
**CITY OF BIG BEAR LAKE
PLANNING COMMISSION MEETING MINUTES
REGULAR MEETING
February 1, 2006**

MEETING CALLED TO ORDER: 1:15 p.m.

FLAG SALUTE: Commissioner Smith

PRESENT: Chairman Thomas Beede
Vice-Chairman Garry Dokter
Commissioner Tim Brigham
Commissioner Craig Smith
Commissioner Rick Hackney

STAFF: Sandra Molina, City Planner
David Martinez, Development Services Director
Jeff Ballinger, City Attorney
Neil Braunstein, Associate Planner
Janice Etter, Associate Planner
Phil Mosley, Chief Building Official
Sam Rodriguez, City Engineer
Lynne Rayner, Administrative Secretary

The Planning Commission of the City of Big Bear Lake took the following actions at the February 1, 2006 meeting held in Hofert Hall, Civic and Performing Arts Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

AGENDA APPROVAL

Moved by Commissioner Smith, seconded by Commissioner Hackney, to approve the agenda as presented. The agenda was approved unanimously.

PRESENTATIONS / ANNOUNCEMENTS / INFORMATIONAL ITEMS

City Planner Molina reminded the Commission of the joint workshop scheduled for February 13, 2006 at 1:00 p.m. She also announced that the 2006 League of California Cities Planners Institute would be held in Monterey California March 22-24, 2006 and to please return the enrollment forms to the Secretary if anyone on the Commission would like to attend.

PUBLIC FORUM

No one wished to speak.

1. CONSENT CALENDAR

1.1 Approval of the Minutes of the Planning Commission meeting of January 18, 2006.

Moved by Vice-Chairman Dokter, seconded by Chairman Beede, to approve the minutes of January 18, 2006. The minutes were unanimously approved by a vote of 4 in favor and 0 opposed, with Commissioner Hackney abstaining.

2. PUBLIC HEARING ITEMS

2.1 Conditional Use Permit 2005-251, Variance 2005-252

Applicant: Cingular Wireless
Representative: Jessie Gilholm, Synergy Development Services
Location: 39707 Big Bear Boulevard
APN: 307-111-41

Associate Planner Braunstein presented the staff report, stating that the applicant is requesting to construct an 85-foot tall cellular telephone antenna with pine tree camouflage, a 240 square foot underground equipment vault, and that a variance of Section 17.35.170.B.3 is requested to exceed the 65-foot maximum height permitted for a cellular antenna tower by an additional 20 feet.

He informed the Commission that several conditions of approval were inadvertently included in the draft resolution that only pertain to the previous Verizon approval and recommended the following changes:

27. The applicant shall submit four (4) sets of final construction plans, building elevations, and floor plans to the Building and Safety Division for review and approval by all applicable departments. Such plans shall be fully dimensioned and in substantial conformance with those plans approved by the Planning Commission. Plans shall address the following: (PLN)

b. Elevation drawings shall note proposed materials, colors, height, and dimensions; ~~and roof treatments for all four sides of proposed structure(s). The elevations shall show that the equipment enclosure is sided with decorative block with a color that matches the existing trash enclosure, and that the roof of the enclosure matches the design, color and pitch of the roof on the existing trash enclosure.~~

e. ~~Location of all building mounted light fixtures shall be shown on the elevations. A detail of said fixtures shall be shown on the elevations, and fixtures shall be decorative and complementary to the building architecture.~~

[Remainder of paragraphs in Condition 27 to be re-lettered accordingly.]

46. The applicant shall provide regular, on-going maintenance of the structure including, but not limited to, replacement and repair of any branches, repainting and retexturing of the monopole, repainting of the panels, and repainting and/or replacement of the equipment vault hatch and bollards ~~walls~~. (PLN)

He stated that one additional green sheet item had been distributed to the Commission from the President of the Metcalf Creek Cabinowners Association expressing the Association's concerns for the height of the proposed cell tower and requesting the tree species of the camouflage be compatible with existing trees in the vicinity. Mr. Braunstein continued, stating that staff recommends that the Planning Commission adopt a resolution finding the project exempt from the California Environmental Quality Act (CEQA) and approving Variance 2005-252 and Conditional Use Permit 2005-251, based on the findings and subject to the conditions of approval.

Vice-Chairman Dokter asked staff what is contained on the Cingular H Frame, and inquired about the status of negotiations with City Council for the lease of the ground.

Associate Planner Braunstein replied that the Cingular H Frame contains an electrical meter box to provide electrical service for the equipment in the vault, and that the lease language has been forwarded to Cingular for their review. After Cingular's review it will go to the City Manager for approval.

At 1:37 p.m., Chairman Beede opened the public hearing.

Mr. Jesse Gilholm, the applicant's representative, requested that Condition No. 46 be modified to reflect that Cingular not be responsible for maintenance of items not related to this approval, to hold Verizon responsible to maintain and/or repair the tree, its branches and its bark.

After discussion regarding the maintenance of the equipment owned by both companies, as well as a short discussion regarding the height of the lowest branches, the Commission concurred to leave Condition No. 46 as written.

Hearing no further comment, at the hour of 1:48 p.m. Chairman Beede closed the public hearing.

