

**Menifee Planning Commission
Meeting Minutes
November 9, 2016**



Regular Meeting (7:00 p.m.)

1. CALL TO ORDER

Chair Karwin called the regular meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Chairman Robert P. Karwin, Vice Chairman Earl Phillips, Commissioner Mark Doty, Commissioner Randy Madrid (arrived at 7:11 p.m.), Commissioner Chris Thomas, Interim Development Director Jeff Wyman, Assistant City Attorney Ajit Thind, Planning Manager Lisa Gordon, Senior Planner Ryan Fowler, Associate Planner Tamara Harrison, Contract Planner Manny Baeza, Public Works Director/City Engineer Jonathan Smith, Contract Traffic Engineer Nick Minicilli, Principal Engineer Yolanda Macalalad, Deputy City Clerk Jennifer Allen, and twenty-nine (29) members of the public.

3. FLAG SALUTE

4. AGENDA APPROVAL OR MODIFICATION

None

5. PRESENTATIONS

None

6. PUBLIC COMMENTS

None

7. APPROVAL OF MEETING MINUTES

7.1. Minutes of October 12, 2016

The Meeting Minutes of September 14, 2016 were approved on a motion by Vice Chair Phillips, seconded by Commissioner Doty and passed as follows:

Ayes: Doty, Karwin, Phillips, Thomas
Noes: None
Absent: Madrid
Abstain: None

8. CONSENT CALENDAR

8.1. Extension of Time No. 2016-053 for TR31812

Vice Chair Phillips moved approval of the Consent Calendar approving Resolution No. PC16-285 approving Extension of Time No. 2016-053 for the First One-Year Extension for Tentative Tract Map No. 31812. Chair Karwin seconded the motion and the motion passed as follows:

Ayes: Doty, Karwin, Madrid, Phillips, Thomas

Noes: None

Absent: None

9. PUBLIC HEARINGS

9.1. Public Hearing for Conditional Use Permit No. 2015-019 – Located at 28200 Portsmouth Drive – Faith Church Tower Wireless Communication Facility

Interim Development Director Wyman stated Contract Planner Baeza will provide the presentation for the item.

Contract Planner Baeza presented the staff report noting the location, land use, and project description. Mr. Baeza stated the proposal is for the construction and operation of a telecommunications facility consisting of a fifty (50) foot tall stealth bell tower with ground equipment within the 454 square foot lease area enclosed by a wall. He noted all antennas and equipment will be located within the tower or walled enclosure.

The Commission inquired about the zoning classification and the proximity of nearby cell towers. Contract Planner Baeza stated that churches are allowed in residential zoning with a public use permit. He noted that another cell site was approved previously about a half mile from the proposed site.

Chair Karwin called for the applicant to speak.

Christine Sung, representative for Verizon Wireless, thanked staff for working with Verizon and stated she's available for questions.

The Commission asked questions of the applicant regarding alternate sites that were analyzed, the type of coverage the tower will offer, and if co-location is available. Ms. Sung reported on the other property sites Verizon reviewed for their proposal, she noted that all other sites were not favorable for the project. She gave an overview of the limited capacity that is existing in the current coverage area and the projected capacity coverage with the proposed cell tower. Ms. Sung stated the coverage provided by the cell tower applies to mobile devices. Ms. Sung stated that Verizon will consider co-location, however no one has approached them to co-locate at this time.

Chair Karwin opened the public hearing at 7:16 p.m. The Clerk verified the legal publication and noted no correspondence was received.

Chair Karwin called for public testimony.

Debbie Austin expressed concerns about the cell tower extracting information from nearby residents, health hazards, and stated that there are other cell towers that currently exist that could service the area.

Tom Austin stated he is impressed with the aesthetics, however, there is no issue with coverage in the area and the tower is not needed. He suggested putting the tower on the mountain behind the Church.

Chair Karwin announced that the Commission hears the public's concerns regarding health hazards, however, the Planning Commission does not have authority to base their decision on the health effects from radio frequency emissions. The Commission may only review the aesthetics and community compatibility of the wireless communication facility. Assistant City Attorney Thind added that the facility is required to comply with the Federal Communications Commission (FCC) regulations prior to installing the tower.

