



**MEETING MINUTES
PLANNING COMMISSION
CITY HALL COUNCIL CHAMBERS
154 SOUTH EIGHTH STREET
GROVER BEACH, CALIFORNIA
TUESDAY, NOVEMBER 8, 2011
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 Alex

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

ABSENT: Commissioner Coleman.

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.

PUBLIC HEARING ITEMS:

1. Development Permit Application No. 11-011

Applicant – McDonald's

This Development Permit Application is a request for approval of Site and Architectural Plans to construct a major exterior and interior remodel and add approximately 756 square feet to the existing 2,408 square foot restaurant. The property is located at 1550 West Grand Avenue (APN 060-252-006) in the Shopping Center (C-S) Zoning District.

Recommended Action: Adopt the resolution approving the Site and Architectural Plans.

Planner Janet Reese presented the staff report. She gave information about the site, parking, and surrounding uses. She indicated that no additional parking would be required. She described the proposed materials and colors. She stated that staff would like the arcade to wrap around the east elevation, and a condition has been added. Most of the guidelines of the West Grand Avenue Master Plan have been met, and the proposal is compatible with surrounding areas. The existing layout and configuration will be mostly unchanged. A new trash enclosure is proposed, and the parking would be modified to add ADA spaces. Staff does not support the reduction of lanes for circulation and has added a condition requiring that it be retained as it exists now. She described the proposed landscaping. The draft resolution omitted the condition regarding landscaping, so staff is recommending adding Condition CDD7 related to landscaping.

Sign plans were submitted for the project. The City's Sign ordinance only allows a business to have one wall sign, one projecting sign, one suspended sign, and one monument sign. The Sign Ordinance does not address the sign type typically associated with drive thru restaurants,

such as the menu board and drive thru directional signs. As a result, the proposed signs exceed what is allowed. For new construction or major remodeling, the Planning Commission can approve additional signs as part of the Site and Architectural Plan approval. In general, staff supports the proposed signage, with one exception. Staff does not support the “order here” structure, because of the excessive overhead structure that doesn’t appear to be compatible with the proposed building and surrounding center. Also, the placement of this sign is 10 feet to the east of the “drive thru” sign which would partially block the “order here” sign. Staff has added a condition to eliminate the overhead portion of the “order here” sign. Staff recommends approval of the project with the amendments as proposed.

Chair Roberson opened the Public Hearing.

Vice Chair Laferriere asked if the applicant agrees with staff’s recommendations.

Bob Bedard, applicant, stated that when they first started designing the remodel they looked at traffic flow. Currently, you can access the drive thru three different ways, and they wanted to simplify it. Originally they proposed a circular drive through pattern but staff was concerned because it might back up into the entrance to the center.

Regarding the sign that staff wanted to eliminate, he stated that it’s part of the new look and goes with the front brow of the building and ties the new look together. He asked if they were considering the canopy as a sign.

Jim Jewel, property manager of GB plaza, expressed concern about parking and circulation in the shopping center. He also expressed concern about stormwater retention and stated that there are existing issues with irrigation runoff. He was concerned that the runoff might degrade the pavement in the center.

Mr. Bedard stated that they can fix the existing irrigation issues. He stated that they maintain the current landscaping but the water and irrigation timer is controlled by the shopping center. Regarding traffic flow, he stated that they are only changing flow to their drive thru. The flow of traffic getting onto Grand Avenue isn’t proposed to be changed.

Chair Roberson closed the public hearing.

Vice Chair Laferriere stated that they should discuss the items that are not in agreement between staff and the applicant.

Commissioner Alex stated that though he thinks the outdoor sign is obnoxious, he is not opposed to it. Regarding water retention, he asked if the project is required to retain the water on site. Planner Reese indicated that if you completely demo a site and rebuild, you are required to retain water from all of the impervious areas. If you are doing a remodel but aren’t increasing the impervious area, then you do not have to meet that requirement.

Commissioner Evans indicated that he liked the canopy.

Commissioner Long indicated support for staff’s recommendation regarding traffic flow. He also agreed with staff’s recommendation about the arcade wrapping around to the east elevation. He also suggested the addition of awnings on the east elevation so that it matches the other side.

Commissioner Blum indicated that he doesn’t have any issues with the project; it is a new look.

He suggested that there be cooperation between McDonald's and the shopping center to address water retention, but didn't want to demand that.

