FROM THE PLANNING COMMISSION MINUTES OF JANUARY 22, 2015

AGENDA ITEMS

7. 14-1588 Development Services Division, Planning Services recommending the AT&T Cell Tower Skyline Drive project [S14-0009] be continued to the February 26, 2015 hearing to allow staff time to review revised site plans showing the re-design of the equipment shelter, relocation of the tower to avoid trees, removal of the HVAC units, and submittal of a detailed alternative site analysis based on the concerns expressed by the Planning Commission on December 11, 2014. The Planning Commission directed staff to return with Findings for Denial, but the new information and revised plans submitted by the applicant requires additional Planning Commission consideration.
(Supervisorial District 5) (Cont. 12-11-14, Item 3)

Joe Prutch stated that the Commission had conceptually denied the project on December 11, 2014 and directed staff to return on January 22, 2015 with Findings for Denial. On January 7, 2015, the applicant requested a continuance to allow time to provide submittal and analysis for an alternative site. On January 14, 2015, the applicant submitted a multi-site alternative. Staff is now requesting a continuance to allow time for staff analysis and public review.

Chris Hatch, applicant's agent, explained that it was determined that they could meet all of the requests made by the Commission at the last hearing. This alternative is the least intrusive and requested the Commission review the alternative site.

Lori London made the following comments:

- Stated that a Fait Accompli had happened;
- What the Commission directed staff to place on today's agenda did not occur;
- Even if decided not to continue this item, since no Findings of Denial were presented, there is no choice but to continue it;
- The procedural rules were not followed;
- Voiced concern on the continuance request as the applicants have a "shot clock" and questioned if this could be continually continued;
- Since this was denied without prejudice, questioned why it wasn't being moved forward;
- Site alternative analysis was done by someone connected with AT&T and would request that an independent consultant review the alternative site;
- Option to use existing tower was discussed by the Commission but was not explored;
- Request that future meetings on this item be held in South Lake Tahoe as many residents would like to attend;
- Invited the Commission to conduct a site visit;
- The Commission needs to do what is right for the residents of El Dorado County; and
- This is a manipulation of the process.

Lou Parrino made the following comments:

- Questioned why the Findings of Denial were not on the agenda;

- Spoke on the City of South Lake Tahoe letter regarding no contact from AT&T on the proposed tower as there are two towers in that area already;
- Researched the signatory on the site analysis and couldn't find his qualifications;
- Neighborhood is completely opposed to this project;
- Request that the Commission deny the continuance request and allow the applicant to appeal to the Board of Supervisors; and
- Wanted to ensure that his email correspondence with Joe Prutch be included in the file.

Richard Ganske made the following comments:

- Lives directly across the street from the proposed site;
- If tower is relocated outside of the trees, then it puts it closer to homes;
- Tower will be close to school children;
- This is a residential neighborhood and they should have some say in projects;
- Neighbors are upset with this project;
- Wants to know who AT&T approached because he can't find anyone that spoke to them;
- Current cell site is a problem as there is a rental home on it which is not as well kept as the surrounding homes;
- Owner of the proposed cell tower site has already stated that he would be renting out the house;
- There is already a significant amount of commercial in the neighborhood due to the water tower and airport;
- Disagreed with applicant's statement that visits would occur 1-2 times per month; and
- No one in the area approves of this project and their concerns don't matter to the applicant.

Marc Royer made the following comments:

- Agreed with the previous comments made;
- The homeowner of the proposed cell tower site has conveyed to them that they would not be living there once the tower goes up;
- Questioned if the Commission would want this in their back yard;
- This is a very upscale neighborhood and this project would affect the home values and morale of the neighborhood;
- This is not a good thing; and
- Neighbors will show up in force against this not only to the County but also to TRPA.

Chair Stewart closed public comment.

Mr. Hatch responded that with respect to the County's processes, they were requesting a continuance.

Roger Trout made the following comments:

- Appreciated the public comments;
- Disagreed with the comment that this could be a never-ending process because he is the Executive Secretary to the Commission and since he is in control of the process, he

would be directing the item to have action taken at the next meeting if this item is continued today;
- Will review the emails received and requested the public continue to send emails to Mr. Prutch voicing their concerns; and
- It is not the practice or tradition to hold Planning Commission meetings in South Lake Tahoe and it is not recommended as a viable option.

County Counsel David Livingston made the following comments:
- Spoke on the ability to extend the "shot clock" and stated that the parties have entered into an agreement to extend the time of reasonableness until a specified date in April; and
- The request before the Commission is in line with past practices.

Commissioner Heflin was not excited about the continuance, but felt given the process, it is something the Commission needs to do and suggested that they approve the continuance request.

Chair Stewart suggested that in order to move it forward, to continue the item to the February 26, 2015 meeting, particularly since he valued the input of the District 5 Planning Commissioner, who was not in attendance today, and would like to have a full Commission when this item is heard.

There was no further discussion.

Motion: Commissioner Miller moved, seconded by Commissioner Heflin, and carried (3-0), to continue the item to the February 26, 2015 meeting.

AYES: Heflin, Miller, Stewart
NOES: None