Moved by Commissioner Smith, seconded by Vice-Chairman Dokter, to adopt Resolution No. PC2006-02 approving Variance 2005-252 and Conditional Use Permit 2005-251, based on the findings and subject to the amended conditions of approval as follows:

RESOLUTION NO. PC2006-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING VARIANCE 2005-252 AND CONDITIONAL USE PERMIT 2005-251 TO ALLOW CONSTRUCTION OF AN 85-FOOT TALL CELLULAR MONOPINE AND ANCILLARY EQUIPMENT AND TO VARY FROM SECTION 17.35.170.B.3 OF THE DEVELOPMENT CODE TO EXCEED THE 65-FOOT

MAXIMUM HEIGHT PERMITTED FOR A CELLULAR ANTENNA BY AN ADDITIONAL 20 FEET ON 10.7 ACRES OF PROPERTY LOCATED AT 39707 BIG BEAR BOULEVARD (ASSESSOR'S PARCEL NUMBER 307-111-41).

The motion was approved by the following vote:

AYES: SMITH, HACKNEY, BRIGHAM, DOKTER, BEEDE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2.2 Variance 2005-230

Applicant: Mark and Paula Hammerschmitt

Representative: Bob Carlisle, MAPCO

Location: 399 Delaney Court

APN: 306-101-27

Chairman Beede informed the Commission that due to a conflict of interest of a financial nature, he must abstain from discussion and vote of Item 2.2. Commissioner Brigham also announced that in abundance of caution he must abstain from discussion and vote of Item 2.2, as a property directly across the street and within view of the lake was previously a relative's home and he represented this relative in the sale of the property. At the hour of 1:50 p.m., Chairman Beede excused Commissioner Brigham from the remainder of the meeting, turned the gavel over to Vice-Chairman Dokter and left the meeting room.

Associate Planner Etter presented the staff report, stating that the applicants are requesting to encroach five feet into the required twenty-foot setback from Delaney Court with the construction of a deck addition to the existing residence. She stated that the property owner and applicant were both present, and that staff recommends that the Planning Commission adopt a resolution finding the project categorically exempt from the California Environmental Quality Act (CEQA) and approving Variance 2005-230, based on the findings and subject to the conditions of approval.

At 1:55 p.m., Chairman Beede opened the public hearing.

Mark Hammerschmitt, the applicant, stated that the requested Variance was only for a continuation of a deck already existing on the property and that the property sits below street level of Delaney Court.

Bob Carlisle, representative from MAPCO, explained stepped elevations of the project from Waterview and Delaney street levels.

Robert Choo, resident of Torrance, California and nearby property owner, spoke in opposition to the Variance application, for reasons of the impact to his view and decreasing property value.

Hearing no further comment, at the hour of 2:04 p.m., Chairman Beede closed the public hearing.

City Planner Molina informed the Commission that the Conditions of Approval Effective Date and Expiration Date appearing on Page 13 of the staff report were incorrect, recommended the following corrections be made, and the Commission concurred:

EFFECTIVE DATE: FEBRUARY 14~~3~~, 2006

EXPIRATION DATE: FEBRUARY 13, 2008~~7~~

1. Variance application 2005-230 is granted to encroach five feet into the required twenty-foot setback from Delaney Court with the construction of a 287 square foot deck addition to the existing 1,950 square foot single-family residence located at 399 Delaney Court (Assessor Parcel Number 306-101-27). This approval is granted based on the application materials submitted by Mark and Paula Hammerschmitt and plans prepared by MAPCO dated October 28, 2005. These plans and the proposed use of the site are approved as submitted and conditioned herein, and shall not be further altered unless reviewed and approved by the affected City departments. Minor modifications to this approval which are determined by the City Planner to be in substantial conformance with the approved site plan, and which do not intensify or change the use of require any deviations from adopted standards, may be approved by the City Planner upon submittal of an application and the required fee. If not appealed, this approval shall become effective on the first business day following the eleventh (11th) day after the date of the Planning Commission's approval and shall expire ~~twenty-four (24)~~ twelve (12) months after the effective date of the approval unless the use or occupancy which is the subject of this action has taken place and all conditions of approval have been met, or a time extension has been granted by the City. Any application for an extension of time shall be submitted to the Planning Division, along with the required fee, at least ninety (90) days prior to the expiration date of this approval.

Moved by Commissioner Hackney, seconded by Commissioner Smith, to adopt Resolution No. PC2006-03 approving Variance 2005-230 based on the findings and subject to the amended conditions of approval as follows:

RESOLUTION NO. PC 2006-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA APPROVING VARIANCE 2005-230 TO ENCROACH FIVE FEET INTO THE REQUIRED TWENTY FOOT SETBACK WITH THE CONSTRUCTION OF A DECK ADDITION TO THE EXISTING RESIDENCE ON A 7,420 SQUARE FOOT PROPERTY LOCATED AT 399 DELANEY COURT (ASSESSOR'S PARCEL NUMBER 306-101-27)

The motion was approved by the following vote:

AYES: SMITH, HACKNEY, DOKTER

NOES: NONE

ABSENT: NONE

ABSTAIN: BRIGHAM, BEEDE

At the hour of 2:07 p.m., Chairman Beede returned to the meeting room and took his seat at the dais.

3. PLANNING OFFICIAL'S REPORT

None.

4. SUMMARY COMMENTS

None.

5. ADJOURNMENT

There being no further comments, Chairman Beede adjourned the meeting at 2:08 p.m.

MINUTES APPROVED AT THE MEETING OF FEBRUARY 15, 2006.

Lynne Rayner

Lynne Rayner, Administrative Secretary