



**SPECIAL MEETING MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
WEDNESDAY, FEBRUARY 15, 2012
6:30 P.M.**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a City meeting, please contact the City Clerk's Office (473-4568) at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

CALL TO ORDER: 6:30 P.M.

FLAG SALUTE: Commissioner Coleman.

PRESENT: Commissioners Alex, Blum, Coleman, Evans, Long, and Vice Chair Laferriere.

AGENDA REVIEW

At this time the Planning Commission will review the order of business to be conducted and receive requests for, or make announcements regarding, any change(s) in the order of the day. The Commission should by motion adopt the agenda as presented or as revised.

Commissioner Long made the motion to proceed with the agenda as proposed; Commissioner Blum seconded the motion, and it was carried.

PUBLIC COMMENTS: At this point of the meeting, members of the public may bring up any items within the jurisdiction of the Planning Commission that are not on the agenda. Please limit your comments to three (3) minutes. The Planning Commission will listen to all comments; however, in compliance with the Brown Act, the Commission cannot act on items not on the agenda.

There was no one present who wished to comment.

CONSENT ITEMS:

1. Approval of Minutes of Planning Commission meeting for July 21, 2011.

Commissioner Coleman made the motion to approve the minutes; Commissioner Evans seconded the motion, and it was carried.

PUBLIC HEARING ITEMS:

2. Development Permit Application No. 10-003

Applicant –Pacifica Companies

The Planning Commission action on this item will be a recommendation to the City Council. On July 21, 2011, the Planning Commission held a public hearing and recommended the City Council approve the proposed project. The applicant has since revised the proposed project to enlarge the conference center area and related minor modifications. The purpose of the meeting is for the Planning Commission to consider the proposed project modifications and make a recommendation to the City Council. This Development Permit Application is a request for approval of a Local Coastal Program Amendment, Zoning Code Amendment, Coastal

Development Permit, and Site and Architectural Plans to allow construction of a 150-room hotel with conference center and restaurant consisting of four buildings not to exceed 40 feet in height, totaling approximately 123,604 square feet. The approximately 13 acre site would also include improvements to the existing public plaza area, new walkways and paths, redesign of the existing parking area, riparian enhancement to Meadow Creek and dune restoration. The project proposes to relocate the existing equestrian parking area and the recreational vehicle sewer dump station. A Revised Final Environmental Impact Report (EIR) has been prepared for the project consistent with the California Environmental Quality Act and addresses the project modifications. The Revised Final EIR is available for review at City Hall and on the City's website at www.grover.org. The proposed project is generally bounded by West Grand Avenue to the south, Le Sage Drive to the north, Meadow Creek to the east and the Pacific Ocean to the west (Assessor Parcel Nos. 060-381-010 & 11, and a portion of 060-380-002). The property is zoned Coastal Planned Commercial (C-P-C) and is located within the Coastal Zone.

Director Buckingham presented the staff report and reviewed the proposed project modifications. He reviewed the background of the project, including the prior hearing before the Planning Commission. He indicated that during that hearing, the Planning Commission made a recommendation to increase the size of the conference center to create a more substantial event space. As a result, the project was redesigned, and now the Planning Commission will make recommendations to City Council based on the project redesign.

Director Buckingham described the location of the proposed project. He reviewed the details of the JPA (Joint Powers Agreement), the formation of the JA (Joint Authority) and the contract with Pacifica. He reviewed the components of the approval: certification of the Final Environmental Impact Report (EIR) and approval of four applications, including a Local Coastal Program Amendment, Zoning Code Amendment, Coastal Development Permit and approval of Site and Architectural Plans. He noted the various changes to the LCP amendment, which include revising the conflicting height requirement, clarifying that access to the project can occur from West Grand Avenue, clarifying the location of the proposed project and updating the City's water and sewer service capacities for serving the area within the Coastal Zone. The Zoning Code change is to the south side of West Grand Avenue to allow the creation of the equestrian parking area. Coastal Development Permits are required for all projects in the Coastal Zone. The Local Coastal Program and Zoning Code amendments are subject to approval by the Coastal Commission.

