committee, or other applicable decision-making body as the case may be, shall endeavor to provide that the architectural and general appearance of buildings or structures and grounds are in keeping with the character of the neighborhood and are not detrimental to the orderly and harmonious development of the county and do not impair the desirability of investment or occupation in the neighborhood.

At the December 1, 2022 hearing, the point was made that back up beepers will only be a problem in the afternoon because the 1999 conditions require that buses be parked so that the back-up beepers are not triggered in the morning. It is true that the 1999 conditions include this condition. However, the 1999 conditions also require design review.

The WCTA has submitted a revised plan that would have spaces for 71 buses on the western parcel. Listening to 71 buses back into their spaces every day is a significant amount of noise pollution that will damage the rural character of the neighborhood.

In 2000, a plan for phase one of the WCTA project was approved. It also included a plan labeled “Future Phase 2 Development – Parking for 65 buses & 12 vans.” It was designed so that the buses could pull straight into their parking spots in the afternoon and straight out of their parking spots in the morning without triggering their backup beepers.

We have been able to hear the back-up beepers from the WCTA construction equipment inside our home all summer. The noise is even worse when we are outside in our garden or on our deck. The backup beepers during the construction process have been destroying the quiet, rural character of our neighborhood. The noise will be far worse once so many school buses are onsite. A back up beeper is a piercing sound that is designed to trigger a person’s response to danger. The beepers would be a nuisance in any neighborhood.

The design review process requires the Planning Commission to use its discretion to protect “**the desirability of investment or occupation in the neighborhood.**” (Emphasis added.)

The Planning Commission should use its discretion to eliminate the central island and require a layout like the one in the plan that was approved in 2000 that will eliminate the back-up beeper problem.

## 2. The proposed project violates the 110-bus limit for all three WCTA lots.

The 1999 conditions state as follows:

32. {...} The total site (APN's 134-074-022 and 134-072-025 & 048) shall be restricted to a maximum of 110 buses on it at any one time.

The WCTA has submitted a revised plan that shows spaces for 71 buses on the western parcel. The revised plan also misstates that there are 39 "bus parking" spaces and 11 "bus maintenance/staging" spaces at the existing facility on the eastern parcel. This approach is misguided because the 110-bus limit is on buses, not bus parking spaces.

The WCTA is counting only the spaces for large buses toward the rear of the existing facility as bus parking spaces. They are not counting the large spaces toward the front of the facility that they label 11 "bus maintenance/staging" and the existing spaces for small buses that they have mislabeled "employee parking." This approach makes no sense because the 110-bus limit applies to all buses including those that are in a "maintenance/staging" area.

Please see the aerial photo from Google Earth, which we have provided as an exhibit to this letter. Although cars are parked in some of the spaces, the striping is sized for 51 spaces for 40-foot buses and 24 spaces for 20-foot buses-- or 75 buses total. You can see that some of the smaller bus spaces are used for employee parking and that the large bus spaces are sometimes used for two smaller buses.

To stay within the size limitations, the WCTA should be allowed a bus storage lot for a maximum of 35 new bus spaces on the western parcel.  $75 + 35 = 110$ . The math is simple and the Board of Supervisors' size limitation should be enforced.

The WCTA will likely argue that even if it has 146 bus spaces that it will respect the 110-bus limit by keeping 36 spaces empty at all times. This argument is impractical because there is no practical means of enforcing the 110-bus limit if enough paving is done to accommodate 146 bus spaces. Moreover, condition 37 requires:

37. All areas where **buses** are driven or parked on the western lot (APN 134-07 4-022) shall be fully paved. Areas on the lot that are **not utilized for parking or landscaping shall have the natural grass** cover retained to avoid any dust being created on site. (Emphasis added.)

The revised plan shows paved space on the western side of the western lot where the WCTA has eliminated striping spaces from its plan these areas should have landscaping or grass to comply with condition 37. It is important that there not be more paving than necessary for 110 buses.

### 3. The proposed project violates the 80-vehicle limit on the western parcel.

Condition 32 of the 1999 conditions reads in pertinent part:

32. The western lot (APN 134-074-022) shall be restricted to a maximum of 80 vehicles on it at any one time.

The intention behind this condition was that there be no more than 80 vehicle parking spaces on the western parcel. The Board of Supervisors was trying to strike a balance between the WCTA's need for a school bus storage yard and preserving the rural character of the neighborhood.

