



**BENICIA PLANNING COMMISSION  
CITY HALL COUNCIL CHAMBERS  
MINUTES**

**Thursday, May 10, 2012  
7:00 p.m.**

**I. OPENING OF MEETING**

**A. Pledge of Allegiance**

**B. Roll Call of Commissioners**

**Present:** Susan Cohen Grossman, George Oakes, Belinda Smith, Lee Syracuse and Chair Rod Sherry.

**Absent:** Commissioner Don Dean and Brad Thomas (both excused)

**Staff Present:** Kat Wellman, Contract Attorney  
Amy Million, Principal Planner  
Lisa Porras, Senior Planner  
Kathy Trinqué, Administrative Secretary

**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**

On motion of Commissioner Oakes, seconded by Commissioner Syracuse, the agenda was adopted by the following vote:

Ayes: Commissioners Grossman, Oakes, Smith, Syracuse and Chair Sherry

Noes: None

Absent: Commissioners Dean and Thomas

Abstain: None

**III. OPPORTUNITY FOR PUBLIC COMMENT**

**A. WRITTEN**

None received.

**B. PUBLIC COMMENT**

None received.

**IV. CONSENT CALENDAR**

**A. APPROVAL OF MINUTES FROM APRIL 12, 2012**

On motion of Commissioner Grossman and seconded by Commissioner Smith, the April 12, 2012 meeting minutes were approved by the following vote:

Ayes: Commissioners Grossman, Smith, Syracuse and Chair Sherry

Noes: None

Absent: Commissioners Dean and Thomas

Abstain: Commissioner Oakes

**V. PRESENTATION:**

**A. REVIEW OF THE BUSINESS DEVELOPMENT ACTION PLAN (BDAP)**

In May of last year the City Manager enlisted the services of Chabin Concepts, lead by President Audrey Taylor, to develop a business action plan. This plan was designed to build upon the plans and studies performed by the City over the last few years and call out specific actions to encourage and improve economic growth in the City of Benicia. The Plan is a 79-page report with multiple appendices that details Benicia's past economic strategies, assess our achievements, provides an analysis of our current situation and an outline of specific actions to move forward. The draft plan was reviewed by the Economic Development Board and City Council in a joint session on October 25, 2011. The BDAP was revised to incorporate comments from that meeting and earlier public workshops and presented to the Economic Development Board for recommendation. On March 6<sup>th</sup> the City Council adopted the Plan.

**Recommendation:**

Review the Business Development Action Plan.

Mario Giuliani, Acting Economic Development Manager, presented a brief overview of the Business Development Action Plan (BDAP). He distributed a BDAP summary sheet to Commissioners and the public. Mr. Giuliani described what the BDAP is, which initiatives staff is working on, and a brief history of the process the City followed to develop and approve the plan.

A new economic development website is underway and expected to go live by June 30, 2012. The goal is to provide a more user friendly interactive website for businesses wishing to re-locate to Benicia.

A Sustainable Management Plan has recently been approved by the City Council that provides resources to existing businesses for energy and conservation savings projects. Two Benicia companies are currently in the process of identifying conservation projects.

The Economic Development staff is also working on a business retention program. The City recently held a round-table business forum for Southampton Shopping Center merchants. Later this month (May), the City is planning to host an industrial park round table forum.

Staff is seeking funding for improved internet service for the Benicia Industrial Park as well as moving forward with a Business Improvement District (BID) for downtown merchants.

Commissioner Smith asked if the City owns all the roads located in the Industrial Park.

Mr. Giuliani stated that some roads are private, but the majority of the streets are owned and maintained by the City.

