

# LAKESIDE COMMUNITY PLANNING GROUP

## *DRAFT MEETING MINUTES*

WEDNESDAY, AUGUST 16, 2013 – 6:30 PM

**Members present:** Mark Baker, George Barnard, Jeff Brust, Julie Bugbee, Lynn Carlson, Laura Cyphert (chair), Milt Cyphert (arrived late at 8:20pm), Tom Medvitz, Kristen Mitten, Paul Sprecco (arrived at 6:34pm), Linda Strom, Bob Turner.

**Members Absent:** Josef Kufa (v), Glenn Inverso, Wyatt Allen

**Public present:** Approximately 35

### **OPEN HOUSE: 6:00pm – 6:30pm**

1. Call to Order: 6:33 pm

2. Pledge of Allegiance.

3. Meeting Minutes for July 2, 2013 and July 16, 2013 were both approved by a motion made by G. Barnard, seconded by J. Bugbee. **Passed (10-0-0-5).**

### **4. ANNOUNCEMENTS:**

**A. Audio Recording** – Notification is hereby provided that the LCPG meeting may be audio recorded for purposes of preparation of the meeting minutes.

**B. Potential upcoming projects scheduled for future meetings** – A list of projects and presentations tentatively scheduled for upcoming meetings is provided as an attachment to this agenda.

**C.** L. Cyphert announced that Agenda Item named Lake Jennings Park Road is the same item as the Lake Jennings Market Place that is listed on Upcoming Agenda Items. K. Mitten corrected the announcement to state they are two different projects and that the Lake Jennings Park Road project on tonight's agenda is for a residential subdivision, and the Lake Jennings Market Place is a commercial project that will not be heard tonight.

### **5. OPEN FORUM:**

**A.** James Anderson – Concerned regarding lack of sidewalk and ADA accessibility at intersection of Winter Gardens and Woodside (specifically the s/w corner where the old gas station, current car sales lot is located). There is no sidewalk down to Starbucks, which is dangerous and needs to be brought into compliance.

### **6. COUNTY PRESENTATIONS:**

**A. Bee Keeping Ordinance Amendment** – James Kellum, entomologist from the County, presented the revised Bee Keeping Ordinance for regulating bee keeping. This is regarding managed honeybees managed by responsible bee keepers. The County is proposing a 3-Tiered Bee Keeping Ordinance. He was here in April and is back with further revisions based on feedback received. Bees are important as everything we eat is derived from bees and their populations are at critically low levels. 80% of the bees in this area are Africanized honey bees, not managed bees. Having more managed bees will push back the wild bees. David presented the proposal, which included: Required BMPs, Sensitive Site Examples and Setback Distances.

- T. Medvitz expressed concern of the setbacks since the bees don't stay in one place. (David stated that the setbacks are in relation to the bees' defensive zone)

- L. Cyphert inquired on fees for the different tiers (The fee for registration for 1-9 colonies is free and for 10 or more colonies it's \$10.

- M. Baker asked how many current beekeepers will be negatively impacted by these regulations (David stated that they're looking at the concept of "bee yards" where people can keep their bees if they can't keep all of their bees, not everyone can keep bees due to sensitive sites nearby, most of the people that will be impacted are the hobbyist bee keepers. Jim Oakley, from the County, also spoke on this.)

- K. Mitten asked the County to clarify that the County already has a Bee Keeping ordinance on the books and this is just a less restrictive ordinance. (Jim Oakley stated that yes, this is less restrictive and is set up for the smaller bee keepers (hobbyists) not commercial beekeepers)

- P. Sprecco inquired if the Bee Keeping Society was the primary shareholder providing input into this process. What percentage of the beekeepers are represented by this Society? (Over 900 million nationwide)
- Jeff Harmes, on the board of the San Diego Beekeeping Society, and have been working with the County for the last 6 months on a compromise for setbacks, in reaction to what the City of San Diego has done with their ordinance to help the hobby beekeepers on smaller lots. Beekeeper bees are European honeybees and they requeen all the time, to keep the bees European. The managed European drones then mate with the Africanized honeybees and water down the Africanized bee populations.

**Public Comments**

- Patt Bixby inquired as to what would happen if a daycare wanted to locate next to an existing registered beekeeper. (The beekeeper will be registered, so we will know where they will be).
- Paula Watson - Is there any number of beekeepers that will be in proximity to my house? (David stated that's where BMPs come in, they can't keep a lot of bees in one area or they will starve.)
- James Anderson - A number of people are allergic to bees and what is the course for restitution. (David stated that the County is protected against lawsuits, but people will still try to sue).