Tom Tracy expressed his issue with the size of the tower and stated that the health concerns need to be brought up during the public hearing in case there is a future lawsuit. Mr. Tracy stated he will receive excessive radiation from the tower since he lives directly across from it.

Dale Lawyer, Council President for Faith Lutheran Church, stated that Verizon solicited the Church to install the tower and the Church completed their due diligence by researching the health hazards but none were found. Mr. Lawyer stated there was no reason to deny Verizon's request to rent the space.

Ann Burgner stated she would like the Church to stay in good financial standings but not at the expense of Verizon paying for the space. Ms. Burgner stated no homeowner will benefit from the tower and that the property values will decline.

Chair Karwin asked Mr. Lawyer to address the concern about the property values. Mr. Lawyer stated the property values are well above what they were in 2008 and the tower is aesthetically pleasing and will not devalue the homes.

Arnold Hall stated there are several cell towers within a thirty-six (36) mile radius of the Church and they do not need another cell tower. Mr. Hall read a study regarding health hazards due to cell towers.

Chair Karwin closed the public hearing at 7:37 p.m.

The Commission asked the applicant if the cell tower could be placed on the mountain area. Ms. Sung stated that she is not an engineer so she can't speak specifically to that, however, Verizon's engineers have identified that the proposed area is one that needs coverage in capacity currently as well as a future need.

The Commission discussed past efforts by previous Commissioners as well as current ones to understanding radio frequency emissions. They also discussed their scope when it comes to determining findings for cell tower projects and their desire for applicant's to provide community outreach to inform residents of proposed wireless facility projects. The Commission added that the tower is well designed and is well integrated with the Church.

Chair Karwin re-opened the public hearing for those that did not speak.

Chris Monson stated that the notice of public hearing should have specified that the project is for a Verizon cell tower and not a Church communication tower and the residents should be given a couple more weeks to understand what the project is about.

Mike Wood stated that the project is an eyesore and suggested the cell tower be installed off of Valley Blvd. where there is approximately thirty (30) acres of flat land available.

Bill Claypool stated he also has health concerns and has no problems with current cell coverage and does not believe the tower is needed in the proposed area and suggested it be placed at another location.

Michael McGavran, member of Faith Lutheran Church, stated there are a number of studies that show there are no health hazards from cell towers and the design of this product should have no effect on the property values. Mr. McGavran noted that they have been working on the project for two (2) years and it's time to begin work on the project.

Chair Karwin closed the public hearing at 7:56 p.m.

Commissioner Doty made a motion to adopt Resolution No. PC16-286 adopting a Mitigated Negative Declaration. Vice Chair Phillips seconded the motion and the motion passed as follows:

Ayes: Doty, Karwin, Madrid, Phillips, Thomas

Noes: None

Absent: None

Commissioner Doty made a motion to adopt Resolution No. PC16-287 approving Conditional Use Permit No. 2015-019. Commissioner Thomas seconded the motion and the motion passed as follows:

Ayes: Doty, Karwin, Madrid, Phillips, Thomas

Noes: None

Absent: None

9.2. Public Hearing for Conditional Use Permit No. 2015-157 – Located on the southwest corner of Newport Road and Winterhawk Road – Cal Cruz Express Car Wash and Tire Shop

Interim Development Director Wyman stated Senior Planner Ryan Fowler will provide the presentation for the item.

Senior Planner Fowler presented the staff report noting the location, land use, zoning, and project description. Mr. Fowler stated the project proposes a 4,392 square foot self-serve, drive-thru express car wash and a 6,223 square foot tire shop. Mr. Fowler explained that due to the parcels within the project that contain a narrow extension ("pan handle"), the pan handle must be incorporated into the neighboring properties or it cannot be developed. He noted staff has requested the applicant install landscaping within this pan handle which can possibly be incorporated into future projects. Mr. Fowler stated the applicant has agreed to remove the billboard that currently exists on the property. He gave an overview of

the proposed color palette noting that staff requested a more muted palette similar to the tire shop and express car wash in the City of Hemet. Senior Planner Fowler noted the memo provided to the Commission from the Engineering Department regarding Condition of Approval No. 139, Signing and Striping Plan.

