Minutes

Planning Commission January 4, 2010 City of Orange Monday 7:00 p.m.

PRESENT: Commissioners Cunningham, Imboden, and Steiner

ABSENT: Commissioners Merino and Whitaker

STAFF

PRESENT: Ed Knight, Assistant Community Development Director

Jennifer Le, Senior Planner Chad Ortlieb, Senior Planner Sonal Thakur, Assistant Planner Gary Sheatz, Assistant City Attorney Sandi Dimick, Recording Secretary

ADMINISTRATIVE SESSION:

Chair Steiner opened the Administrative Session @ 6:47 p.m. with a review of the Agenda.

Item No. 1, Minutes from the regular Planning Commission Meeting of November 2, 2009. No changes or corrections noted.

Item No. 2, Minutes from the regular Planning Commission Meeting of November 16, 2009. Chair Steiner noted corrections to pages 17 & 25 of the minutes

Item No. 3, Minutes from the Administrative Session, for the Planning Commission Meeting of December 7, 2009. No changes or corrections noted.

Item No. 4, City of Orange Capital Improvement Project and Zone Change. Chair Steiner stated he would move the item to the last item on the Agenda and he would have a question regarding noise of the project. Senior Planner, Jennifer Le, would be presenting the item.

Item No. 5, Trillium Telecom CUP and MSPR. Chair Steiner asked if the application was for a co-location and as he understood the proposed project, flush mounting was not an option? Senior Planner, Chad Ortlieb, stated he was correct the proposed project was an application for co-location. Chair Steiner asked if a representative from SCE would be present and if the easement access had been resolved? Mr. Ortlieb stated an SCE representative would be present and he was not certain regarding the easement access situation.

Item No. 6, Target CUP. Assistant Planner, Sonal Thakur, would be presenting the item. She stated Sergeant Peterson would not be attending the meeting due to another obligation. Chair Steiner stated the Orange Police Department had no opposition to the application. Ms. Thakur stated that was correct. Chair Steiner stated there were some inconsistencies between the square footage in the call log and the Staff Report. Ms.

Thakur stated Staff used the square footage from the actual application. Chair Steiner stated the Staff Report also noted that the Target location was currently undergoing remodeling. Ms. Thakur stated the remodel had been completed. She stated that the applicant had wanted to be moved up in the Agenda in order to make an airline flight and Chair Steiner had already addressed that. Chair Steiner asked if there was any data available that showed the number of Target stores that sold alcoholic beverages. Ms. Thakur stated she was not certain of that number.

There was no further discussion.

Administrative Session closed at 6:52 p.m.

REGULAR SESSION:

PUBLIC PARTICIPATION: None

CONSENT CALENDAR:

- (1) APPROVAL OF MINUTES FROM THE REGULAR MEETING OF NOVEMBER 2, 2009.
- (2) APPROVAL OF MINUTES FROM THE REGULAR MEETING OF NOVEMBER 16, 2009.
- (3) APPROVAL OF THE MINUTES (ADMINISTRATIVE SESSION ONLY) FROM THE MEETING OF DECEMBER 7, 2009.

Chair Steiner made a motion to approve the minutes from the regular meetings of November 2, November 16 and December 7, 2009, with the changes to the minutes of November 16 as noted during the Administrative Session of the meeting and minutes from the November 2 and December 7 approved as written.

SECOND: Commissioner Imboden

AYES: Commissioners Cunningham, Imboden, and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioners Merino and Whitaker

MOTION CARRIED.

Chair Steiner stated there would be some moving around of the Agenda Items to accommodate a scheduling issue. Item No. 6, CUP 2755-09 Target would be heard initially.

New Hearings:

(4) CITY CAPITAL IMPROVEMENT PROJECT NO. 8935 & 8119; ZONE CHANGE NO. 1253-09; SITE PLAN REVIEW NO. 0593-09; LOT LINE ADJUSTMENT LL-2009-01; AND MITIGATED NEGATIVE

DECLARATION NO. 1816-09 – WATER WAREHOUSE RENOVATION AND WELL 27 CONSTRUCTION

A proposal to renovate an existing vacant warehouse to accommodate warehouse, office, office support areas and a drinking water laboratory for existing City Water Division staff and operations. The project includes demolition of a portion of the existing warehouse building and construction of a new City water well, support piping, structures and equipment in the area of the demolished building. To accommodate the warehouse renovation, a lot line adjustment is proposed to merge the Water Warehouse lot (145 South Water Street) with the adjacent Water Yard/Headquarters lot (189 South Water Street). To accommodate the Lot Line Adjustment, a Zone Change is proposed changing the Water Warehouse lot from R-1-6 (Single Family Residential, 6,000 square foot minimum lot size) to PI (Public Institution).

