

## Draft MEETING SUMMARY

### Ojai Valley Municipal Advisory Council

March 16<sup>th</sup>, 2015

Chair Joe Westbury called the meeting to order at 7:00 PM. MAC Members present were Joe Westbury, Terry Wright, and Todd Wilson.

Under public comment, Steve Offerman of Supervisor Bennett's Office announced the March 28<sup>th</sup> Ojai Valley Community Clean-up event that has been organized by the County. Alex Laine inquired about a Caltrans report on Highway 33 lane reduction in Oak View and Steve Offerman said that Caltrans had provided an oral report at the last Highway 33 Committee meeting, and will be back for the next Highway 33 Committee meeting on April 20<sup>th</sup>, but that no written report was provided.

Reporting for the Ojai Planning Commission, Mack Lojowski said the Commission has been very busy with second dwelling unit regulations, a hospital remodeling, live-work units, and the recent adoption of an antenna ordinance.

The first item of business was the review of a proposal to co-locate a T-Mobile antenna on an existing ATT tower in Mira Monte. Kristina Boero of the Planning Division said that the new antenna would be lower than the existing antenna and would be concealed within the branches of the faux Eucalyptus tree. There would also be two small equipment cabinets on the ground. Ms. Boero said that additional screening landscaping would be planted on the site. Joe Westbury inquired about the purpose of the cabinets – to contain the equipment that interfaces with the ATT land lines. Todd Wilson and Terry Wright inquired if all the antenna panels would be fully enclosed within the tree branches - Yes. A neighboring homeowner expressed concern that the antenna would be too close to his home. The T-Mobile representative said that the antenna panels would be aimed away from the home. Planning staff noted that federal laws largely pre-empt local control on antenna colocations and that colocation is preferred to new antennas within the policies of the Ojai Valley Area Plan. Terry Wright made a motion to recommend that the project move forward with the Planning Division. The motion was approved unanimously.

The next item of business was a Permit Adjustment to allow the conversion of the Mira Monte Wendy's to a Starbucks. Becky Linder of the County Planning Division described the alterations of the facility and that the proposed hours of operation were from 5:00 AM to 12:00 AM. She noted that a sidewalk already existed along the facility. Tonny Storm, a resident of Orchard Drive said that noise from the drive-through is loud at the adjoining homes and he strongly objects to a 5AM start and midnight closing. Starbuck's representative Ms. Vallerio said that the new Starbuck's order speaker would automatically adjust volume to be quieter during quiet times. Orchard Drive resident Glenn Nordstrom said that noise from cars, and the rooftop exhaust fan and air

conditioner are too loud. Ms. Vallerio said that the exhaust fan would be removed and that the air conditioner would be replaced with a new, smaller and quieter one. Charles Nordstrom requested that the AC be moved to the ground. Brian Baca of the Planning Division said they would work with Starbucks to see if this is feasible. Other neighbors said that noise not just from the order speaker but from car stereos, car occupants, and tire noise are too loud at nearby residences and requested a noise barrier. Upon a question by Mr. Offerman, Mr. Baca confirmed that the County Zoning ordinance requires a masonry wall to separate commercial and residential properties unless another suitable barrier exists. Mrs. Storm inquired about the opening hour of the "Full of Beans," and it was reported to be 6:00 AM. Mrs. Storm and other neighbors complained that Wendy's had deliveries during the middle of the night; Ms. Vallerio said that Starbucks would not do this, and Ms. Linder said that the project would be conditioned to only accept deliveries during operating hours. Mack Lowjoski asked why no traffic impact study had been done, and Planning staff said that it's because it is an existing use and an existing permit. Glenn Nordstrom said that Wendy's has outdoor lights that shine onto neighboring properties. Brian Baca invited the neighbors to provide their contact information so that the Planning Division could continue to communicate with them.

Terry Wright questioned Ms. Vallerio about whether the order speaker could be moved farther from the homes, and Ms. Vallerio said that this could result in cars stacking into the highway. Terry Wright questioned whether the drive-through driveway could be moved, and the Planning staff said that this would not be allowed under a Permit Adjustment. Joe Westbury questioned whether there would be outdoor loudspeakers at the outdoor dining area and Ms. Vallerio said "no." Joe Westbury said he was concerned about stacking cars into the highway. Steve Offerman noted that Starbucks is proposing to take over the existing Wendy's permit, and suggested that the MAC recommend the standard Ojai Valley lighting condition that all outdoor lighting be fully shielded and downward facing, that operating hours not exceed 6:00 AM to 11:00 PM, and that a solid 6-foot high masonry wall be constructed along the property line separating the commercial and residential zones on the property. Todd Wilson said that he would want to see a requirement that the Planning Division continue the dialogue with the neighbors and that Starbucks be required to promptly address any complaints. Terry Wright made a motion to recommend approval of the project with the conditions proposed by Steve Offerman and Todd Wilson. The motion was seconded by Todd Wilson and approved unanimously.

Steve Offerman said there would be an April 20<sup>th</sup> MAC meeting to convene the Highway 33 Committee.

The meeting adjourned at 9:00 PM.