***No Action was Requested***

**B. Flume Trail update** – The County will present an update on the Historic Flume Trail Construction. ***Postponed on request of the County***

**C. Temporary Fire Station Site Plan Waiver** – The Lakeside Fire Protection District presented its application for a Site Plan Waiver for a Temporary Fire Station in the Winter Gardens area. Mark Baker recused himself due to his seat on the Fire Board, but will be available for questions if any exist. Chief George Tockstein representing the Lakeside Fire District, presented the proposal. He stated they want to be on the site within 5-6 months, but will need a site plan waiver. This was previously approved over a year ago and wanted to make sure the LCPG still supported the project. He stated they will come back before the LCPG when they decide where they would like the permanent Fire Station to be.

- P. Sprecco inquired as to timing and how long would this be a temporary station. (Chief Tockstein stated it would depend on the permanent funding source and design, but that they hoped no longer than 5 years)

**Public Comment**

- Todd Owens clarified that once they found a permanent site, they would vacate the temporary site they are asking for now? (Chief Tockstein confirmed they will come back before the LCPG when they decide where they would like the permanent Fire Station)
- J. Bugsbee inquired if they intended to come before the Design Review Board (No, they were instructed by the Zoning Department to go before the LCPG and then they would go through the permitting process, although they will have to do some work on Royal Road to bring it up to standards.)
- ***A motion to recommend approval of the project was made by G. Barnard and seconded by L. Carlson. Motion Passed (10-0-0-5)***

**D. Tree Removal request** – located at 12750 Lakeshore Drive. The tree removal request is for two large Eucalyptus trees, and the property owner has requested their removal due the safety hazard caused by multiple large limb breakages. The property owner is

- ***A motion to recommend approval of the project was made by G. Barnard and seconded by J. Bugsbee. Motion Passed (10-0-0-5)***

**7. PUBLIC HEARING:**

**A. AT&T Cell Tower on Wildcat Canyon MUP#13-015** – located at 12602 Wildcat Canyon Road. This agenda item was continued from the July 16, 2014 meeting.

- Tim Minion, from AT&T, presented the project and stated that it has been heard previously by the LCPG and was previously approved with an Administrative Permit from the County. We received 8 letters of support from the surrounding neighbors with a direct view and abutting neighbors.
- L. Strom stated that 4 of the 8 letters of support have duplicate addresses

- T. Medvitz wants to know why the County is lobbying so hard to help the applicant have a cell tower at this location. There are other cell coverage, and LAN lines in this area. (Jarrett Ramaya, city planner from the County, we are hear to listen to the concerns of the community and are not here to advocate for the applicant. The County has done its own independent review and have not been able to find any other locations in this area they could support. They are not the decision makers)

- G. Barnard asked if this was an AT&T tower only (Tim Minion stated that was correct, but it is suitable for another carrier to collocate, but they would have to come back through the same process before the LCPG)

### **Public Comments**

- Bob Coffin spoke in opposition to the proposal and passed out documentation on the possible devastating effects on the Blue Sky Ranch honey bee population. He stated that bees can become disoriented by frequencies of wireless communications. The Blue Sky Ranch, which is zoned Agriculture, relies on the bees to pollinate their citrus trees and they are right across Wild Cat Canyon Road. He expressed concern that nobody from AT&T, nor the County, came out to talk to them. AT&T can move their tower, but he can't move his farm.

- Lorna Mikuta spoke in opposition of the cell tower. Originally they stated there would be 12 arms for 12 carriers, and now they're saying 6 arms for 2 carriers. It would be less intrusive if mounted on poles, but they haven't investigated other less-intrusive locations. These belong in ROW's, not in neighborhoods. There is another pole a mile down the road on Barona. They are responsible for property devaluation, would have to see this ugly tower every day, it would recharacterize the neighborhood, would eliminate the quiet use of our homes, residents with AT&T have some coverage and so this is for AT&T's bottom line. Phone users are not guaranteed coverage. The FCC does not regulate nor do they measure the amount of radiation these put off. (Tim stated that the ROW sites were not considered since the technology AT&T wants to use (4G LTE) is not able to work off utility poles)

- James Anderson inquired as to how many people will be served by this new tower? How will rates be affected? We experienced dropped calls with AT&T. (Tim outlined the area of coverage)

- J. Bugbee stated that she had previously asked David Kellum, the County's entomologist, if the cell towers affected bees and he said no. Also the board asked for a water tower, when previously it was just a pole.