Allison Rolfe, Project Manager, and David McCullough, Landscape Architect, were present from Pacifica Companies. Ms. Rolfe presented the project changes and described the major changes to the site.

She described the previously proposed site: Building 1, which contained the main lodge building, lobby, conference center, restaurant and pool and Buildings 2 and 3 which were guest rooms only. Most of the changes were to Building 1; Buildings 2 and 3 remained the same, though Building 3 shifted location slightly. Parking was increased from 257 to 261 spaces, due to the reorientation of the buildings. There are now 52 spaces at Fins, instead of 44; there are 160 paved spaces for the public, and no change in spaces by the golf course. They are still relocating the dump station and equestrian staging area as per the previous plan. She stated that at the last meeting, the equestrian area was misquoted as being 20,762 square feet; it is actually 36,992 square feet.

On the new site plan, there is a new building which will be the conference center. The main intention was to create a larger conference center, in response to the comments from the Planning Commission. They separated the conference center out and moved it to the east on the same axis as the original Building 1 to ensure that they didn't create new view impacts. The conference center now has its own identity and the Building 1 footprint is reduced.

Generally, everything has stayed the same except there is a plaza between the two buildings that is meant to make the two buildings function well together. There is meeting space in both buildings and there is pedestrian flow between them. The conference center has its own restrooms and food preparation area. The building is wrapped with prefunction and breakout rooms. The ballroom was increased from 3,800 square feet to 5,500 square feet. There was an increase of indoor space and additional outdoor flexible space.

The former conference center proposal was 7,476 square feet; the new center is 11,130 square feet. The main building contains a boardroom and meeting room, and additional meeting room that can be split. There is an interior space of 7,739 square feet between the two areas. The spaces can be used together by connecting them with the plaza. The total space including the plaza area is 36,090 square feet. If you subtract out the plaza area, it's 15,940 square feet.

David McCullough, Landscape architect, stated that the plaza between the conference center and hotel is drivable space, but can be treated like a plaza and create a strong connection between the two buildings. There will be the ability to drop off and turn around in that area. Relocating the conference portion of the project helps to open the site up and reduce the massing of Building 1 and maintain views to the dunes. The pool will be on the ground level instead of on the conference center roof. There is quite a bit of outdoor prefunction space south of the building. One of the concerns expressed from the last meeting was about parking near Fins, so eight spaces were added there.

Director Buckingham discussed the CEQA process and changes to the FEIR. They analyzed the impacts of changes associated with the project revisions. It was determined that the project revisions could have an impact on aesthetics, hydrology, noise and traffic, so they went back and reviewed those areas. There were no changes identified to the previous impacts. However, there was a beneficial change to traffic related impacts. There were no new trips generated because of these changes, since the number of rooms did not change. Due to the site design and circulation changes, the number of trips using LeSage Drive would be reduced and Grand Avenue would be slightly increased. The net result is no change to Level of Service (LOS) on Grand Avenue, and the LOS on LeSage Drive was improved from Level D to Level C. Due to this change, the recommended mitigation measures for LeSage have been deleted. The City as lead agency considered the proposed revisions and determined that the revisions did not necessitate recirculation of the EIR.

Director Buckingham stated that staff recommends that the Planning Commission adopt the resolutions recommending that the City Council certify the Revised Final EIR and approve the project.

He stated that the City Council is tentatively scheduled to hear this project at the March 5, 2012, meeting.

Director Buckingham indicated that staff received and distributed two letters to the Commissioners.

Commissioner Long asked if the Revised EIR was not recirculated because the changes were minor. Director Buckingham indicated that since there were no new impacts and no new mitigation measures, CEQA did not require that it be recirculated.