LOCATION: 145 & 189 Water Street

NOTE:

Mitigated Negative Declaration (MND) No. 1816-09 was prepared to evaluate the physical environmental impacts of the project, in conformance with the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15070 and in conformance with the Local CEQA Guidelines. The Mitigated Negative Declaration finds that the project will have less than significant impacts to the environment, with the implementation of standard conditions and mitigation measures. The 30-day public review period was initiated on November 3, 2009 ending on December 2, 2009.

RECOMMENDATION:

Adopt Planning Commission Resolution No. 46-09 recommending that the City Council approve Mitigated Negative Declaration 1816-09 and Zone Change 1253-09 to reclassify the city-owned property at 145 Water Street from (Single Family Residential) to PI (Public Institution), and a Lot Line Adjustment consolidating the two properties and approve the renovation of the water warehouse and construction of a City water well and support facilities.

Senior Planner, Jennifer Le, presented a project overview consistent with the Staff Report.

Chair Steiner opened the item for any questions to Staff.

Chair Steiner stated his questions related to noise. There was reference in the Staff Report regarding efforts to control noise during construction. During the 14 day drilling operation, he asked if the water facility would be noisy once it was established?

Associate Civil Engineer, Water Division, Tuan Cao, stated he was not working with the City when they drilled well No. 25, but based on the records, there was no excessive noise during construction.

Chair Steiner asked about the noise after construction was completed?

Mr. Cao stated when the drilling was completed there should not be any noise. Once in operation, there would be a sound enclosure around the well to keep the noise level down to acceptable levels.

Chair Steiner stated once everything was complete and the on switch was flipped, he had seen them around the City, and he asked what sound would be generated by the facility.

Assistant Community Development Director, Ed Knight stated he and Ms. Le had a conversation about the noise factor and she would be able to provide some technical information as well as the mitigation measures to mitigate any sound from the pumps.

Ms. Le stated there was a noise measurement completed at Well No. 25 which was the closest well to the project site to get an idea of how noisy the well would be. It was read at 52 decibels at 10 feet from the well and that well had a sound attenuating enclosure around it and that was what could be anticipated on the proposed project. The system ran at a constant speed, it would be a constant hum rather than a variable speed and there would be no on and off.

Chair Steiner asked would the well be in continuous operation.

Ms. Le stated that was correct it would be in continuous operation.

Chair Steiner asked, in reviewing the site map, how would Ms. Le describe the site area where the well was proposed?

Ms. Le stated the proposed well location would be closer to the Jameson Street side of the property, which would be 10' to 15' from the property line with Jameson Street having a 40' width. The residential uses were located all along Jameson Street on the opposite side. The City was mindful of those residential uses and they had taken a good look at the noise levels that were being generated by Well No. 25 to ensure the issue was addressed.

Chair Steiner stated the decibels levels she had referenced earlier were at 10'.

Ms. Le stated yes, at 10'. As an industry standard, there would be a 6 decibel level drop off rate for noise per doubling of distance and the residences were located over 50' from the well location. There would be a drop off such that noise would be substantially less than 50 decibels.

Chair Steiner stated all the affected residences were noticed of the proposed project.

Ms. Le stated that was correct and they had not received any response to those notices.

Mr. Knight stated normally in a residential area during the day, on the average, and it was not for that specific street but for a street of similar makeup, there would be 60 to 65 decibels of noise during the course of a day, dropping down to 50 to 55 during the

evening hours and seldom going below that. A very quiet residential area might drop down to 45. Generally speaking the residents would not hear anything from the well while they would be in their homes. Residents would need to walk across the street to hear the hum from the well.

Chair Steiner stated the homes he referenced were in immediate proximity to Chapman Avenue.

Mr. Knight stated correct and there would be a lot of noise from Chapman.

Chair Steiner stated he was curious, he had seen the wells, but was not aware of the sound that came from them.