- T. Medvitz stated he wished the County would try to verify some of these reports, he also pointed out that this is zoned Agriculture and that the cell tower is not an agricultural use. How many customers are supported by this tower? (Tim stated that AT&T would like to provide better service to win over the customers in that area)

- K. Mitten asked if AT&T or the County knew there were bees nearby and whether either have looked at the effects of the electromagnetic waves on the bees. (Jarrett stated the County evaluates impacts to agriculture on every project, but electromagnetic impacts are not part of that evaluation)

- G. Barnard asked the audience how many people are here for this project (3), expressed concern over people being on a cell phone on Wild Cat Canyon Rd.

- L. Strom reiterated the concern of people using their cell phones on that road. She does not support project.

- P. Sprecco stated there are a lot of studies for both sides, we are elected officials and need to make decisions and have failed to make a decision three times and keep asking for more studies.

- M. Baker stated from an emergency perspective, we need better coverage on Wild Cat Canyon. I have seen many cell towers in the middle of crops that need bees that were thriving.

*A motion to recommend Approval of the project was made by P. Sprecco and seconded by K. Mitten. **No Motion Taken due to Fewer than 8 Votes (6-5-0-4)***

*- P. Sprecco pointed out that the Telecommunications Act of 1996 state that government boards cannot vote on items that result from a perceived health risk and the risk to the bees is simply a perceived risk and after a brief discussion made another motion to approve the project.*

*- A motion to recommend Approval of the project was made by P. Sprecco and seconded by K. Mitten. **No Motion Taken due to Fewer than 8 Votes (6-5-0-4)***

**B. Winter Gardens Apartment Homes - Discretionary Permit Site Plan STP#14-013** -located at 9208 to 9224 Winter Gardens Blvd. The proposed project will consist of 60+ apartment units which require access to Winter Gardens Blvd. The size and layout of the project to be determined after the following exceptions are resolved. (1) Site distance requirements for access to Winter Gardens, (2) 300' driveway access separation issue along Winter Gardens Blvd, (3) Frontage improvements along Winter Gardens Blvd.

**- Item #8B will be deferred to a future meeting per request from Applicant**

**C. Lake Jennings Park Rd - Discretionary Permit for Tentative Map Replacement TM#5578** - located at 9317 Lake Jennings Park Rd and Jennings Vista Drive. This project was previously approved in December 5, 2013 (14-0-0-1) The original Tentative Map consisted of 21 lots, with the development of 18 residential units and included an Administrative Permit for Lot Area Averaging. The replacement TM proposes 20 lots, with the development of 18 residential units. The Administrative Permit has been withdrawn and the plan has been amended resulting in lot sizes greater than 10,000 s.f.

- Hedy Levine from RCC Consultants, presented the project. There have been some minor design changes, we had an application for lot area averaging and have withdrawn that request, so now their smallest lot is 10,000 sf and they have provided a parks and rc trail abutting the property at the top of Blossom Valley Road. Setbacks, Noise barrier locations needed to be clarified, they now have a landscape plan, there has been a slight redesign of the frontage to provide a 5' d/g pathway and 5' concrete walk.

- J. Bugsbee inquired as to what the trail would connect to (Hedy stated that the trail will connect to trails across the street) Julie asked if instead of the trail, could they take out some of that rock so that Blossom Valley Rd could be potentially widened. (Hedy stated those rocks are on a strip of land that is not part of their property, it is County controlled land).

- K. Mitten inquired as to why they did not provide sidewalks/road improvements on Blossom Valley Rd (Hedy stated it was because they don't own the area with the rocks)

- M. Baker apologized for previous vote, but stated that he could not support this project unless the internal roads were widened to be public streets due to maintenance issues. No one takes care of them. He also stated it was not in congruence with the surrounding neighborhood that all have public streets.

- G. Barnard is concerned now about the fire access to these homes. (Hedy stated that these plans have met all fire specifications and have prepared a fire protection plan). George also stated he lives on a CSA maintained road and shares M. Baker's concerns.

- K. Mitten clarified with the applicant that the interior streets do not connect to adjacent neighborhoods and that the internal roads will only service the 18 houses and that an HOA would maintain the road.

#### **Public Comments**

- Steve Hoag has previously spoke against this project and has a petition with 350 signatures against this project. We do not have the water in this state to build new homes. Fire protection is a problem, during a previous fire event, the fire trucks could not make it through. Adding 18 new homes in this area does not make any sense. All new development in Lakeside needs to be denied until we find more water. This is the last open space in Lakeside that people bring their kids to.

- Karen Ensall inquired as to where the trail was located (Hedy stated the trail was not on Blossom Valley Road, but is located above the slope, adjacent to the property line that is supposed to connect to the trail all the way down Blossom Valley Road)

- M. Cyphert arrived late at 8:20pm

- J. Bugbee pointed out that when we heard this project in the past, the majority of people that turned out were in favor of this project and the neighbors above it thought it was the best project they were going to get.