Commissioner Coleman stated that some concerns had been expressed by the public regarding the size of the conference room. She asked how they would attract people to the facility. She asked if there were any other facilities in the area that could accommodate large conferences. Ms. Rolfe indicated that this would be the largest facility of its type in the Five Cities area. She stated that there would be challenges but if it is marketed well, they believe that there would be demand. Commissioner Coleman felt that it would be a positive if we were the only facility of this size in the area. She asked if Pacifica would handle marketing. Ms. Rolfe stated Pacifica would be marketing the lodge, which would go hand in hand with conference center marketing. She stated that there would be specialized marketing that would promote both facilities.

Vice Chair Laferriere added that The Embassy Suites in San Luis Obispo is about 5,000 square feet, so this is a larger facility.

Rob Dodds, Nipomo resident, commented regarding the equestrian parking area. He was pleased to see that square footage correction was made. He asked if the zone change was specific to the square footage that was in the documentation. He stated that there were conflicting citations of the size. He stated that there are three or four places where the equestrian area is described as a half acre, but it should be described as one acre. He would like it to be consistently notated as one acre so that they don't lose any space.

Pam Krahl indicated that her comments were the same as Mr. Dodds'.

Bill Obermeyer, Atascadero resident and equestrian, stated that the equestrians come to Grover Beach, buy fuel, and eat at Grover Beach restaurants. He stated that this is the only area they have and they want the City to know that they have been using it for 30-40 years. He asked for clarification of the number of equestrian parking spaces proposed, and how the equestrian parking would be handled during construction.

Anita Shower, Grover Beach resident, stated that the new building is taking up parking spaces that used to be there. She wanted to know how many spaces they would be losing. She asked for the height of each of the buildings.

Penny Smith, Arroyo Grande, asked about the change in height of the buildings and if it had gone up or down.

Kelly Green, of Miss Meadows Pony Club, asked who would monitor the equestrian parking area so it isn't used for overflow parking from the dunes and hotel.

Vice Chair Laferriere closed public hearing.

Regarding the size of the equestrian parking, Director Buckingham indicated that the size of the equestrian parking area is 36,900 square feet, and that will be reflected in the zoning code

amendment. He stated that the disturbed area is even larger than that, so they will clarify the size in the resolutions to indicate “approximately one acre.”

Regarding the use of equestrian parking during construction, Director Buckingham stated that there is a condition that requires the equestrian parking and dump station relocation be completed before construction starts.

Regarding total equestrian spaces, Director Buckingham stated that the EIR discusses 12-15 spaces; however, the parking spaces will not be delineated to provide more flexibility. The size was based on trying to recreate what was on the north side of Grand Avenue. The mitigation measure discusses how the area will be managed.

Regarding the number of parking spaces, Director Buckingham stated that there are 160 existing spaces on the site. The Local Coastal Program requires all 160 be retained for State Park use. The project retains those spaces. They are relocated to the Golf Course, Fins and at the southeast portion of the site. Required parking for the hotel is 158 spaces. The previous plan had 257 spaces, and the revised project increased that to 261 spaces.

Regarding the height of the buildings, Director Buckingham stated that the maximum building height is 40 feet for the main building, Buildings 2 and 3 are approximately 34 feet, and the conference center is 28 feet.

Regarding equestrian parking monitoring, Andrew Zilke, State Parks, indicated that since it is on State Parks property, State Parks would enforce it, and also the Grover Beach Police Department could also enforce. He stated that the spaces would have to be properly posted.

Commissioner Alex asked if there would be a parking time limit. Mr. Zilke stated that the parking would close at 10 p.m. Commissioner Alex asked if equestrian vehicles would still be able to park on the beach. Mr. Zilke indicated that they could.

Commissioner Alex stated that he was supportive of the project and believes that it would be great for the community. Commissioners Evans and Coleman also expressed support of the project. Commissioner Coleman stated that the applicant was very receptive in taking suggestions from the July Planning Commission meeting and sees this being a very favorable project for the area. Commissioner Long was glad to see some positive outcomes from the redesign related to traffic flow. He asked if the footprint of Building 1 was reduced. Director Buckingham indicated that it did, but the conference center footprint increased.

