

**OFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
OCTOBER 23, 2018**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, October 23, 2018 at 7:00 p.m.

CALL TO ORDER:

Chairperson Delario Robinson called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Delario Robinson, Eric Brossy De Dios, Theresa Amador, and Margaret Leung

Board Members Absent: Commissioner Ricky Choi

ALSO PRESENT: Natalie Karpeles, Deputy City Attorney, Michael Huntley, Director of Community and Economic Development, and Samantha Tewasart, Senior Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] **PRESENTATIONS:** None

[2.] **CONSENT CALENDAR:** None

[3.] **PUBLIC HEARING:**

3-A CONDITIONAL USE PERMIT (CU-17-10) TO ALLOW FOR A WIRELESS TELECOMMUNICATION FACILITY (VERIZON) IN THE O-S (OPEN SPACE) ZONE – 1909 FULTON AVENUE

Planner Tewasart provided a brief summary of the staff report.

Chairperson Robinson opened the public hearing.

Applicant Lisa Desmond of Delta Group, 2362 MGaw Avenue, Irvine, CA 92614, on behalf of Verizon, provided a brief presentation of the proposed project.

Opponent Kiyo Yonemura, 572 Taylor Drive, stated that he lives right behind the project site and that the project should be built closer to the reservoir. He stated that it should be built in an area that is more commercial further from the residences.

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Applicant Lisa Desmond stated that they look at other sites such as the commercial properties to the east, which is downhill. So the hill would block all propagation. They looked at the park, but the City did not want a facility at the park.

Chairperson Robinson inquired about co-location. Applicant Desmond replied that there is another set of antennas on an SCE tower, but that tower is not structurally sound enough to add a whole other wireless facility on that tower.

Representative William Desmond of Delta Group, 2362 MGaw Avenue, Irvine, CA 92614, added that SCE did make a structural review of that tower and determined that the tower did not have sufficient structural capacity to add a second carrier's antenna. Sometimes the towers do and when they do they would mount a second array of antennas on there. That tower is at maximum capacity due to the long span between towers running through the valley. The other SCE tower considered was a smaller tower slightly downhill to the west of the current proposed facility. Those towers are overstressed under current codes and were ruled out by SCE. The existing towers within the vicinity unfortunately do not have any spare structural capacity to receive the proposed facility.

Representative William Desmond stated that they did work with SCE to figure out alternative solutions within their right-of-way, including a monopine structure further down the slope, but the height of that would have needed to be significantly higher because of the lost of grade elevation from the current location to that lower elevation further down the slope. This location ended up meeting all the criteria for SCE in terms of erecting a non-transmission tower facility within an SCE right-of-way due to safety and setback requirements from an SCE tower must maintain a 50-foot separation. They located the facility as close as possible to the existing towers for the verticality and to an existing eucalyptus tree that is in that same vicinity to help blend in visually with the surrounding vegetation. Those were all considerations.

Representative William Desmond stated that unfortunately, with regards to wireless telecommunication facilities they need to be in the area which they serve and unfortunately this area surrounding La Loma Park is entirely zoned residential. So the only location where they could locate was within the SCE right-of-way or within the park or the commercial properties to the east down slope from the water tower, but the grade elevation there was so much lower that it did not produce the signal propagation needed to fill that gap in coverage. So they did make their best efforts to have the least intrusive solution for the community. Actual photos have been provided of an existing monoecalyptus tree recently installed in the City of Pasadena at the corner of Orange Grove Boulevard and Colorado Boulevard at the heart of the Rose Parade. Even directly beneath the tower looking up, the antenna panels are not visible, which is unlike any other type of a faux tree installation and this is a special tree that has been developed working between Verizon, the manufacturer, and the City of Irvine. This is the required tree to be installed throughout the City of Irvine.

Commissioner Leung inquired if the facility will be mounted to a concrete slab. Representative William Desmond replied that it will be caisson drilled and the equipment will be concrete slab on grade.