The Commission inquired about the proposed flow of water, the water quality management plan (WQMP), a reciprocal use agreement and road access.

Senior Planner Fowler stated that two (2) options were offered to the applicant, to sell the pan handle piece or acquire more width on the pan handle. Mr. Fowler stated the area is not wide enough for a road and staff will review reciprocal access as future projects come forward.

Chair Karwin called for the applicant to speak.

Martin Mendez, MPA Architects, Inc., presented a Powerpoint presentation. Mr. Mendez gave an overview of the truck circulation, lighting plan, and the color elevations. Mr. Mendez stated they don't have any opposition to the revised color palette as suggested by staff. Mr. Mendez reported on the exterior elevations, the floor plan, landscape plan, grading plan, and sewer and water plan. Mr. Mendez noted that the west side of the building has been improved to include some design as well as landscaping to enhance the back of the building and the pan handle will be landscaped, irrigated and maintained by this property.

The Commission inquired about surface water flow on the southwest corner of the site. Mr. Mendez referred to a Powerpoint slide that showed the drainage pattern going from the southwest corner draining to the east then collecting in the catch basin to the north in the chamber.

Todd Dwyer, Civil Engineer, stated the American Land Title Association (ALTA) survey indicates that there is four (4) feet of drop from the southwest corner to the flowline of the culvert. Mr. Dwyer noted that the water flows along the western property line up to Newport Road into the culvert. He explained the water on the project site is contained within the property and goes into the underground chambers and in the case of a heavy water storm, excess water flows into the culvert. Commissioner Doty referred to the elevations confirming that there is a four (4) foot drop from south to north flowing towards Newport Road. City Engineer Smith stated that during staff's review, they make certain that drainage does not cross property lines.

Chair Karwin opened the public hearing at 8:31 p.m. The Clerk verified the legal publication and noted no correspondence was received.

Chair Karwin called for public testimony.

Anthony Christopher stated he is not happy about the two types of businesses being proposed but he does see the improvements being made since the project was last proposed. He stated he is in favor of the more muted color scheme and noted his concerns with the lighting since he lives across the street from the project.

Chair Karwin closed the public hearing at 8:34 p.m.

The Commission discussed the proposed business uses on the property site, the types of businesses envisioned in this Economic Development Corridor (EDC) area, the exterior color palette, landscaping for the pan handle, and installation of a curbed median. Principal Engineer Macalalad stated the project is conditioned to install a signal modification and a Capital Improvement Project (CIP) project will be coming which includes improvements to the frontage of this development. Mrs. Macalalad stated that stripping of road is being conditioned, not a raised median.

Mr. Dwyer stated they will be improving the full width of Newport, he gave an overview of the proposed improvements. Brian Hoben, Project Team, gave an overview of the business product and how it differentiates from other car washes. Interim Development Director Wyman stated that the landscaping for the pan handle is being implemented to incorporate future developments as they come forward with this development.

Commissioner Thomas made a motion to adopt Resolution No. PC16-281 adopting a Mitigated Negative Declaration. The motion was seconded by Commissioner Doty and passed as follows:

Ayes: Doty, Karwin, Madrid, Thomas

Noes: Phillips

Absent: None

Commissioner Thomas made a motion to adopt Resolution No. PC16-282 approving Conditional Use Permit No. 2015-157 including revised Condition of Approval No. 139, Signing and Striping Plan and the muted color elevation palette. The motion was seconded by Vice Chair Phillips and passed as follows:

Ayes: Doty, Madrid, Phillips, Thomas

Noes: Karwin

Absent: None

Chair Karwin recessed at 8:53 p.m. for a break and reconvened the meeting at 8:59 p.m.