## **VI. REGULAR AGENDA ITEMS**

### **A. APPROVAL OF USE PERMIT REQUEST FOR 257 ESSEX WAY (APN: 083-210-210), TO INSTALL A NEW VERIZON WIRELESS TELECOMMUNICATIONS FACILITY**

11PLN-00060 Use Permit  
257 Essex Way, APN: 083-210-210

#### **PROPOSAL:**

The proposal is to install a new Verizon Wireless telecommunication facility consisting of 12 panel antennas mounted to 3 ground-mounted poles measuring 15 feet in height and associated equipment within a new 750 square foot equipment enclosure on the hilltop located near the City's water tanks. The antenna support poles would be grouped in 3 sectors and located in 2 different areas on the property adjacent to the existing fence. The proposed equipment enclosure measuring 750 square feet would consist of a new equipment shelter (11'-6" tall, 12'-0" wide, 16'-0" long), a back up generator and utility cabinets adjacent to the existing fence near the northwest side of the hilltop.

#### **Recommendation:**

Approve a Use Permit (11PLN-00060) to install a new Verizon wireless communication facility consisting of 12 panel antennas mounted to 3 ground-mounted poles each measuring 15 feet in height, associated equipment and back-up generator located near the City-owned water tanks at 257 Essex Way, based on the findings and conditions of approval set forth in the draft Resolution.

Amy Million, Principal Planner, provided a review of the proposed use permit application. She described the details of the new facilities, the City-owned parcel on which they will be located, zoning consistency, noise and lighting, radio frequency report, staff findings and proposed conditions of approval. Staff level design review approval occurred on April 23, 2012.

The Commission asked questions of staff and discussed various details of the project including: potholing; the definition, description and zoning of open space area surrounding the City's water tanks; whether this open space parcel is appropriately zoned for the existing and future utilities on this parcel; how frequent the telecommunication technicians visit the site; if cumulative noise impacts were evaluated; the maximum number of telecommunication equipment facilities that can be built at this site; meaning of condition of approval number 3; meaning of alpha, gamma, beta sectors on the aerial map; maximum antenna height; length of the lease; and a preference for 11 x 17 plans for future projects.

**PUBLIC COMMENT:**

Clarence Chavis, applicant, speaking on behalf of Verizon Wireless, explained the proposed new telecommunication facility project. Verizon's intention is to provide the least visual impact to the area and still build a facility that works. The proposed project is within the footprint of the water tank area. Technicians enter the area once or twice a month to perform routine maintenance and may also need access to attend to an emergency situation. The proposed project also includes a new back-up generator to keep the facilities operating during a power outage.

Commissioner Oakes asked Mr. Chavis for a construction timeline.

Mr. Chavis responded that construction will take approximately 8 to 9 weeks, after building permits have been obtained.

**Public Comment closed.**

Commissioner Oakes discussed a motion to approve staff's resolution, with a change to condition of approval # 7 from 10 days to 15 days to accommodate the applicant.

Kat Wellman, Contract Attorney, suggested wording for the motion.

On motion made by Commissioner Oakes and seconded by Commissioner Syracuse, to approve the use permit based on the findings and conditions of approval as outlined in the draft resolution, with a minor change in the number of days from 10 to 15 in condition of approval #7, was adopted by the Planning Commission at a regular meeting held on May 10, 2012 by the following vote:

Ayes: Commissioners Grossman, Oakes, Smith, Syracuse and Chair Sherry  
Noes: None  
Absent: Commissioners Dean and Thomas  
Abstain: None

**B. APPROVAL OF USE PERMIT REQUEST FOR 257 ESSEX WAY (APN: 083-210-210),  
TO INSTALL A NEW METRO PCS WIRELESS TELECOMMUNICATIONS FACILITY**

11PLN-00073 Use Permit  
257 Essex Way, APN: 083-210-210

**PROPOSAL:**

The proposal is to install a new Metro PCS wireless telecommunication facility consisting of 8 panel antennas mounted to 3 ground-mounted poles measuring 15 feet in height and 5 radio equipment cabinets within a 200 square foot equipment enclosure located near the water tanks. The antenna support poles would be located in 3 different areas on the property, all which would be integrated into the existing chain link fence that runs along the perimeter of the water tanks. The proposed equipment enclosure would be located on the hilltop adjacent to the existing chain link fence on the northwest side.