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Commissioner Leung inquired about the number of customers that will be served by the proposed facility. Representative William Desmond replied an unlimited number of users within the geographic area where it is located based on practical capability of people within that area. It could meet the needs of the all the residents living in the area as well as traffic circulating through the area. This facility is intended to handle the required capacity for the community within the area as well as anyone that is traveling through this coverage area. The area is a valley within that particular location, so it is a challenging area to cover because of the topography and that is why all the existing carriers that built sites within that area built them on the SCE towers that are on either end of the line flanking that valley.

Commissioner Leung inquired about maintenance to the trees. Representative William Desmond replied that over time the leaves and branches could deteriorate or if there is a strong enough wind storm the leaves can be blown off like a real tree. They are no different than a live tree in that regards in terms of potential wind damage. When that occurs Verizon can deploy crews to re-branch the tree and that is done on a regular basis for trees throughout the area that have become deteriorated or wind damaged. Maintenance is something that they see as a condition of approval.

Commissioner Leung inquired about the life-expectancy of the material. Representative William Desmond replied that it is 20-30 years in terms of UV resistance and normal deterioration before it will be due for replacement unless it is damaged in some other occurrence. They have much older generation versions of mono-trees using similar structural elements and materials that have been in place now for 20 years and they are still going strong with no problems. They do expect this survive the life of their lease, which is typically a 30 year term, subject to on-going renewals. They maintain these as needed.

Commissioner Leung inquired what happens at the expiration of the lease if they decided not to continue with the lease what will happen to the tower. Representative William Desmond replied site removal, which is also a standard condition of approval. If the facility is no longer for the network, then it would be decommissioned and physically removed.

Commissioner Amador inquired about the propagation map and whether the proposed facility will be the ninth facility and if they are all Verizon sites. Representative William Desmond replied yes. It does not depict the other carrier sites.

Commissioner Amador inquired about the towers between South Garfield Avenue and La Loma Park and along Potrero Grande which are all commercial and not a lot of residential homes. Representative William Desmond replied that Verizon sites are evenly distributed geographically and in this case there are three sites that surround this site. Because of the nature of this facility as a capacity off-load site, they are off-loading the existing user capacity from those three surrounding sites. In order to do that they have to be within the triangle between the three sites and the only area within the three sites are La Loma Park and the SCE right-of-way north of La Loma Park, and the only towers that fall within that geographic area are the two towers above La Loma Park to the east of the valley and the towers to the west of the valley, which are quite a distance away. The towers that fall within the geographic area where they need the site cannot support a facility. The other referred towers are outside of the area where the site physically needs to provide the coverage to

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the community. That would do nothing to meet the needs of the gap in coverage that they have in this geographic area.

Commissioner Amador inquired if the SCE tower can be reinforced. Representative William Desmond replied that SCE said not to go on the tower due to structural reasons.

Commissioner Brossy de Dios inquired if the height of the project has been coordinated with the path of the transmission lines above and falls outside of their safety margins. Representative William Desmond replied that SCE has reviewed and approved the facility as designed. One of the first criteria is ensuring that they comply with all of SCE's standards for safety including structural and life safety considerations, electrical hazards, and separations.

Commissioner Brossy de Dios inquired about the radio frequency energy being emitted from the panels in regards to proximity to residential properties. Representative William Desmond replied that although it is not something that can be legally considered by an authority having jurisdiction when it comes to land use entitlement decisions under the Federal Telecommunications Act, the first and foremost thing to bear in mind is the electromagnetic energy that is being emitted from a cell phone is greater than the exposure that a person would have standing at the base of wireless facility. The reason is the way that RF energy dissipates. The electromagnetic energy degrades at the inverse square of the distance. If you are two feet away from an antenna you are one fourth of the emitting radiating power from the antenna and as you move to ten feet away you are one hundred times less effective radiate power. The energy level drops off exponentially under scientific law. When you are under a tower where the antennas are approximately 40 feet above grade, the exposure level to RF energy at that grade level is one 1000th the power level up at the antenna itself.