Ms. Le stated without the noise attenuating enclosure there would be noticeable noise, but with the sound enclosure, they found that to be very effective in lowering the noise levels.

Chair Steiner stated there would be a 6 decibel drop off rate per doubling of distance, which was interesting to note.

Commissioner Imboden stated going back to noticing, he assumed neighboring property owners were noticed both during the Environmental Review process and for the Planning Commission Meeting.

Ms. Le stated yes, they were noticed both times.

Chair Steiner made a motion to adopt PC 46-09, recommending approval to the City Council of City Capital Improvement Project No. 8935 & 8119; Zone Change No. 1253-09; Site Plan Review No. 0593-09; Lot Line Adjustment LL-2009-01; and Mitigated Negative Declaration No. 1816-09 - Water Warehouse Renovation and Well 27 Construction, subject to the conditions contained in the Staff Report and noting compliance with CEQA.

SECOND: Commissioner Imboden

AYES: Commissioners Cunningham, Imboden, and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioners Merino and Whitaker

MOTION CARRIED.

(5) CONDITIONAL USE PERMIT NO. 2730-08; DESIGN REVIEW COMMITTEE NO. 4385-08; AND MINOR SITE PLAN REVIEW 0574-08 – TRILLIUM TELECOM (AT&T WIRELESS)

A proposal to place nine (9) panel antennas on the north, east, and south elevations of a Southern California Edison (SCE) power line tower with equipment to support the antennas located inside an equipment enclosure located directly under the center of the tower base.

LOCATION: East of Feather Hill Drive and North of Meats Avenue

NOTE:

This project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303 (Class 3 – New Construction or Conversion of Small Structures) because the project involves a new equipment enclosure and antennas on an existing power line tower.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution No. 47-09 approving the establishment of a wireless facility on a SCE power line tower.

Senior Planner, Chad Ortlieb, presented a project overview consistent with the Staff Report.

Chair Steiner opened the item to any questions for Staff.

Chair Steiner stated in regard to the flush mounting Mr. Ortlieb had given one reason why the applicant had indicated it was not a viable option, but in fact, there were two reasons the applicant was choosing not to provide flush mounting; and he read from the Staff Report: the applicant was not willing to make the discriminatory judgment as to which service to eliminate.

Mr. Ortlieb stated it was his limited understanding that there were multiple types of antennas and for the particular type involved for the type of wireless service, the applicant indicated that the antennas could not be flush mounted whereby another type could be.

Chair Steiner asked if that was the type the applicant was willing to install?

Mr. Ortlieb stated that was correct.

Chair Steiner invited the applicant to address the Commission.

Tim Miller, representing AT&T, address on file, stated the Staff Report was well stated. He would address the conditions and the antennas. The type of antennas that were proposed were flat paneled antennas that needed to be down-tilted to pick up the coverage for the area that required a limited space, otherwise the signal would go in all directions and interfere with other sites. The signal needed to be contained. On a lattice tower with tapered legs, if the antennas were to be flush mounted, the signal would be going up into the air and not down to the coverage objectives.

Chair Steiner stated, as he understood it, there was no such thing as flush mounting on lattice towers.

Mr. Miller stated that was correct, he had never flush mounted on a lattice tower and SCE would not allow flush mounting as the installation was done off of a leg of the tower. Flush mounting could be done on a pole, such as a flag pole. As for the rumble strips,

they had come into some issues with what would be allowed based on SCE Guidelines. As far as installing the strips on a private area in order to stop gravel or mud from going onto the road, they had run into some issues. With service vehicles coming onto the site for the SCE towers; there needed to be a weight limit and there was a liability that came into play with vehicles crossing the strips. He saw validity in using the rumble strips as a temporary measure while the tower was under construction. Once construction was complete, their equipment would be serviced approximately once a month; therefore, they would not anticipate a lot of vehicular traffic at the site. That was one of the issues they had been working on. AT&T had already made contact with the private property owner; speaking with them to gain access to the site and for compensation. It was in the works. They were agreeable to all other conditions. They were having some difficulty with the rumble strip request.

Commissioner Cunningham asked if the applicant was requesting that Condition No. 5 be removed or modified.

Mr. Miller stated they could modify that condition. Without the access from the private property, they would not be able to access the antennas and it would be worthless to move forward with the project. The rumble strips were the issue and if the Condition could be revised, those rumble strips would be required only during construction.