From the outset, the WCTA has disregarded the 80-vehicle limit. The WCTA started grading with a plan that was mistakenly approved for 80 bus spaces and 96 employee parking spaces or 176 spaces total. Only when it was caught violating this condition and issued a correction notice did the WCTA start to argue that 80 vehicle parking spaces actually means 160 spaces. The WCTA's argument is absurd. 80 means 80, not 160.

The WCTA has argued this condition allows 80 buses to leave in the morning to make room for 80 employee cars and then for the 80 employee cars to leave in the afternoon to make room for 80 buses. In 1999, the Board of Supervisors wrote very lengthy and detailed conditions. If this bizarre arrangement that would take more choreography than a ballet is what the Board of Supervisors intended in 1999, the Board of Supervisors would have said so expressly and imposed detailed conditions in this regard.

Instead, the Board of Supervisors imposed condition 32 along with condition 37. Condition 37 requires that areas not used for bus parking have landscaping or natural grass:

37. All areas where **buses** are driven or parked on the western lot (APN 134-07 4-022) shall be fully paved. **Areas on the lot that are not utilized for parking or landscaping shall have the natural grass cover retained** to avoid any dust being created on site. (Emphasis added.)

The WCTA's claim that there will never be more than 80 vehicles in the bus storage yard at one time is both impractical and unenforceable. Given that most schools start around the same time in the morning and end around the same time in the afternoon there is no reliable way to stagger the arrivals and departures of 80 bus drivers every day. This approach seems totally impractical, especially since the buses cannot be parked temporarily on the street pursuant to condition 35, which states that: "No buses or equipment shall be parked in the public right-of-way."

Even if the WCTA could offer a plan that could show how operationally there would be no more than 80 vehicles on the lot at one time, there would be no practical way to enforce the requirement. Self-enforcement by the WCTA is not a reasonable option. This appeal has been necessary because the WCTA does not respect the 1999 conditions. It has shown a pattern and practice of overreaching. The WCTA has been subject to a correction notice and two stop work orders as a result.

Conditions 32 and 37 require that the western parcel should be limited to no more paving than is necessary for 80 parking spaces. The Planning Commission must enforce these conditions as written.

#### **4. Employee parking violates the permitted use for the Western parcel.**

As stated in the 1999 Board of Supervisors' resolution, the only permitted use for the western parcel is a "school bus storage yard." Condition 31 reads:

31. The use permit is approved as requested for: a) On APNs 134-072-025 & 048, a school bus storage, maintenance, and administrative facility. b) On APN 134-074-022, **a school bus storage yard.** (Emphasis added.)

Although on-site parking is often considered desirable for a new development, that was not the Board of Supervisors intention in 1999 or it would have said so expressly. The Board of Supervisors wrote extremely detailed conditions. If instead it had meant "school bus storage yard and employee parking lot" it would have said so.

The Board of Supervisors' intention is also consistent from a land use perspective because having employees park on a street in an industrial area is far more desirable than having them park next to homes in a rural residential area.

Even if the Planning Commission thinks that on-site parking is desirable, the Planning Commission does not have the discretion to add words that are not there to the use permit. The permit must be read as written and limited to "a school bus storage yard."

The WCTA has argued that because the 110-bus limit uses the word "buses" and the 80-vehicle limit uses the word "vehicles" that the 80-vehicle limit implies that parking vehicles other than buses are permitted use on the western parcel. The WCTA's argument about the use of the word "vehicles" is not logical.

Using the word "vehicles" was intended to make the 80-vehicle limit stronger, not weaker. The word was chosen to prevent the WCTA from parking more than 80 vehicles on the western parcel regardless of type of vehicle. It was meant to be an additional way of limiting the WCTA's use of the western parcel in addition to the permitted use, which limits the use of the lot to "a school bus storage yard."

In 1999 the Board of Supervisors intended only “a school bus storage yard.” This intention is further reinforced by looking at the lengthy and detailed conditions placed on the western parcel. If an employee parking lot was intended on the western parcel, there would have been similarly lengthy and detailed restrictions regarding employee parking. Multiple conditions refer to buses on the western lot. They do not refer to employee cars because no employee parking was intended.

For example, Condition 37 reads:

All areas where **buses** are driven or parked on the western lot (APN 134-07 4-022) shall be fully paved. Areas on the lot that are not utilized for parking or landscaping shall have the natural grass cover retained to avoid any dust being created on site. (Emphasis added.)