Commissioner Long stated that the Embassy Suites is the only facility in the area at 5,000 square feet, everything else is probably half of that. This would be the largest in the County, not including the Madonna convention center. It would be pretty significant for the County.

Commissioner Blum stated that Pacifica did a great job on the redesign and felt that this reflects the visioning process that had been done in the City previously.

Vice Chair Laferriere thought the revised project is better with a larger conference facility, the flow of the parking, and reduced massing. He felt that the first floor layout of Building 1 was not really that optimal. He understands the applicant still needs more approvals, and small changes

could be made to improve it. He stated that it seemed like there was some extra space but that could be handled at a future date. He indicated support of the project.

He asked if something needed to be done to negate the previously approved resolutions. City Attorney Koczanowicz stated that because these are advisory resolutions, it is not necessary to void the previous resolutions.

Commissioner Blum made a motion to adopt Resolution 12-06, recommending that the City Council certify the revised EIR; Commission Evans seconded the motion, and it carried with a vote of 6-0-0-0.

Commissioner Long made the motion to adopt resolution 12-07, recommending that the City Council approve a Local Coastal Program amendment; Commissioner Coleman seconded the motion, and it was carried with a vote of 6-0-0-0.

Director Buckingham indicated that the 4th “whereas” section should be amended to refer to the size of the equestrian area as “approximately one acre.” Commissioner Coleman made the motion to adopt resolution 12-08, recommending that the City Council adopt an ordinance amending Chapter 1 of the Zoning Code, as recommended, with the amendment noted; Commissioner Evans seconded the motion, and it carried with a vote of 6-0-0-0.

Director Buckingham clarified that there were several findings that were revised based on the changes to the site plan for the project. It states that it is “in concept” because the City cannot approve a Coastal Development Permit unless it is consistent with the Local Coastal Program. The LCP amendment will go to the Coastal Commission, and if they approve as-is, then the CDP will have to come back through the public hearing process for Commission and Council consideration.

Commissioner Evans made the motion to adopt Resolution 12-09, recommending that the City Council approve the CDP, in concept; Commissioner Alex seconded the motion, and it was carried with a vote of 6-0-0-0.

Commissioner Long asked if the convention center design would be open to some modest changes in architecture. Director Buckingham indicated that this project will come back to the Commission and could be tweaked then. Commissioner Coleman made the motion to adopt Resolution 12-10, recommending that the City Council approve the Site and Architectural plans; Commissioner Blum seconded the motion, and it was carried with a vote of 6-0-0-0.

3. Development Permit Application No. 10-023

Applicant – T-Mobile West Corporation

This Development Permit Application is a request for approval of a Coastal Development Permit, Site and Architectural Plans, and Use Permit to modify an existing commercial building by increasing the height of the cupola from 40’6” feet to 42’6” feet and installing a cellular antenna within the cupola. Electrical and other related equipment is proposed to be located within the interior and exterior of the building. The project is located in the Coastal Zone at 170 West Grand Avenue (APN 060-206-026) in the Coastal Visitor Services (C-C-V) Zoning District. This project is appealable to the Coastal Commission.

Director Bruce Buckingham presented the staff report. He described the background of the project and the existing conditions of the site. He described the design and building materials proposed. He stated that the proposed height is greater than allowed in the Zoning Code, but that architectural features can exceed that height with a Use Permit; he stated that a Coastal Development Permit is also required.

He described the report submitted related to radio frequency (RF) electromagnetic fields levels and stated that the conclusion of the report was that the exposure levels are below the standards set by the FCC. The FCC preempts cities from imposing stricter limits than for frequency emissions. If the City imposed stricter limits, it could be exposed to legal action. Finding no grounds for denial, staff is recommending approval. If the Commission can't make the findings of approval, the Planning Commission must make findings for denial and staff would bring back a denial resolution for adoption.