Commissioner Cunningham asked how often vehicles would be traveling to and from the site during construction?

Mr. Miller stated he was not certain and was not familiar with all the construction that was necessary on an SCE tower.

Chair Steiner stated it was a sufficient number that the applicant was agreeable to the installation of rumble strips.

Mr. Miller stated that was the initial concern, the number of vehicular trips to the site. When they spoke about AT&T servicing the site, it would be approximately once a month.

Chair Steiner stated it appeared that there was another member of the applicant's team that might be able to answer their questions.

Jacqueline Murray, address on file, representing Southern California Edison, stated during the construction it was a 3 to 4 week process to get the cell site built. There would be flatbed trucks delivering the equipment cabinets and a man-lift would be brought out to access the antennas. There would be tower crews and delivery trucks on site at least once a day, along with crew trucks and the man-lift truck that would be out there for stringing of the coaxial antennas. For a 3 week period, there would be a significant amount of activity. Once the construction was completed and the antennas were up and functioning, the site would only be visited by the applicant approximately once a month. There would be very limited activity once the site was built. She had spent quite a bit of time on the internet attempting to find some type of specification for rumble strips that was required by SCE; she spent at least half a day on google and various web sites trying

to find different types of rumble strips. The only type she found had been a temporary construction trough that was used as a wash rack for trucks to be washed off as a temporary construction measure. In speaking with their Operations Department, they were not very excited about having an open pit with water and all types of debris that would need to be cleared out and maintained. Unless she was able to come up with some type of specifications, she would accept a recommendation from the City for a rumble strip scenario.

Chair Steiner stated he was certain Staff would not have recommended rumble strips if they had not had an idea of what they looked like and he would get an answer from Staff of their expectations.

Commissioner Imboden stated the Commission had heard that the site would be accessed approximately once a month; there were other communication devices at the site and he assumed Edison would visit the site as well. He wanted to get what the total number of ins and outs at the site would be over the course of a month.

Mr. Miller stated, as far as the AT&T technicians and other carriers, it was approximately once a month. They would go out to ensure that everything was calibrated correctly and running properly.

Commissioner Imboden asked how often would SCE personnel visit the site?

Ms. Murray stated there were patrolmen that patrolled the right-of-way and she would need to find out how often the site was visited. She would need to know whether the site had a graffiti or vandalism problem which would require a more frequent patrol.

Commissioner Imboden stated that was probably not the case with the proposed site and he was attempting to gain information on the proposed project before them.

Ms. Murray stated she had been to the site and had not observed any graffiti or any vandalism, possibly they would visit the site once a month or as needed. If a resident called to complain of a situation, there would be a patrol sent out. It would not be as frequent as the cell sites.

Commissioner Imboden stated probably or maybe, he asked if she could give him a better idea of the number of visits.

Ms. Murray stated once a month maybe.

Chair Steiner asked what the number of current users was at the proposed location.

Ms. Murray stated two; AT&T would be the third.

Chair Steiner stated, speaking to Mr. Miller, in the event that the applicant was unable to secure an agreement from the private property owner, would the proposed project be in peril, irrespective of whether the Planning Commission approved it.

Mr. Miller stated he understood that.

Chair Steiner brought the item back to the Commission for any further questions or discussion.

Commissioner Imboden asked if Staff had any further input regarding the rumble strips for the applicant. He was not asking Staff for specifications as that was not Staff's responsibility, but wanted to know if Staff had any further comment.

Mr. Ortlieb stated Staff had not wanted to dictate what type of rumble strips the applicant could use, as long as the applicant could demonstrate the effectiveness of the strips to knock mud off of vehicle tires in a rainy scenario and as long as they were secured in some type of permanent basis, if that was the Commissions' request. The type of strips that he had seen were wide enough to accommodate a vehicle moving over a steel strip base with a plate that would stick up perpendicular to it; that continued on and knocked the mud off of a vehicle tire.

Chair Steiner stated with the google search notwithstanding, it sounded as if there was a common understanding as to what a rumble strip would entail; and whether the request would be for a permanent situation or just during construction, that was to be determined. It appeared that there was a general understanding of what had been contemplated by Staff in making a recommendation that seemed reasonable enough.