Chair Roberson noted that there were several "thank you" signs on the plans and asked if staff considered getting rid of any of those. Planner Reese indicated that one is at the exit of the drive thru aisle, and the other where you pick up food; staff was not concerned with those signs, but mainly with the "order here" area.

Chair Roberson indicated support for staff's recommended traffic circulation, and also supported the reduction in signs.

Vice Chair Laferriere stated that it seemed that the applicant felt that Sign H is part of the structure. He felt that there is some justification for the canopy. He also could support including the brow; if there are too many signs, they could remove the "order here" sign.

Director Buckingham indicated that due to the shorter drive thru queuing distance, the order here seemed redundant since it is 10 feet away from the drive thru sign. He had more of a concern about the that sign; the canopy and lighting weren't as much of a concern.

Vice Chair Laferriere made the motion to approve the project according to staff's recommendations, with the addition of CDD 7 for landscaping, the additional awnings on the east elevation as described by Commissioner Long, and leaving in the canopy but removing the "order here" sign. Commissioner Evans seconded the motion, and it carried with a vote of 6-0-1-0, with Commissioner Coleman absent.

2. Development Permit Application No. 11-002

Applicant – SAC Wireless LLC

This Development Permit Application is a request for approval of Mitigated Negative Declaration, Coastal Development Permit, and Use Permit to install a 63-foot tall faux monopine to accommodate three cellular antennas. Electrical and other related equipment is proposed to be located outside adjacent to the monopine. The property is located in the Coastal Zone at 202 South 3rd Street which is the northwest corner of Longbranch Avenue and South 3rd Street (APN 060-213-021) in the Coastal Industrial (C-I) Zoning District. This project is appealable to the Coastal Commission.

Planner Janet Reese presented the staff report. She described the application and Mitigated Negative Declaration that was prepared for the project. She described current site conditions and project site area. City standards require that curb, gutter and sidewalk be installed with development on the project site. She described the proposal and stated that the tower would support collocation. She stated that equipment would be screened by a fence along the property frontage. She stated that the Monopines conceal antennas and it would be designed to appear organic with varying branch lengths and shapes, and the antennas would be covered. Photo simulations were submitted, and staff requested additional photo simulations illustrating view from Highway 1 and Grand Avenue, and at 3rd and Ramona. She stated that it would be visible from other streets, but there would be no negative impacts if glare reducing materials were used.

She described the initial study and indicated that with the recommended mitigation measures, the project would not have a significant impact. It requires a Coastal Development Permit and is appealable because it's considered a major public works project. Because existing views of the

dunes are already obstructed, this will not further obstruct those views. No comments were received from the Coastal Commission. She indicated that a Use Permit is also required. Staff is recommending approval of the project.

Commissioner Long questioned the Mitigation Monitoring Program where the City is indicated as the monitoring agency for some items. Planner Reese confirmed that this was the case.

Planner Reese stated that when they submitted their building plans would determine what steps they would need to take. A schedule would have to be submitted so that staff could make that determination. Director Buckingham clarified that the City is responsible for ensuring that the biologist is doing the monitoring.

Commissioner Long suggested that regarding exposure limits they should be looking at the cumulative impacts, since there has been a lot of interest in placing towers in that area.

Planner Reese stated that the report for this project evaluated the three carriers at this site, but it was still well below the public exposure limits set by the FCC.

Commissioner Blum asked what the City gains by having these towers located in the City.

City Attorney Koczanowicz stated that since this tower is located on private property, it would not provide direct revenue to the City. For towers located on City property, the City Council is the entity that directs the negotiation process. Commissioner Blum asked if it was generating any income for the City. City Attorney Koczanowicz stated that the City would get some taxes for the non-internet related towers.

Commissioner Evans questioned the requirement to install curb and gutter improvements.

Director Buckingham stated that the Municipal Code requires curb, gutter and sidewalk improvements to be done if there are improvements to the property. There is no mechanism for limiting it based on the size of the development.

Commissioner Alex asked if there had been any discussion of consolidating the antennas to one spot.

Director Buckingham noted that in the last 6 months, staff as received several inquiries regarding cell towers. He stated that the other tower on the agenda is integrated into the building, and there was no opportunity for collocation. When Verizon made their proposal, staff encouraged them to provide a monopine that would allow for collocation. This proposal would allow for two other sets of antennas. AT&T has made a request to put a tower on the City's parking lot and the City Council has authorized that application to move forward. They haven't determined if it should be a collocation area.