**Recommendation:**

Approve a Use Permit (11PLN-00073) to install a new wireless communication facility consisting of 8 panel antennas and 4 microwave antennas mounted to 3 ground-mounted poles each measuring 15 feet in height and 5 radio equipment cabinets within a 200 square foot equipment enclosure located near the City-owned water tanks at 257 Essex Way, based on the findings and conditions of approval set forth in the draft Resolution.

Amy Million, Principal Planner, provided a review of the proposed use permit application. She described the details of the new equipment, the City-owned parcel on which they will be located, zoning consistency, noise and lighting, radio frequency report, staff findings and proposed conditions of approval. Staff level design review approval occurred on April 23, 2012.

Commissioner Grossman asked whether item 9.0 regarding signage required by the FCC is included as a condition of approval.

Ms. Million explained that the FCC requires this signage whether or not the City makes it a condition of approval. The applicant must comply with this requirement.

**PUBLIC COMMENT**

Shivani Patel, applicant, spoke on behalf of Metro PCS and stated that technical maintenance on Metro equipment is only once per quarter. She explained other technical details about the project, such as azimuths, specifically clarifying the meaning azimuth and how it relates to the alpha, beta and gamma sectors.

**PUBLIC COMMENT Closed.**

Commissioner Oakes made a motion to approve the use permit based on the findings and conditions of approval set forth in the draft Resolution with the addition of a condition of approval requiring compliance with the FCC sign regulation and amending condition number 7, from 10 to 15 days, seconded by Commissioner Syracuse and adopted by the following vote:

Ayes: Commissioners Grossman, Oakes, Smith, Syracuse and Chair Sherry  
Noes: None  
Absent: Commissioners Dean and Thomas  
Abstain: None

**C. PLANNING COMMISSION WORK PRIORITIES**

**PROPOSAL:**

During the annual review of priorities at the April meeting, the Planning Commission directed staff to modify the list.

**Recommendation:**

Review the Draft Planning Commission Priorities of 2012-2013 and modify as desired.

Lisa Porras, Senior Planner, presented a brief report by providing the background and content of each item on the priority list. The list was compiled from comments received from Commissioners at the April Planning Commission Meeting. Ms. Porras pointed out that the list has now been separated into two sections, one for objectives scheduled for completion in fiscal year 2012-2013 and the other for long-term objectives. The list was presented for additional modification or discussion.

Commissioner Grossman asked whether the City has a Parks and Trails master plan that needs to be updated.

Ms. Porras responded yes, it was developed some time ago by Parks & Community Services Department. They are currently working on a new Waterfront Master Plan.

Chair Sherry commented such a plan would fall under the Parks & Cemetery Commission's responsibility. Planning Commission's responsibility is to obtain the right-of-way or easements necessary to build shoreline pathways.

A discussion followed concerning the challenges of completing of the Bay Trail since some shoreline access is within the public right-of-way. It may be useful to have a map or study that identifies the gaps in the Bay Trail and find ways to complete the trail along the shoreline throughout the City owned right-of-way.

Commissioners agreed to keep item #7 on the priority list.

Commissioners held a discussion about the origin of the priority list, a desire to use the General Plan as the basis for a priority list, add all known dates with measurable time frames for completion to the list, and keep the Bay Trail and public access on the list.

### **Public Comment.**

Dana Dean, 283 East H Street (formerly at 835 First Street), spoke in support of Item #1 (crosswalks and bulb outs on First Street) staying on the list and would appreciate it if the pedestrian improvements were installed. She stated that she did not understand the purpose of the list, and asked whether it is the Planning Commission's work. She spoke in opposition to Item #5 (connection between lower Arsenal and Downtown), specifically under "next steps" – this is highly unlikely because the proposed connection is privately owned. Ms. Dean stated that she is upset that Item #2 (Industrial Zones) has been revised because the BDAP is not a substitute for new Industrial zone definitions and incorporating those into the Zoning Ordinance. She asked that the Planning Commission continue to work on this item.