Representative William Desmond further explained that typically from electromagnetic energy and RF safety perspective, the safe operating distance from a radiating antenna varies slightly depending on the wattage output that is being put through a particular facility, but at a site like this they are putting out power at 10 watts, which is a 10 watt light bulb. It is not a high voltage power output which people envision. It is very low power output. Typically at 10 feet in front of an antenna is a safe distance. When standing at grade below a structure, the energy is radiating directly out from the antenna, not down or up, but straight out. The safety consideration is for anyone operating in the near field of the antenna, which is directly within the beam path, which at the centerline of the antenna. Antenna panels are put on rooftops of multi-family apartment buildings where people are a few feet below the antennas.

Commission Brossy de Dios inquired about some items listed in municipal code § 21.34.020(H), (1) and wanted to make sure they were received as part of the application. One being engineering certification and view shed analysis. The Commission has received photo simulations which in some fashion can be considered a view shed analysis, but it does not demonstrate everywhere where the tower can be seen. The third is conceptual landscape plans. The application states that the surrounding nursery is effectively landscaped and inquired if planning staff has determined that that is adequate. Director

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Huntley replied that the project site is on a SCE easement and SCE is very particular about the types of landscaping that can be planted under the power lines, even to the point where the City operates a park a short distance away, Edison Trails, and a couple years ago SCE requested that some of the existing landscaping be removed because of those concerns. Staff reviewed the application and in looking at the proposal, the existing nursery on-site and on the adjacent properties, and SCE's limitations on the types of landscaping, staff felt the proposal was adequate enough to comply with the code.

Commissioner Brossy de Dios indicated that there is also fencing around the SCE right-of-way, so no one can get up close to the facility. Representative William Desmond replied that whatever certification is required by a jurisdiction will be furnished to the City and can be included as a condition of approval. Deputy City Attorney Karpeles added that in the conditions of approval the beginning states that in addition to all applicable provisions of the Monterey Park Municipal Code is a catch all provision to include all necessary sections, so that language will require the applicant to comply with the requirements that are listed in the code section.

Commissioner Brossy de Dios inquired if there are any special provisions for the emergency generator. Director Huntley replied that these facilities are mandated to have backup generators which are required to meet air quality and noise standards.

Commissioner Brossy de Dios inquired if there was a way the tree can have a more natural profile and not have a flat top. Representative William Desmond replied that there is a reason why they are semi-flat top and that is to keep the over height of the structure as short as possible. With a monoeucalyptus they were able to push the antennas up closer to the overall height limit of the structure versus a monopine where the top of the antennas have to be a significant distance from the top of the tree. The goal of the tree is to maintain an irregular shape and something that is not symmetrical. To achieve the shape, the height of the structure would have to be increased as opposed to lowering the antennas. If they try to start to change the shape, then the antennas would start to protrude through the canopy up at the top.

Commissioner Robinson stated that they have gone over FCC shock clock tolling agreement, community outreach, public notification, and inquired about co-location which would mean another provider can use the same location. Representative William Desmond replied that any structure under federal law allows for a wireless carrier to collocate on any existing structure and in the process of doing so can increase the height of that structure by up to 20 feet. That has nothing to do with Verizon. They do not want another carrier to come onto the tower. They are competitors, so it does them no benefit, but Verizon cannot stop them from doing so and by law neither can the jurisdiction within reasonable perimeters in terms of aesthetics and other considerations. They do have to engineer the structure to be capable of supporting collocation, but they do not have any collocation agreements in place with any other carriers on this tower.

Chairperson Robinson closed the public hearing.

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Action Taken: The Planning Commission after considering the evidence presented during the public hearing **recommended approval** of the requested exemption.

Motion: Moved, by Commissioner Brossy de Dios and seconded by Commissioner Amador, with amendment including 1) condition 7 that they add the texturing material such as the branches and leaves must be maintained and promptly repaired in the event of damage, motion carried by the following vote:

Ayes: Commissioners: Robinson, Brossy de Dios, Amador, and Leung
Noes: Commissioners: None
Absent: Commissioners: Choi
Abstain: Commissioners: None

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS: None

[7.] STAFF COMMUNICATIONS AND MATTERS: None

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 7:50 p.m.

Next regular scheduled meeting on November 27, 2018 at 7:00 p.m. in the Council Chambers.

Michael A. Huntley
Director of Community and Economic Development

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