9.3. Public Hearing for Plot Plan No. 2016-113 – Located at 26776 and 26786 Encanto Road – Richardson’s RV Center Sign Program

Senior Planner Fowler presented the staff report noting the location, land use, zoning, and project description. Mr. Fowler stated that the project is a proposal for a sign program for the existing Richardson’s RV Center. Mr. Fowler gave an overview of the proposed signage, the future relocation of the pylon sign, and the proposed landscape plan for the base of the monument signs. He stated that the applicant requests the Commission eliminate the landscaping requirement for the pylon (digital) sign due to the location of the access driveway and RV parking spaces. Mr. Fowler stated that the applicant has been conditioned to enter into a relocation agreement that will require the applicant, or its successors, to remove or relocate the pylon sign to a portion of the property that falls outside of the ultimate right-of-way at the applicant’s expense upon future widening of Encanto Drive.

The Commission asked if the sign is in the right-of-way and if the proposed sign will be animated. Senior Planner Fowler stated that the sign is in the ultimate right-of-way and the proposed sign is a digital sign.

Chair Karwin called for the applicant to speak.

George Seltzer, President of Electra-Vision Advertising, stated he installed the original sign that is currently on the property. Mr. Seltzer stated that the company needs new signage to be able to compete with the market and the sign is past its life expectancy. He gave an overview of the size and design of the proposed signage and noted that they can utilize the pylon pole sign's support structure when the sign needs to be relocated outside of the ultimate right-of-way in the future.

The Commission inquired about the ultimate right-of-way for Encanto Drive and the future widening of the road. Principal Engineer Macalalad stated that any future development done by the applicant will prompt the widening of the road.

Chair Karwin opened the public hearing at 9:17 p.m. The Clerk verified the legal publication and noted no further correspondence was received.

Chair Karwin called for public testimony and there was none.

Chair Karwin closed the public hearing at 9:18 p.m.

The Commission discussed the ultimate right-of-way for Encanto Drive, the design of the signage, increasing the stone at the base of the pylon sign, the landscape planter at the base of the monument signs and the landscaping at the base of the pylon sign. Mr. Seltzer stated they would increase the stone on the pylon sign to ten (10) feet.

Following further discussion, the Commission agreed to eliminate the landscape requirement for the pylon sign due to the location of the access driveway and RV parking spaces and agreed to increase the height of the stone at the base of the pylon sign to ten (10) feet.

Chair Karwin made a motion to adopt Resolution No. PC16-278 adopting a Negative Declaration, Vice Chair Phillips seconded the motion. The motion passed as follows:

Ayes: Doty, Karwin, Madrid, Phillips, Thomas

Noes: None

Absent: None

Chair Karwin made a motion to adopt Resolution No. PC16-279 approving Plot Plan No. 2016-113 for the signage for the Richardson's RV Center including the revised condition of approval nos. 19 (Caltrans Permit Approval) and 10c (Display Standards) and the addition of stone at the base of the pylon sign for a maximum of ten (10) feet, Vice Chair Phillips seconded the motion. The motion passed as follows:

Ayes: Doty, Karwin, Madrid, Phillips, Thomas

Noes: None

Absent: None

10. DISCUSSION ITEMS

None

11. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

None

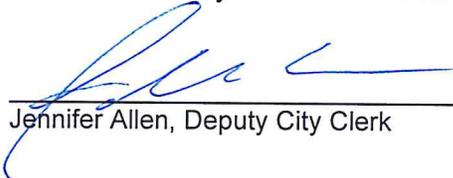
12. COMMISSIONER REPORTS ON COMMITTEE ACTIVITIES

Chair Karwin announced that there is a Menifee Citizen's Advisory Committee in December and he welcomed Mayor-elect Neil Winter.

Commissioner Doty asked if a Planning Commission meeting will be held the week of Thanksgiving. Interim Development Director Wyman stated that currently there are no items scheduled for the meeting of November 23, 2016 and the Commission will be receiving a cancellation notice in the next week or so.

13. ADJOURNMENT

Chair Karwin adjourned the meeting at 9:32 p.m.



Jennifer Allen, Deputy City Clerk