Assistant Community Development Director, Ed Knight stated Mr. Ortlieb's description was accurate, he wanted to add that what the SCE representative had described was a situation that existed and generally used at construction sites. It was a type of cleaning pit that had rumble strips on the bottom and typically used when dirt was being moved on or off of a site. An eighteen wheeler would be cleaned off before it left the site so it would not carry off any mud; they were not speaking of that type of situation as a condition for the proposed project.

Chair Steiner stated what he was describing would be a much different situation.

Mr. Knight stated that was correct, it was a more elaborate one that was generally used with earth moving equipment.

Chair Steiner stated it sounded like it would probably be a type of measure that would be implicated by a Mitigated Negative Declaration or something along those lines.

Mr. Knight stated there would be an Environmental Document and what was known as a SWIF, which was a water quality permit, construction permit that was issued by local water quality management agency.

Chair Steiner stated what Staff had recommended in reference to rumble strips, whether permanent or as a temporary measure during construction, were not along those lines.

Mr. Knight stated not even close.

Commissioner Imboden stated he was hoping to get a specific answer in regard to the number of vehicular trips coming in and out of the site. His interpretation of what was presented was that the number was not even known and he had a bit of difficulty with an applicant asking to have a condition removed on the basis that it was not necessary where there was not a full understanding of the impact. In reference to the specifications for the rumble strips, he had not accepted that half a day spent on google would not allow the condition to happen, certainly rumble strips were frequently used.

As far as weight limit was concerned and Mr. Knight had stated, large earth moving equipment could be brought over them. They were used on interstate highways and it was not an argument he was convinced with. He was willing to support the project; however, he would not be willing to change the condition. He felt Staff and the Design Review Committee had evaluated the conditions and had put them in place and that they should stay there.

Chair Steiner stated changes to conditions or a change to Condition No. 5?

Commissioner Imboden stated it was just Condition No. 5.

Commissioner Cunningham stated regarding Condition No. 5, he thought it would be reasonable to modify the condition to have rumble strips as a temporary measure. Unless anyone had presented evidence to the contrary, he had not heard that mud was a problem at the site on a year round basis and he felt it would only be necessary temporarily during the construction phase. It was reasonable to amend the condition; otherwise, it would be making one carrier fully responsible for keeping mud off the site, when there were other carriers that had equipment at the site. He would support adding to Condition No. 5 that they could be removed after the construction phase.

Commissioner Imboden stated he wanted to get clarification from Staff. It wasn't his impression that there was a concern only during the construction phase.

Commissioner Cunningham asked if there was mud currently.

Mr. Ortlieb stated City Public Works and Community Service's Staff had observed where there was a lot of mud carried onto City streets from the vehicle tires during the rainy season.

Commissioner Cunningham asked if that was a situation that occurred in general or was it specific to the site for the proposed project.

Mr. Ortlieb stated in general.

Commissioner Cunningham stated he understood, in general, but they were speaking to a specific site. He had not known what the cost involved was, but he had a concern in having one company pay the entire cost of mitigating every company's mud and what they were asking the applicant to do. AT&T would not be the only company accessing the site, there would be other carriers also accessing the site that were not being asked to mitigate the cost of removing mud on their tires when exiting the site. Unless they could

find a way to split the bill, he thought it would be reasonable to have the condition modified as a temporary measure during construction of the cell site. He would be willing to approve the project with that change to Condition No. 5.

Chair Steiner stated his take on the issue was that the proposed use by the applicant would be once a month and it had not seem reasonable to impose the installation of permanent rumble strips for such a diminutive use. He would be inclined to agree with Commissioner Cunningham based on what he was hearing regarding the level of traffic during the construction period. It seemed perfectly rational to require the installation of rumble strips. Based on the level of use that was contemplated after construction would be completed, it had not seemed perfectly rational to require the installation of rumble strips. He could support the installation of rumble strips on a permanent basis for some sites; however, in the absence of any direct evidence that it was an issue at the proposed project location, he would not be inclined to mandate that request on the proposed application. It appeared that would be the split and he asked if there was any further discussion. There was not.

Commissioner Cunningham made a motion to adopt PC 47-09, approving CUP No. 2730-08; Design Review Committee No. 4385-08; and Minor Site Plan Review No. 0574-08 - Trillium Telecom (AT&T Wireless), subject to the conditions contained in the Staff Report and with the revision to Condition No. 5 that the rumble strips to be removed after construction of the site was completed, and noting the item was categorically exempt from CEQA.

