



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES
REGULAR ADJOURNED MEETING
July 13, 2015

COUNCIL CHAMBER
5111 Benito Street, Montclair, California 91763

CALL TO ORDER

Chair Johnson called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Vice Chair Flores led those present in the salute to the flag.

ROLL CALL

Present: Chair Johnson, Vice Chair Flores, Commissioner Vodvarka, Community Development Director Lustro, and Deputy City Attorney Holdaway

Excused: Commissioner Martinez, Commissioner Sahagun, City Planner Diaz, Associate Planner Gutiérrez

MINUTES

The minutes of the June 22, 2015 regular meeting were presented for approval. Vice Chair Flores moved, Chair Johnson seconded, and the minutes were approved 3-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2014-20
- | | |
|--------------------|--|
| Project Address: | 4564 Mission Boulevard |
| Project Applicant: | Mitchell-Hunt Inc. for Verizon Wireless |
| Project Planner: | Michael Diaz, City Planner |
| Request: | Conditional Use Permit to allow a wireless telecommunications facility |
| CEQA Assessment: | Categorically Exempt (Section 15303) |

Community Development Director Lustro reviewed the staff report.

Chair Johnson opened the public hearing.

Lucy Chun, 4620 Mission Boulevard, represented the owner of the building, who was concerned about any public health issues. Chair Johnson deferred the concern to staff. Director Lustro stated for clarification the proposed monopole will be located at the very rear of the subject property so it will not be immediately adjacent to the building at 4620 Mission Boulevard, which he believed is sited along Mission Boulevard. So, the proposed telecommunications facility will probably be at least a couple hundred feet away. As a reminder to the Planning Commission, on Page 6.a-2 of the staff report, the fourth bullet point, as the Commission has seen on other applications for wireless telecommunications facilities, the Federal Telecommunications Act of 1996 precludes local governments from banning cellular transmission sites based on health concerns about the dangers of exposures to radiofrequency radiation, electromagnetic frequencies, and the like. This is something we have discussed many times in the past, the exposure to wireless telecommunications facilities is inconclusive after many years of study. The wireless carriers will say that the exposure around a telecommunications facility, particularly given the height of the antennas, is far below any exposure level that is considered dangerous.

Vice Chair Flores asked if the applicant was present.

Yumi Kim, project manager for EBI Consulting, represented Verizon Wireless on behalf of the applicant. Vice Chair Flores stated he understood the staff report to say the applicant is going to have problems in the future because the structure not tall enough. His question is whether they actually send someone out to determine how tall these towers need to be. Ms. Kim replied that the optimal height for each tower is determined by Verizon's radiofrequency engineers, who calculate the height necessary to "communicate" with neighboring sites so that network coverage can be maintained. Vice Chair Flores commented that he understands the report to read they will have problems connecting. Chair Johnson stated she believed that meant that other carriers would have trouble. Director Lustro stated the staff report indicates that the 50-foot height is adequate for Verizon's needs, but because it is 50 feet in height, it may limit the future co-location by another carrier. Depending upon the proximity of neighboring cell sites, some carriers may be able to co-locate on an existing facility at 35 or 40 feet in height. That is typically not an optimal height to "see" the next site that is in closest proximity, but staff has experienced

situations where a second carrier may come along and determine that a 35- or 38-foot height will provide the required coverage. So for clarification, the 50-foot height will work fine for Verizon, but 50 feet limits the potential later for co-location. Vice Chair Flores asked if a future carrier would have to ask for a tower of their own. Director Lustro replied that is possible but it is really unknown because we don't know ahead of time what the needs will be for the various carriers. Depending upon where their surrounding sites are, this site may not work for another carrier. He also asked if we could require a five-foot setback and to also make that the minimum from now on because without the five-foot setback, they get too close to the property line, especially near a street. Director Lustro replied that the permitted rear setback in the MIP zone is zero and they are five feet from the rear property line so they are in compliance with Code. Vice Chair Flores asked if that could be changed. Director Lustro answered it cannot be changed without amending the Code. Vice Chair Flores stated the heights are immaterial because they show a nice picture looking from Ramona over to the new tower, which is good and there are no obstructions, you are not driving your car, but the first time you go by there, you will notice it because it is huge, but after the second or third time, you won't even realize it's there. The one the Commission was worried about on Mission was supposed to be so high and look awful and he and (former Planning Commissioner) Maynard Lenhart drove down the street three times looking for it and they couldn't find it, so he felt the height should be up to the applicant, giving them the most area they can cover, but if we don't have a setback minimum, he hated to see anything closer than five feet to the property line, even if we have to change the Code. We have 12 sites now; in another six months, we may have 15 and he hated to have anything near a street.

Raymond Chan, represented the owners of 10825 and 10833 Ramona Avenue, commented that Verizon says they just want to have a tower, but there is another tower just to the east. Chair Johnson stated it is reflected in the renderings, but she was unsure which companies were using the other tower. Director Lustro stated there is another monopalm about 650 feet east of this particular location, but it is not Verizon's and belongs to another carrier. Mr. Chan asked which company was on the other tower and how high was it. Director Lustro stated he did not know which company was on the other tower, but he believed the tower was 50 feet high.

Commissioner Vodvarka commented that it seemed that people are afraid of the monopalms and he wondered if anyone has died as a result of exposure to one of these systems. Director Lustro stated he could not answer that question.

Vice Chair Flores commented that when the monopines and monopalms first started coming in, there was a lot of concern that these towers caused cancer and he remembered at the first meeting, there was standing room only and now no one shows up to the meeting.

Chair Johnson stated if she speculated based on nothing but her own imagination, she would guess it would be more dangerous to hold a cell phone next to your face than to be in the general vicinity of a tower.

Hearing no other comments and no one else being present, Chair Johnson closed the public hearing.

Commissioner Vodvarka moved that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 3 exemption under State CEQA Guidelines Section 15303, seconded by Vice Chair Flores, there being no opposition to the motion, the motion passed 3-0.

Vice Chair Flores moved to approve a Conditional Use Permit and Precise Plan of Design under Case No. 2014-20 to allow a 50-foot high wireless telecommunications facility at 4564 Mission Boulevard per the submitted plans on file with the Planning Division, as described in the staff report and subject to the required findings and conditions in attached Resolution Number 15-1839, seconded by Chair Johnson, there being no opposition to the motion, the motion passed 3-0.

INFORMATION ITEMS

Vice Chair Flores commented the Montclair Shoppes project is moving along a little faster now.

Chair Johnson adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Laura Embree
Recording Secretary