Commissioner Blum asked if the property owners pay extra taxes when a tower is installed. Director Buckingham stated that he didn't know if that addition would be reassessed by the County.

Commissioner Alex asked about the monopine.

Director Buckingham stated that staff's initial concern was for aesthetics. The technology is evolving and getting better. They added conditions related to aesthetics to make sure that they

would be getting a premium monopine. There are also existing trees on the site which helps offset the visual impacts.

Commissioner Roberson asked if a residence nearby wanted to expand to a second story, would there be issues with exposures. Planner Reese stated that the study addressed this and indicated that even at the 2nd story level, emissions would still be below the exposure limit.

Chair Roberson opened the Public Hearing:

Tricia Knight, Verizon representative, gave the background of the project. She stated that a lot of carriers are interested in this area because of the high tourist population. She stated that this corner is a great location because it is removed from residential uses. She showed photo simulations and indicated that the existing trees block some views. She stated that they didn't want the Christmas tree color, and the goal is not to be able to notice them right away. Branch density has been adjusted. The trees are long-lasting, and there is not a lot of fading that occurs. Regarding collocation, there is a minimum separation required between antennas, so the monopine allows for more antennas. She stated that the curbs and gutter improvements are a good benefit to the City of Grover Beach.

Vice Chair Laferriere asked if they have taken precautions to make the unstaffed site secure.

Ms. Knight indicated that there haven't been any security issues in this area.

Commissioner Long asked if it was common to see so many antennas close together. Ms. Knight indicated that since the carriers need to be closer to their users, it is not uncommon to have them in the same area.

Commissioner Long asked about the report about the EMF levels. Ms. Knight indicated the report shows the worst case scenarios. She stated that even if additional carriers are located on the monopine, they are still below the limits.

Commissioner Alex asked if it was common practice for different carriers to work together. Ms. Knight indicated that it was not common. Commissioner Alex asked if the goal of this tower is to be able to reach the RVs at the beach. Ms. Knight stated that that is the goal. Coverage becomes an issue during peak seasons. Commissioner Alex expressed concern about this area of the City becoming a row of cell towers at the dunes and along the railroad tracks. Ms. Knight indicated that the range of the towers is approximately three miles.

Chair Roberson closed the public hearing.

Commissioner Blum stated that this monopine is improved from the one a few years ago. They look great and blend, and the city gains, so he supports the project.

Chair Roberson stated that it is an improvement, visually, but expressed concern about the benefit to Grover Beach residents and about long term exposure.

Director Buckingham stated that staff would like to add condition that the applicant agrees to allow collocation.

Commissioner Alex made the motion to adopt the resolution with the added condition; Vice Chair Laferriere seconded the motion, and it carried with a vote of 5-1-0-1, with Commissioner

Long voting no and Commissioner Coleman absent.

3. Development Permit Application No. 11-007

Applicant – English Congregation of Jehovah’s Witnesses

This Development Permit Application is a request for approval of Site and Architectural Plans to construct additions to the existing facility totaling approximately 576 square feet. The property is located at 1279 South 13th Street (APN 060-565-006) in the Single Family Residential (R-1) Zoning District.

Recommended Action: Adopt the resolution approving the Site and Architectural Plans.

Building/Planning Technician Cassandra Mesa presented the staff report. She described the proposed project and existing site conditions. She stated that the existing landscaping is below the minimum requirement, however, since the discrepancy is not increased with the new project, staff supports no additional landscaping. She stated that the project meets parking requirements. The Municipal Code requires undergrounding of overhead utilities, but the applicant can request a waiver from City Council. The applicants have indicated their intent to do so.

Commissioner Alex asked if fire sprinklers would be required. City Attorney Koczanowicz stated that if the addition were greater than 25 percent, it would be required. Planner Janet Reese clarified that the site is not currently sprinklered. The building is made up of two facilities that are divided with a 2 hour fire wall.

Commissioner Roberson opened the public hearing.

Dave McCabe, applicant’s representative, described the proposal and reasoning behind the addition.