Chair Steiner stated in reference to the rumble strips, he would ask the applicant to work with Staff to determine the adequacy of rumble strips as there appeared to be an impression of what would be acceptable and he took it that there would not be any opposition from the applicant as it related to the rumble strips.

Mr. Miller stated that was fine, he noticed that Condition No. 4 had a mention of the rumble strips and asked if that condition would be amended as well.

Chair Steiner stated Condition No. 4 was not in reference to rumble strips.

Ms. Murray stated the document Mr. Miller was reviewing may have been from the previously cancelled meeting.

Chair Steiner read Condition No. 5 from his Staff Report, and asked if that was what Mr. Miller was seeing as Condition No. 4.

Mr. Miller stated yes that was correct.

Chair Steiner stated whether or not Commissioner Cunningham made reference to Condition No. 5 or 4 as it related to rumble strips, the motion made was for installation during construction and he asked the applicant if he was comfortable with that.

Mr. Miller stated yes.

Chair Steiner stated he would second the motion and allow Staff to clarify whether it was Condition No. 4 or 5; it was the Condition that pertained to rumble strips.

SECOND: Commission Steiner

AYES: Commissioners Cunningham and Steiner

NOES: Commissioner Imboden

ABSTAIN: None

ABSENT: Commissioners Merino and Whitaker

MOTION CARRIED.

(6) CONDITIONAL USE PERMIT NO. 2755-09-TARGET

A proposal to modify CUP 2457-03 in order to upgrade an existing Type 20 (Off Sale Beer and Wine, Package Store) ABC License to a Type 21 (Off Sale General, Package Store) ABC License.

LOCATION: 2191 North Tustin Street

NOTE: The proposed project is categorically exempt from the provisions of the

California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 1 – Existing Facilities) because the project proposes to modify an existing ABC license to permit the sale of distilled

spirits in addition to beer and wine for off-site consumption.

RECOMMENDED ACTION:

Adopt Planning Commission Resolution No. 43-09 to permit the general off-site sale of alcohol (Type 21 ABC License).

This item was moved up in the Agenda and heard as the first Agenda item.

Assistant Planner, Sonal Thakur, presented a project overview consistent with the Staff Report.

Chair Steiner opened the hearing for any questions to Staff. There were none. He invited the applicant to address the Commission.

Beth Aboulafia, address on file, thanked the Chair for taking her item out of order from the Agenda. The Staff Report explained the request. Target had an existing CUP which had been approved in 2003 that allowed the sale of beer and wine at the Target store for off site consumption and they were requesting a modification to upgrade the ABC License to allow the sale of distilled spirits. The request was being made in conjunction with the expansion of the market section at the site. The expansion provided a broader range of grocery items and along with the market section, Target wanted to offer a full range of alcohol products. Staff was supportive as well as the Orange Police Department and there had not been any opposition from any of the neighbors. She had no objections to the proposed conditions and asked the Planning Commission to follow Staff's recommendation to approve the modification of the CUP.

Chair Steiner stated some Target stores had the expanded grocery sections and some had not. He asked if it was customary for those stores with the expanded grocery sections to offer distilled spirits not unlike customary grocery stores.

Ms. Aboulafia stated the expanded grocery section was something that was relatively new and there were many Target stores that were scheduled for that type of expansion in 2010. In conjunction with the expansions, those stores would be applying for the upgraded licensing. There were currently 40-45 stores that were in the process of upgrading their licenses.

Commissioner Cunningham made a motion to adopt PC-43-09, approving Conditional Use Permit No. 2755-09-Target, modifying CUP 2457-03 upgrading an existing Type 20 ABC License to a Type 21 ABC License, subject to the conditions contained in the Staff Report and noting the item was categorically exempt from CEQA.

SECOND: Commissioner Imboden

AYES: Commissioners Cunningham, Imboden, and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioners Merino and Whitaker

MOTION CARRIED.

(7) ADJOURNMENT:

Chair Steiner made a motion to adjourn to the next regular meeting scheduled for Monday, January 18, 2010.

SECOND: Commissioner Imboden

AYES: Commissioners Cunningham, Imboden, and Steiner

NOES: None ABSTAIN: None

ABSENT: Commissioners Merino and Whitaker

MOTION CARRIED.