City Attorney Martin Koczanowicz stated that the consideration of RF electromagnetic field exposure levels is not within the Commission's purview. The City does not have the ability to control or override the federal maximum exposure levels. If there were evidence in front of the Commission disputing the report presented, that could be discussed. But, whether the exposure levels in the report are acceptable is not in their purview.

Commissioner Long stated that they have received a lot of requests for cell towers. At the last meeting where this project was considered, they talked about possibly consolidating cell towers in one area.

Director Buckingham stated that at that meeting, the Commission approved a Verizon faux pine cell tower at 3rd Street and Longbranch Avenue. He stated that the approval allowed for collocation for up to two additional carriers. There has also been interest from AT&T to establish a tower, and the City Council authorized the application to move forward on the City owned parking lot adjacent to the proposed project. Director Buckingham indicated that the City cannot require collocation. If this project site were denied, T-Mobile could look at another site or look into collocation.

Commissioner Long asked if there had been any discussion at the staff level about managing the siting of these antennas. Director Buckingham stated that T-Mobile was the first of the three recent cell tower projects to submit, but in order to address aesthetic concerns; it took several months to design.

Commissioner Alex asked for the zone of the 3rd and Longbranch site. Director Buckingham stated that it is currently Coastal Industrial, but it is proposed to be changed to Visitor Serving as part of the Zoning Code update.

Anita Shower, Grover Beach resident, spoke in opposition to the project, citing RF electromagnetic field exposure concerns. She expressed that cell towers should be located together and away from people.

Chris Rivas, owner of Station Grill located in the building where the tower is proposed, spoke in opposition to the project, expressing concerns about customer safety related to the RF electromagnetic field exposure levels and structural safety. He expressed that there could be other more appropriate locations for the tower.

Charles Dunn, from Synergy services was present representing T-Mobile. He spoke in support of the project. He stated that they worked closely with staff to address aesthetic concerns, which is how they came up with the subject proposal. He stated that they are below the FCC allowable RF electromagnetic field exposure limits and stated that emission levels cannot be used for or against the project.

Brad Forde, property owner, spoke in support of the project. His office will be right underneath this equipment, and feels very comfortable with what is proposed. He likes this better than the faux pine trees.

Vice Chair Laferriere closed the public hearing.

Vice Chair Laferriere asked what would happen in the event the cooling system failed.

Mr. Dunn indicated that this is the only project they are proposing at this time. He stated that everything is structurally sound and will be reviewed by their engineers and will go through the City's plan check process. All of the equipment is stored at ground level and is secured, with the exception of the antennas which are 30-40 pounds. Regarding the air conditioners, one is a back up, in case one fails. If they both fail, the damage is to the equipment, not to the structure. The building is sprinklered. He stated that safety concerns have been addressed.

Regarding finding an alternate site, he stated that after working with staff, they felt that the cupola was preferable to a monopine structure.

Commissioner Coleman asked if most of the T-Mobile antennas are located outdoor. Mr. Dunn stated that it depends on the code where the towers are located. He stated that it is discretionary in nature, but it is not spelled out in Grover Beach Municipal Code.

Vice Chair Laferriere stated that if the Commission is going to approve the project, it is simple. If the Commission is going to deny the project, they will have to make findings. Issues related to RF electromagnetic field levels and fire safety were brought up the last time the project was before them. With the additional information provided, he asked if they are satisfied with the answers.

Commissioner Alex stated that his concerns related to fire protection had been addressed.

Vice Chair Laferriere asked if the Commissioners understood the limits of what they could do related to the emissions.

Commissioner Long stated that he doesn't agree with it, just because the FCC says it's so. He doesn't feel that it is that convincing.