Madeline Davis, 1408 Del Mar Avenue, expressed concerns about parking, if the addition will increase the number of people that would be there. She stated that there is frequently no street parking available and wants to be sure they don’t lose those spots. She also expressed concern about noise levels on the east side of the hall.

Milton Davis, 1408 Del Mar Avenue, also expressed concerns about the impact of additional parking in the neighborhood, and also stated that the applicant had been a good neighbor and was responsive to requests.

Mr. McCabe stated that they will not be increasing the size of the congregations, nor would noise be increased, as the assembly areas are not being changed. They will continue to try to be good neighbors.

Chair Roberson closed the public hearing.

Commissioner Long expressed support for the project and made the motion to approve according to staff’s recommendation. Commissioner Evans seconded the motion and it carried with a vote of 6-0-1-0, with Commissioner Coleman absent.

4. Development Permit Application No. 10-023

Applicant – T-Mobile West Corporation

This Development Permit Application is a request for approval of Site and Architectural Plans, Use Permit, and Coastal Development 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 property 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.

Recommended Action: Adopt the resolutions approving the Site and Architectural Plans, Use Permit and Coastal Development Permit.

Planner Reese presented the staff report, describing the project and existing site. She indicated that the applicant is proposing to increase the height of cupola by 2 feet, and that the antenna would be completely enclosed. The equipment would be on ground floor. There is a report regarding radio frequency that was submitted which concludes that the general public would not be excessively exposed to harmful radio frequency waves. People working in the cupola would be exposed while in the cupola. The report recommends warning signs to be installed indicating this fact. Staff believes that findings can be made to approve the project, and recommends approval.

Chair Roberson opened the Public Hearing.

Charles Dunn, T-Mobile representative, stated that they have been working on the project for over a year, and hope they have come up with functional and aesthetically innocuous. The paneling texture and color should remain exactly as it appears now except the additional two feet in height. They didn't consider a monopine because they didn't know how it would be received. They feel that they've come up with a good design.

Commissioner Alex asked what type of fire protection is proposed and how it is powered.

Mr. Dunn stated that they are going to run power from the tenant space, and will have their own meter. They are not installing a sprinkler system, but the plans will be approved through the Five Cities Fire Authority.

Chris Rivas, owner of the Station Grill, which is located on the bottom floor of the project site, stated that they have the most square footage at this location. He expressed concern about possible harm from the radio frequency, due to the proximity to the antenna. He stated that for someone in the building frequently, the damage could be substantial. He expressed concern about risks to him, his employees and customers, due to the proximity to the antenna. He stated that the fact that there is a maximum allowable limit shows that there is some concern and it is possible that the hazards are not known. He does not want to be adversely impacted by the antenna. He stated that instead of putting the antenna at the top of the building, they could move it 100 yards onto City property, which would give more distance from the general population.

Mr. Dunn indicated that the FCC closely monitors the output and sets a limit that is approximately 1/50 of where effects can be registered in human cells. For the site in question, the worst case scenario would be 1.7% of the allowable limit. The federal government regulates the radio frequency levels and local jurisdictions cannot deny projects based on the radio waves. The warning signs are intended for access within 3-5 feet in front of the antennas, mainly for telecommunication workers. Members of the public could not have access to that

area. In terms of the alternate location, initially, they were told that the City's preference was to integrate within existing area. They think they came up with a good solution. If the City has changed their direction, they would entertain alternatives.

Commissioner Alex asked if there would be warning signs on the ground floor. Mr. Dunn indicated that the signs would be directly adjacent to the antennas, not on the ground floor. Chair Roberson asked if her assumption that being directly below the antenna would be less exposure than within line of sight is correct. Mr. Dunn agreed.

Chair Roberson closed the public hearing.

Commissioner Evans indicated that he didn't think that the two foot increase in height would make a big difference.

Commissioner Blum stated that it was a good design, but likes the idea of possibly moving this further away on City property.

Commissioner Long likes the creativity of the proposal, but expressed concern about the antennas. He stated that looking at all the proposals for antennas, this may be a time to slow down and identify an area that would be appropriate for these antennas on a large scale rather than each individual proposal.

Chair Roberson stated that she shares some of those concerns. She asked if Grover Beach residents would benefit from these antennas. She expressed concern about polluting the air with the radiation to support the tourists at the beach. She indicated that she still thinks it is a good project.