- L. Cyphert agreed with J. Bugbee's recollection and noted this was private property that will be used for something.

- M. Cyphert recalled that they were going to improve that entire area with curbs, gutters, sidewalks, traffic signals, etc., is that still the case? M. Baker clarified the concern for safety was for the interior streets.

- J. Bugbee pointed out that she didn't think they could keep the same project, if they had to widen the roads.

- K. Mitten pointed out that we had previously approved this project and now after they have made minor changes to improve it we deny it or make more strenuous conditions that were not brought up previously. The LCPG needs to be more consistent. (T. Medvitz stated that they changed the plan, so we get to comment)

- Hedy stated we need the collective memory of this planning group to understand where we were 8 months ago in terms of unanimous approval of this project and all we've done in the meantime was to improve it.

- G. Barnard stated we could deny it on the basis it doesn't meet the safety standards. (several members stated that it does meet safety standards).

- L. Cyphert pointed out that the LCPG is advisory only and we transmit out feedback to the decision makers.

- *A motion to recommend approval of the project on condition that the Applicant and the County consider taking out the rock wall along Blossom Valley Rd was made by J. Bugsbee and seconded by K. Mitten. **No Motion Taken due to Fewer than 8 Votes (7-4 -1 -3)***

- *A motion to recommend approval of the project on condition they expand the interior roads to be public streets*

was made by P. Sprecco and seconded by T. Medvitz (**Motion Rescinded by P. Sprecco**)

- Julie requested we vote again on the first motion.

- A motion to recommend approval of the project on condition that the Applicant and the County consider taking out the rock wall along Blossom Valley Rd was made by J. Bugsbee and seconded by K. Mitten. **No No Motion Taken due to Fewer than 8 Votes (7-4 -1 -3)**

**D. Oversized Garage Workshop Administrative Permit - AD#14-041** - located at 15341 Toya Lane in El Cajon. The proposed project is a 3,000 square foot garage with 22 foot walls.

- Ken Rappaport just moved here in June and needs the space to have a shop for racecars. It is very secluded and currently it has a decrepit barn that is 2,800 sf and is about the same height. It will match the house and will have solar panels on the roof with the trees around the building.

- G. Barnard asked what the height is for? What type of building is this? (Ken stated he will have a shop over the storage. It will be beige steel building with brown trim, empire steel building, to match the house. The County has not told him what he can build yet, so this is what he wants)

- J. Bugsbee inquired as to the size of the lot (1.57 acres and the building that's there is about the same size as the building he will put up)

- T. Medvitz inquired as to whether there was an HOA or CCR (Ken stated no)

- L. Strom inquired as to the size of the house (Ken stated 2,400 sf)

- K. Mitten asked for clarification when he said the 50'x60' building, 3,000 sf, was roughly the same size as the decrepit barn that is on the site.. how big is barn? (Ken stated it is about 2,800 sf)

- M. Cyphert inquired if people will be able to see it (Ken stated you might see the roof from Oak Creek and that he lives at the end of Toya)

#### **Public Comment**

- Alan Grant, neighbor, agrees that the barn that is there is an eyesore, but the 22' barn will be built 60' in front of my front door. Allowed a workshop of about 1,700 sf and 12' tall, but he is asking for twice that. Concerned he might have to put in a sprinkler system despite toxic chemicals and he'll likely have to upgrade the water system and cut across 7 private driveways. Alan stated that he and another neighbor have a concern that this will be a commercial building. He estimates the existing barn is about 14' tall.

- Ken stated the building will not be out Alan's front door, and it is turned 90 degrees, so he will be looking at the small end.

- A motion to defer the project until additional information can be provided was made by G. Barnard and seconded by M. Cyphert. **Motion passed (12-0 -0 -3)**

#### **8. GROUP BUSINESS:**

A. Reimbursement of \$6.68 for photocopies. A motion to approve was made by T. Medvitz and seconded by J. Bugsbee. **Motion passed (12-0-0-3)**

B. Members Attendance Review – it was noted that Jeff Brust has missed ¼ of the meetings in the last year and there will be a vote at the next meet to either uphold or waive the forfeiture.

#### **9. SUBCOMMITTEE REPORTS:**

A. Design Review Board (DRB) – ran out of time

B. County Service Area 69 (CSA 69) – ran out of time

C. Trails – ran out of time

**10. ADJOURNED:** 8:50 p.m. The next meeting will be in the gymnasium in the Lakeside Community Center on September 3, 2014 at 6:30 pm with the Open House starting at 6:00pm.

Kristen C. Mitten, Secretary  
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