Vice Chair Laferriere stated that he didn't know how they, as a Commission, would address that issue. He stated that the applicant is aware that they can propose a project elsewhere, but the project at the proposed location is what is before them. He didn't know how they could make a finding requiring collocation.

Commissioner Coleman acknowledged that the building owner is willing to comply with the

emission requirements of the FCC, and hoped that the reported emissions were factual. She stated that there would likely be an issue no matter where this was constructed. She stated that this is better than a monopine.

Commissioner Alex stated that he does not support the project and feels that it belongs in a commercial/industrial area, not Coastal Visitor Serving. He stated that he doesn't like the fact that they are regulating cities regarding exposure limits. He stated that the long term effects can't be proven. This would be no different than putting a power plant in the building.

Commissioner Blum stated that he is not comfortable with this use going into the proposed building and doesn't feel that it is appropriate for the Visitor Serving district.

Commissioner Evans stated that he thinks the project is great because it is camouflaging what's going on. He indicated that he believes the FCC is operating in good faith and thinks that it's a great project and the emissions are so low, he would have it in his own building.

Vice Chair Laferriere expressed support of the project. He stated that wireless is here to stay. He stated that collocation sounds good, but he didn't know how the Commission could make the finding to favor one business owner over another. He stated that if they do deny it, they need to make findings to support the denial.

Commissioner Alex made a motion to deny the project because the Use Permit doesn't comply with the zoning, and should be in the Coastal Industrial zone. Commissioner Blum seconded the motion. City Attorney Koczanowicz asked if there were specific reasons. He stated that the proposed use is permitted with a Use Permit in any zone in the City. If there is a specific reason or issue, it should be stated. Commissioner Alex read the definition of the Coastal Industrial Zone and the Coastal Visitor Serving (CCV). He stated that the use is nonconforming for the CCV zone. Commissioner Blum referenced a previous cell tower that had been proposed near Grover Heights Elementary School, and stated that it was denied by the Planning Commission due to possible long term effects of the emissions. City Attorney Koczanowicz stated that the emissions were not the issue in that case.

Director Buckingham stated that if the Commission votes for denial of the project, a denial resolution would be brought back with the finding that the cell tower is an industrial use that isn't compatible with the CCV zone. Commissioner Long suggested looking at the findings of the previously mentioned project.

City Attorney Koczanowicz stated that each project has to be evaluated on its own merits.

Commissioner Coleman stated that the Zoning Code is intended to be a guide. She stated that this proposal is invisible to the public.

The motion failed on a 3-3-0-0, with Commissioners Alex, Blum, and Long voting yes, and Commissioners Coleman, Evans and Vice Chair Laferriere voting no.

City Attorney stated that an affirmative motion could be made; if not, this is the final action of the Planning Commission, and it could be appealed to the City Council.

Director Buckingham stated that if the decision is appealed to the City Council, the Planning

Commission comments would be forwarded to the Council in the minutes.

Commissioner Coleman made motion to accept staff's recommendation to approve the project; Commissioner Evans seconded the motion. The motion failed on a 3-3-0-0 vote, with Commissioners Coleman, Evans, and Vice Chair Laferriere voting yes and Commissioners Alex, Blum, and Long voting no.

COMMISSIONERS' COMMENTS:

Commissioner Laferriere announced that Chair Roberson resigned from the Commission so there is now a vacancy.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Director Buckingham indicated that the Farroll Road project was presented to the City Council. The Planning Commission had recommended denial. The City Council was satisfied with the drainage system and approved the project with very few changes to the conditions of approval.

A new Chair and Vice Chair will be appointed at the March meeting. The Commission vacancy has been published by the City Clerk to fill the vacancy.

ADJOURNMENT: 8:33 p.m.

/s/
CHAIR LAFERRIERE

/s/
SECRETARY TO THE PLANNING COMMISSION
BRUCE BUCKINGHAM, COMMUNITY DEVELOPMENT DIRECTOR

(Approved at PC Meeting: April 10, 2012)