City Attorney Koczanowicz reiterated that the exposure levels are regulated by the Federal government, and the Commission cannot deny based on those exposure level concerns unless the exposures were above the accepted levels. These proposals do not come near the levels regulated by the Federal government. If the applicant voluntarily wishes to withdraw the project and look at another area, he can do that. The actions available to the Commission at this meeting are to approve or deny the project.

Commissioner Evans stated that it would seem that people in the building would have less exposure with the antenna above them than if it were across the parking lot.

Commissioner Alex stated that they are adding a lot of radio waves. He expressed concern that if something goes wrong with the equipment, the whole building could be damaged by fire. He asked if there was a risk of lightning strike and indicated that this seems unusual to put an antenna in a building.

Commissioner Long asked if staff had directed the applicant to look for a building to locate the antenna. Director Buckingham stated that he didn't make that comment. He stated that T-Mobile came in with this application, and they have worked to make this aesthetically acceptable. He stated that if this application had come in later, staff may have suggested that they collocate at another location.

Vice Chair Laferriere made motion to approve the project; Commissioner Evans seconded the motion. Commissioner Evans, Vice Chair Laferriere and Chair Roberson voted yes and Commissioners Blum, Long and Evans voted no, making it a 3-3 vote.

City Attorney Koczanowicz stated that the tied *vote* constitutes a non-action. The applicant can either come back to another hearing before the full commission or they can appeal the nonaction to the City Council within *five* business days.

5. Development Permit Application No. 11-020

Applicant – California Department of Parks and Recreation

This Development Permit Application is a request for approval of Site and Architectural Plans and Coastal Development Permit to demolish the existing entry kiosk to Pismo State Beach and construct a 206 square foot entry kiosk located approximately 80 feet to the west. The property is located in the Coastal Zone at 24 West Grand Avenue (APN 060-381-010) in the Coastal Open Space (C-O) Zoning District. This project is appealable to the Coastal Commission.

Recommended Action: Adopt the resolution approving the Site and Architectural Plans and Coastal Development Permit.

Director Buckingham indicated that they had received a last minute request from State Parks for a continuance of the item. Chair Roberson opened the public hearing. Commissioner Long made a motion to continue the item to December 13, 2011, Commissioner Blum seconded the motion, and the motion was carried.

6. Development Permit Application No. 11-023

Applicant – Alex DeLeon

This Development Permit Application is a request for a one-year time extension for Site and Architectural Plans to construct an approximately 2,705 square foot two-story single family residence and 639 square foot garage. The property is located at 465 Park View Avenue (APN 060-526-007) in the Single Family Residential (R-1) Zoning District.

Recommended Action: Adopt the resolution approving a one-year time extension of the Site and Architectural Plans.

Building Permit Technician Cassandra Mesa presented the staff report for a one- year time extension. She described existing site, previous approvals and time extensions for the project. She stated that the Zoning Code does not limit the number of extensions that could be granted. She stated that the building plans would have to be resubmitted for plan check. Staff recommends approval.

Chair Roberson opened the public hearing. There was no one present who wished to comment and the public hearing was closed. Chair Roberson supported the time extension. Commissioner Alex made the motion to approve the time extension; Commissioner Blum seconded the motion and it was carried, with a vote of 6-0-0-0, with Commissioner Coleman absent.

COMMISSIONERS' COMMENTS:

Chair Roberson expressed that attending and reporting on City Council meetings is a chore. She felt that if Director Buckingham gave a report of Council activity, that would eliminate the need for a Commissioner to attend the meeting.

Commissioner Long supported the idea of having the director give a report, but felt that a

Commission member should still attend. Commissioner Blum stated that the meetings are available to watch on television.

Vice Chair Laferriere stated that some people aren't interested in it, and it is silly to assign a liaison. He felt that the liaison requirement should be eliminated.

Commissioner Evans stated that if there is something going to the Council that had been heard at the Planning Commission, that would be of interest. Vice Chair Laferriere stated that the Director could update them on those items. Commissioner Alex agreed with eliminating the liaison. if there's something that they have decided and it's appealed that's of interest.

Consensus was reached regarding the elimination of the City Council liaison.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

Report on City Council meetings.

Director Buckingham gave a brief account of City Council meetings.

ADJOURNMENT

/s/
CHAIR LAFERRIERE

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

(Approved at PC Meeting: March 13, 2012)