As another example condition 42 reads:

42. The Final Development Plan(s) shall be reviewed by the Design Review Committee. The plans shall include a berm at least 6 feet high parallel to the north and west property lines of the western lot (APN 134-074-022), with the berm center setback a minimum of 50 feet from the north property line. The berm and setback area shall contain a dense evergreen landscape screening which shall shield the **buses** from view in those directions. A chain link fence with slats or other view blocking fence design at least 6 feet in height shall surround all other areas that are not shielded by the berm. Other perimeter and front yard areas shall also be fully landscaped and irrigated. All required berms, landscaping and fencing on each individual lot shall be fully installed prior to any use of that lot. (Emphasis added).

There is a clear intention to minimize employee activity on the Western Parcel. Condition 31 reads in pertinent part:

31. {...} No employees shall be stationed on this parcel, no work shall occur on vehicles/equipment on this parcel, no hazardous materials shall be stored on this parcel, and no refueling activities shall occur on this parcel. All buses parked on this parcel shall be positioned so as to avoid the need for backing up when departing in the morning.

The reason that there are not similarly detailed conditions on employee parking such as preventing employees from loitering in their cars or from playing their car radios is that no employee parking was permitted on the western parcel.

The existing WCTA facility on the eastern parcel has operated for 20 years without an employee parking lot. The plans that were approved in 2000 for the existing facility on the eastern two parcels show only bus storage on the western parcel and no employee parking. The plan that was approved in 2000 is a good indication that no employee parking was intended at the time.

The Planning Commission must respect the intention of the Board of supervisors in 1999 and enforce the use permit for a “school bus storage yard” as written. It does not have the discretion to change the permitted use to include an employee parking lot. The WCTA should be required to revise its plans accordingly.

#### **5. The proposed project violates the 1999 Board of Supervisors’ lighting restrictions.**

The WCTA lighting plan will have a severe and negative impact on the surrounding homes and the rural character of the neighborhood. It has proposed leaving lights on all night that will shine off the tops of white school buses that will be visible from throughout the neighborhood, including from our second-story bedroom window.

Condition 46 states:

**46. An exterior security lighting plan** shall be submitted to the Permit and Resource Management Department for review and approval. Exterior lighting shall be internal only and not "wash out" onto adjacent properties nor be a source of glare onto adjacent streets. Generally, fixtures should accept sodium vapor lamps and lighting should be **located at the periphery of the property and not as flood lights**. The lighting shall be installed in accordance with the approved lighting plan during the construction phase. (Emphasis added.)

Only periphery security lighting was considered necessary because the 1999 conditions restrict the hours of operation of the school bus storage yard from “Monday through Friday from 6:00 a.m. to 6 p.m.” During almost all of the year there will be enough natural light for a school bus storage yard.

The WCTA lighting plan is vastly in excess of what is reasonable for security purposes. It includes 37 lights on tall poles. Many of the lights are slated to be on central islands and are not located on the periphery. Some of the poles are as high as 27 feet, not including the concrete base and the arms that extend from the poles; whereas some poles hold multiple lights each. These lights are exactly what the board of Supervisors was trying to prevent when it prohibited “flood lights.”

The WCTA has argued that its lighting plan is required by design standards for parking lots. This is precisely why an employee parking lot should not be allowed on the western parcel, and should only be limited to the permitted use of a “school bus storage yard.”

There is very little security risk to the school bus storage yard from the homes to the north and to the west, especially given the berm and the fence. The WCTA only needs short bollard security lighting along its fence to the east and to the south. The lights can be on motion sensors. Lighting should be restricted to the minimum necessary for security purposes.

## **6. The proposed berm, set back, and landscaping do not meet the 1999 conditions.**

Condition 42 of the 1999 Board of Supervisors conditions requires:

42. The Final Development Plan(s) shall be reviewed by the Design Review Committee. The plans shall include a berm at least 6 feet high parallel to the **north and west** property lines of the western lot (APN 134-074-022), with the berm center setback a minimum of 50 feet from the north property line. The berm and setback area shall contain **a dense evergreen landscape screening which shall shield the buses from view** in those directions. A **chain link fence** with slats or other view blocking fence design at least 6 feet in height **shall surround all other areas** that are not shielded by the berm. Other perimeter and front yard areas shall also be fully landscaped and irrigated. All required berms, landscaping and fencing on each individual lot shall be fully installed prior to any use of that lot. (Emphasis added.)

...

