



BENICIA PLANNING COMMISSION REGULAR MEETING AGENDA

**City Hall Council Chambers
Thursday, January 9, 2014
7:00 P.M.**

I. OPENING OF MEETING

- A. Pledge of Allegiance**
- B. Roll Call of Commissioners**
- C. Reference to Fundamental Rights of Public** - A plaque stating the Fundamental Rights of each member of the public is posted at the entrance to this meeting room per Section 4.04.030 of the City of Benicia's Open Government Ordinance.

II. ADOPTION OF AGENDA

III. OPPORTUNITY FOR PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Commission on any matter not on the agenda that is within the subject jurisdiction of the Planning Commission. State law prohibits the Commission from responding to or acting upon matters not listed on the agenda.

Each speaker has a maximum of five minutes for public comment. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Speakers may not make personal attacks on council members, staff or members of the public, or make comments which are slanderous or which may invade an individual's personal privacy.

A. WRITTEN

B. PUBLIC COMMENT

IV. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the Planning Commission or a member of the public by submitting a speaker slip for that item.

*Any Item identified as a Public Hearing has been placed on the Consent Calendar because it has not generated any public interest or dissent. However, if any member of the public wishes to comment on a Public Hearing item, or would like the item placed on the regular agenda, please notify the Community Development Staff either prior to, or at the Planning Commission meeting, prior to the reading of the Consent Calendar.

A. APPROVAL OF MINUTES OF NOVEMBER 14, 2013 REGULAR MEETING

V. REGULAR AGENDA ITEMS

A. USE PERMIT FOR A NEW AT&T WIRELESS TELECOMMUNICAITON FACILITY AT 800-890 SOUTHAMPTON IN THE SOUTHAMPTON SHOPPING CENTER; AFTER DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM CEQA

12PLN-00058 Use Permit
800-890 Southampton Road; APN: 0086-151-110

PROPOSAL:

AT&T requests a Use Permit to install a wireless telecommunication facility consisting of 12 panel antennas, 21 RRU's (remote radio units) and associated equipment cabinets as part of their wireless network. The proposed facility would include the construction of a new tower to house the 12 panel antennas and associated equipment near the southwest corner of the Southampton Shopping Center adjacent to I-780. The tower would measure 43 feet tall and be designed with a split face concrete wall, faux wood paneling and a pitched roof to replicate the design of the shopping center.

Recommendation:

Approve a use permit to install a new AT&T wireless communication facility consisting of 12 panel antennas and associated equipment cabinets within in a new tower located in the southwest corner of the Southampton Shopping Center at 800-890 Southampton Road, based on the findings and conditions of approval set forth in the draft Resolution; after determination that the project is Categorically Exempt from CEQA.

B. RECOMMENDATION TO CITY COUNCIL TO APPROVE A ZONING MAP AMENDMENT TO THE DOWNTOWN MIXED USE MASTER PLAN TO CHANGE THE ZONING DESIGNATION FROM NEIGHBORHOOD GENERAL-OPEN TO TOWN CORE FOR 117, 141, AND 145 EAST D STREET, AFTER DETERMINING THAT THE PROJECT IS EXEMPT FROM CEQA

13ZON-00002 Rezone
117, 141, 145 East D Street; APNs: 0089-372-180; -170; -250

PROPOSAL:

The applicant requests a map amendment to the Downtown Mixed Use Master Plan (DMUMP). The requested amendment would change the zoning of three properties from Neighborhood General Open (NG-O) to Town Core (TC). The properties are 117, 141 and 145 East D Street (APNs 0089-372-180; 170; and -250, respectively).

Recommendation:

Approve a resolution recommending that the City Council adopt an ordinance approving the zone change of 117, 141, and 145 East D Street from Neighborhood General Open to Town Core, based on the findings set forth in the draft ordinance; after determining that the project is categorically exempt from CEQA.

C. USE PERMIT TO OPERATE A VEHICLE STORAGE FACILITY WITH ACCESSORY RETAIL SALES (AUCTIONS) AT THE EXISTING INDUSTRIAL BUILDING AT 4457 PARK ROAD; AFTER THE DETERMINATION IS MADE THAT THE PROJECT IS EXEMPT FROM CEQA

13PLN-00058 Use Permit
4459 Park Road; APNs: 0080-060-070

PROPOSAL:

The applicant, US Auctions, requests approval of a use permit for vehicle storage and to conduct auctions (retail sales) once per month, on Saturdays. The vehicles are obtained from city, county, state and federal agencies. The proposal would include storing the vehicles and preparing them for private sale via auction. The subject building is a multi-tenant industrial warehouse located within the IG, General Industrial zoning district. The vehicle storage would be located inside the warehouse and the auction would be held outside in the adjacent parking lot.

Recommendation:

Approve a use permit to allow vehicle storage with accessory retail sales (auctions) at 4457 Park Road, based on the findings and conditions of approval set forth in the draft Resolution; after determination that the project is Categorical Exempt from CEQA.

VI. COMMUNICATIONS FROM STAFF

VII. COMMUNICATIONS FROM COMMISSIONERS

VIII. ADJOURNMENT

Public Participation

The Benicia Planning Commission welcomes public participation.

Pursuant to the Brown Act, each public agency must provide the public with an opportunity to speak on any matter within the subject matter jurisdiction of the agency and which is not on the agency's agenda for that meeting. The Planning Commission allows speakers to speak on agendized and non-agendized matters under public comment. Comments are limited to no more than 5 minutes per speaker. By law, no action may be taken on any item raised during the public comment period although informational answers to questions may be given and matters may be referred to staff for placement on a future agenda of the Planning Commission.

Should you have material you wish to enter into the record, please submit it to the Commission Secretary.

Disabled Access

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the ADA Coordinator, at (707) 746-4211. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Meeting Procedures

All items listed on this agenda are for Commission discussion and/or action. In accordance with the Brown Act, each item is listed and includes, where appropriate, further description of the item and/or a recommended action. The posting of a recommended action does not limit, or necessarily indicate, what action the Commission may take.

The Planning Commission may not begin new public hearing items after 11 p.m. Public hearing items, which remain on the agenda, may be continued to the next regular meeting of the Commission, or to a special meeting.

Pursuant to Government Code Section 65009; if you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the Public Hearing. You may also be limited by the ninety (90) day statute of limitations in which to file and serve a petition for administrative writ of mandate challenging any final City decisions regarding planning or zoning.

Appeals of Planning Commission decisions that are final actions, not recommendations, are considered by the City Council. Appeals must be filed in the Community Development Department in writing, stating the basis of appeal with the appeal fee within 10 business days of the date of action.

Public Records

The agenda packet for this meeting is available at the City Clerk's Office, the Benicia Public Library and the Community Development Department during regular working hours. The Community Development Department is open Monday through Friday (except legal holidays), 8:30 a.m. to 5 p.m. (closed from noon to 1 p.m.). Technical staff is available from 8:30 - 9:30 a.m. and 1:00 - 2:00 p.m. only. If you have questions/comments outside of those

hours, please call 746-4280 to make an appointment. To the extent feasible, the packet is also available on the City's web page at www.ci.benicia.ca.us under the heading "Agendas and Minutes." Public records related to an open session agenda item that are distributed after the agenda packet is prepared are available before the meeting at the Community Development Department's office located at 250 East L Street, Benicia, or at the meeting held in the City Hall Council Chambers. If you wish to submit written information on an agenda item, please submit to Amy Million, Commission Secretary, as soon as possible so that it may be distributed to the Planning Commission.