### **Public Comment closed.**

Commissioners continue to discuss revising Item #5 (Improving connection between the Lower Arsenal and Downtown). A consensus was reached to

revise the “next steps” column to a more general statement, removing specificity on the connection.

Commissioner Smith asked whether the list is intended for the Planning Commission to work on or staff. She commented that she would like to integrate this list with the General Plan Implementation report and create a new list for the next time frame.

Commissioners discussed item #2 (Amendments to Industrial zones to encourage business attraction). Commissioner Smith stated that this item is still open for discussion and she would like an update and clarification of this item.

Ms. Million provided some background and explained that Mark Rhoades is working with Mr. Giuliani on code and process changes in the Industrial Park with the intention to make Benicia more user friendly for new business. They are currently in the preliminary phase of this work. Staff may be ready to provide an update to the Commission in about two months.

Commissioner Oakes commented that he would like to be included in the process. The Industrial zones needs to be looked at from a global perspective and review the priorities as a process.

Chair Sherry empathized with the Commissioners’ uneasiness, as if they are standing outside the process. He suggested that staff provide Commissioners with an update of the status and when they will be involved in the process.

Ms. Porrás assured Commissioners that any changes to the Zoning ordinance are required to be brought before the Planning Commission for review and recommendation. The scope of work is still in process. Staff can set-up a workshop when it is ready, similar to the process for the sign ordinance update.

Ms. Porrás responded to the priority list concerns; it can be revised according to the Commission’s comments and address both General Plan objectives and current issues. The General Plan implementation progress report will be coming back for the Commission’s review soon and after its review, the priority list could be discussed within that context and also include emerging issues, whichever is desired by the Commission. For example, if the General Plan progress report is ready at the June meeting, the Commission could revisit the priority list in July.

Chair Sherry suggested that the sign ordinance revision be added to the priority list. He also commented that it would be desirable to review the

priority list after the General Plan Implementation review, then bring it back to the Commission about every quarter.

## **VI. COMMUNICATIONS FROM STAFF**

Lisa Porras, Senior Planner, informed Commissioners that at the next meeting (June 14) staff will present the General Plan status report for review.

Ms. Porras also confirmed that Commissioners who volunteered to serve on the Sign Ordinance update sub-committee are Commissioner Belinda Smith and Commissioner George Oakes. (Chair Sherry agreed to step aside since Commissioner Oakes decided to participate.)

Amy Million, Principal Planner, announced that May is National Preservation Month, which the City is observing with 6 upcoming events:

May 1: proclamation was read by the Mayor at the City Council meeting,

May 12: Home and Garden Tour;

May 17: staff will attend the Farmer's Market to provide the public with information on historic resources, the Mills Act, etc.

Month of May: The Camel Barn Museum is honoring the history of Girl Scouts;

May 24: Planning Commissioners are invited to attend the Historic Preservation & Review Commission (HPRC) meeting for a "meet and greet" at 6:30 pm.

Ms. Million also informed Commissioners that the HPRC is reviewing a text amendment for Chapter 17.54 H Historic Overlay Districts. She stated that she plans to present it first as a workshop for the Planning Commission in August or September.

## **VII. COMMUNICATIONS FROM COMMISSIONERS**

Commissioner Syracuse asked that staff place on an upcoming agenda a review of the Zoning Ordinance in regard to new electronic billboards. He asked if the current zoning ordinance is adequate to prevent new electronic billboards from being installed or does the City need to revise the ordinance.

Ms. Porras stated that staff will provide this information to the Commission. This item could also be discussed as part of the sign ordinance revision process.

## **VIII. ADJOURNMENT**

The meeting was adjourned at 8:54 pm.