The purpose of the required berm was to minimize the noise and visual impact on the neighboring homes. The berm should be designed with this purpose in mind. Currently, there are only a few feet between the edge of the berm and a fence along the property line on the western side. This setback area is too narrow to plant trees. The berm is also only 1-2 feet wide on the top which is also too narrow to plant trees. The berm is also too steep to effectively plant trees on the sides. The WCTA engineer has stated that the berm will have a 2:1 slope. Don MacNair, the landscape architect on the Design Review Committee, stated that anything steeper than a 3:1 slope makes it difficult to dig holes for trees because trees need a flat spot to hold water and that he was trying to avoid putting trees on the berm as a result.

The 1999 conditions require that “**the berm and setback area shall contain a dense evergreen landscape screening which shall shield the buses from view**” to the north and the west. The berm and setback should be redesigned to accommodate the required screening.

The WCTA landscaping plan relies on trees in 15-gallon containers that will only be a few feet tall and not provide the required screening for years to come-- if ever. The screening condition is

unusual in that it requires larger and more mature landscaping than is usually required. The 1999 conditions require that the screening condition be met before the bus storage yard can be used.

The WCTA has had over twenty years to start growing an adequate screen. It has done the exact opposite. In fact, the WCTA bulldozed out five redwood trees that were planted twenty years ago. The redwood trees were planted in a row along the west property line to make a screen and were part of a row of 23 redwood trees.

At the Design Review Committee Hearing, the WCTA stated that bulldozing the 20-year-old redwood trees was a mistake and offered to replace the trees. The Planning Commission should require them to do so with similarly sized trees. Redwood trees would make a better screen than the proposed design with oaks and pepper trees because redwood trees are taller and can be grown to create a giant hedge. A similar redwood tree hedge surrounds the existing WCTA facility and is a good indication of what the Board of Supervisors intended in 1999.

A tall screen is necessary because we will see over short trees from our upstairs windows. Redwood trees require water, but that should not be prohibitive because the 1999 conditions require the WCTA to irrigate the landscaping and there is good ground water in the area. The WCTA should also be required to plant additional large redwood trees to make the screen sufficiently dense to comply with the 1999 conditions.

## **7. Drainage / Erosion Plans**

The edge of the western berm is just a few feet from a drainage ditch on the two neighboring properties to the east. One of the properties is ours. The other is to the south of us and belongs to our 90-year-old neighbor. The drainage ditch serves much of the entire neighborhood. A culvert under Oasis Drive connects the pastures to the north of Oasis Drive to the drainage ditch. The WCTA has made the berm as steep as legally permissible without the approval of a geotechnical engineer. The WCTA has also put the berm just a few feet from the property line and the drainage ditch. Erosion from the berm has already filled much of the drainage ditch and has already caused flooding. Our neighbor's portion of the ditch has filled in by soil from the WCTA berm to the point that the ditch is barely visible. At the design review hearing the WCTA promised to remove the debris from the ditch and has not done so. Please see the attached photos of the flooding that has been caused by the WCTA. The ditch should be tied into the storm drain at the south west corner of the western parcel.

The 1999 conditions require that an engineered drainage plan be submitted to the PRMD for approval prior to the start of any construction. An "erosion control plan (winterization plan)" is also required. The WCTA plan that was submitted only addresses drainage for the bus storage yard and does not address run off and erosion coming from the berm. The Planning Commission should require moving the berm back away from the drainage ditch to make room for a well landscaped drainage swale.

## **8. The proposed chain link fence to the north and to the west violates the 1999 conditions.**

To the north and west condition 42 requires: **“a dense evergreen landscape screening which shall shield the buses from view.”** It goes on to require that: **“A chain link fence with slats or other view blocking fence design at least 6 feet in height shall surround all other areas that are not shielded by the berm.”** The purpose of the berm and the landscaping was to give the neighbors something more attractive to look at than a chain-link fence.

WCTA’s plan of sandwiching the landscaping in between the fence and the berm where no one will see it makes no sense at all. A chain-link fence with slats is unappealing, and inappropriate facing homes in a rural residential area. It is also contrary to the 1999 conditions.

The area between the fence and the bottom of the berm is only a few feet wide. As a result, the setback is not wide enough to plant the required screening. It will also make it much more difficult to maintain the drainage ditch that runs parallel to the fence on the western property line. At the design review hearing, the WCTA represented that it would maintain the drainage ditch. There will not be enough room to get personnel and equipment between the fence and the drainage ditch. The fence should be removed and replaced with a drainage swale.

## **9. EV Charging**

The resubmitted plans show “EV” charging stations. The 1999 conditions prohibit “refueling activities” and are intended to limit noise. EV charging stations often create a humming noise. The purpose of the 1999 conditions was to limit activity on the western parcel as much as possible. For these reasons, EV charging stations should be prohibited.

## **10. Wetland Mitigation, Lack of Required Open Space Easement**

The 1999 Board of Supervisors resolution found that there were wetlands on the western parcel and imposed condition 40:

**The westerly portion (one acre) of APN 134-074-022 shall be permanently set aside for wetlands mitigation and an open space easement shall be recorded over it.** If an alternative wetlands mitigation site is found at a later date that is recommend by the State Department of Fish and Game and approved by the County Permit and Resource Management Department, the applicant may apply to rescind the open space easement over APN 134-074-022 after a new open space easement has been applied over the alternative site. Wetland areas to be disturbed on the eastern portion of the parcel shall be mitigated through creation of at least an equal amount of new wetland area in the set aside area. Alternately, the applicant shall purchase an equal value of Wetlands Mitigation Bank Credits. All applicable U.S. Army Corps of Engineers and Fish and Game permits shall be obtained prior to disturbance of any wetland area. (Emphasis added.)

The wetlands are important because they provide habitat for the California Tiger Salamander, which is a federally endangered species.

We have requested documentation numerous times showing that these each of the specific requirements in condition 40 have been met. No documentation has been provided to us, the Design Review Committee, or to the Planning Commission. Having appropriate documentation showing that each of these conditions has been met is an important part of the approval process.

The 1999 conditions require the recording of an easement as a means of permanently and publicly documenting compliance with condition 40. We requested that First American Title perform a title search for the western parcel in order to look for the required open space easement. They were unable to find a record of the open space easement ever being recorded. If the easement were recorded, it would have been a part of Sonoma County's public title records and First American Title would have found it. Please see the attached email exchange with First American Title in this regard. Because no open space easement was ever recorded the western acre of the western parcel must be restored as wetland and preserved as open space.

## **10. Expired Use Permit**

A use permit in Sonoma County expires if it has not been used within two years:

Sec. 26-92-130. - Revocation for failure to use or for abandonment of use.

In any case where a zoning permit, use permit, design review approval or variance permit has not been used within two (2) years after the date of the granting thereof or for such additional period as may be specified in the permit, such permit shall become automatically void and of no further effect, provided, however, that upon written request by the applicant and payment of applicable fees prior to the expiration of the two-year period, the permit approval may be extended for not more than one (1) year by the planning director subject to public notice and opportunity for hearing before the authority which granted the original permit.

The fact that no open space easement was ever recorded is an indication that the WCTA abandoned its plans to use the western lot decades ago. Indeed, it took the WCTA over 20 years to begin building a lot on the western parcel.

WCTA has been using parcels 134-072-025 & 048. However, these two lots have a different permitted uses and conditions. They also have different zoning and are also physically separated from the western lot by a street, a wall, and a hedge of redwood trees.

In a public facilities district, vehicle storage is permitted only with a use permit. Consequently, the Planning Commission must find that the project is not in compliance with the use permit and Sonoma County zoning regulations.

## **11. Revocation of Use Permit**

Instead of finding compliance with the 57 conditions a more appropriate approach would be to revoke the WCTA's use permit. Condition 57 reads:

57. This permit shall be subject to revocation or modification by the Board of Zoning Adjustments if: (a) the Board finds that there has been noncompliance with any of the conditions or (b) the Board finds that the use for which this permit is hereby granted constitutes a nuisance. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to Section 26-465.1 and 26-465.2 of the Sonoma County Code.

The WCTA's noncompliance with the 1999 conditions has been egregious. Condition 30 requires that "All development shall be according to the approved plans and application. "Condition 42 requires that "The Final Development Plan(s) shall be reviewed by the Design Review Committee" and that "Building or grading permits shall not be issued by the PRMD Planning Specialist until Final Design Review of all required plans has been completed."

Even after the WCTA was informed of the design review requirement, it raced ahead to complete as much of its project as possible. It installed tons of gravel, curbs, and fences all in attempt to establish its preferred parking lot design. The WCTA has been subject to a correction notice and two stop work orders as a result. Allowing the WCTA to break the law and to benefit from this sort of gamesmanship is unacceptable. The WCTA should be required to go through the process of obtaining a new use permit instead of relying on one that is over twenty years old.

Attachments:

1. Screen Shot of Bus parking on Existing Facility from Google Earth
2. Photos of Flooding in the Drainage Ditch along the Western Property line
3. Correspondence with American Title regarding the Lack of the Required Open Space Easement