

PLANNING COMMISSION
MINUTES
JULY 27, 2010

INITIATION:

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **ROLL CALL:**

Commissioners: O' Leary, Valenzuela, Chen, Horton, Seibert

Also Present: City Attorney Murphy, Community Development Manager Lambert, Associate Planner Gulick, and Planning Secretary Venters

4. **TIME FOR THOSE IN THE AUDIENCE WHO WISH TO SPEAK:**

No one came forth at this time.

5. **CONSENT CALENDAR:**

ALL CONSENT CALENDAR ITEMS MAY BE APPROVED IN A SINGLE MOTION AS RECOMMENDED, UNLESS REMOVED FOR FURTHER DISCUSSION.

IF MEMBERS OF THE COMMISSION OR PERSONS IN THE AUDIENCE WISH TO DISCUSS ANY MATTERS LISTED ON THE CONSENT CALENDAR, (AGENDA ITEM A), PLEASE ADDRESS THEM AT THIS TIME.

- A. APPROVAL OF MINUTES: JULY 13, 2010

RECOMMENDATION: APPROVE AS SUBMITTED

Commissioner Seibert – Made a motion to approve the Planning Commission Meeting minutes dated July 13, 2010, with minor corrections, seconded by Vice Chairman Valenzuela and unanimously carried.

6. **UNFINISHED BUSINESS:** NONE

7. **NEW BUSINESS:**

- A. **PUBLIC HEARING:** A CONDITIONAL USE PERMIT TO ALLOW THE INSTALLATION OF A WIRELESS COMMUNICATION FACILITY ON AN EXISTING MONOPOLE, WHICH IS LOCATED AT 9237 LOWER AZUSA ROAD. ADDITIONALLY, THE APPLICANT WOULD PLACE THEIR ASSOCIATED EQUIPMENT CABINET IN AN EXISTING MANUFACTURING UNIT. THE SUBJECT PROPERTY IS LOCATED WITHIN THE HEAVY MANUFACTURING (M-2) ZONE AND IS DESIGNATED AS INDUSTRIAL BY THE GENERAL PLAN.

SUBJECT SITE: 9237 LOWER AZUSA ROAD

CASE NUMBER: CONDITIONAL USE PERMIT 10-1760

PROPERTY OWNER: ANGUS O'BRIEN TRUST
1415 S. HILLWARD AVENUE
WEST COVINA, CALIFORNIA 91791

APPLICANT: CLEARWIRE
4400 CARILLON POINT
KIRKLAND, WASHINGTON 98033

APPLICANT'S AGENT: AMERICAN TOWER CORPORATION
2361 CAMPUS DRIVE, #240
IRVINE, CALIFORNIA 92612

RECOMMENDATION:

- 1) HEAR STAFF REPORT
- 2) HEAR THOSE FOR AND AGAINST
- 3) FIND THAT THIS PROJECT IS CATEGORICALLY EXEMPT FROM CEQA PURSUANT TO SECTION 15301
- 4) ADOPT RESOLUTION FOR APPROVAL

Chairman O'Leary – Asked for a Staff Report.

Community Development Manager Lambert – Gave the Staff Report dated July 27, 2010.

Associate Planner Gulick – Gave a PowerPoint presentation.

Chairman O'Leary – Asked if there were any questions or comments from the Planning Commissioners for the Staff. The Planning Commissioners had questions at this time.

Commissioner Seibert - Asked Associate Planner Gulick for the distance between the wireless communication facility and the residential area.

Associate Planner Gulick – Stated that the wireless communication facility would be approximately 100 feet to 150 feet from the residential area.

Chairman O'Leary – Asked if there were any additional questions or comments from the Planning Commissioners for the Staff. The Planning Commission did not have any additional questions at this time. Invited the applicant to speak.

Chip Soluski, American Tower Corporation 4632 Suite Drive , Huntington Beach, CA 92649 – Stated that he would like to answer any questions brought forth by the Planning Commission. The Planning Commission did not have any questions for the applicant at this time.

Chairman O'Leary - Asked if anyone from the public would like to speak in favor or against the proposed request. No one came forth at this time.

Commissioner Seibert – Made a motion to close the Public Hearing, seconded by Vice Chairman Valenzuela and unanimously carried.

Commissioner Seibert - Stated that there is nothing that would prohibit this project, therefore he can make the findings to vote in favor of this request.

Commissioner Chen – Stated that he concurs with Staff and could make the findings to vote in favor of this request.

Commissioner Horton – Stated that he finds the low impact aesthetic pleasing, therefore, he could make the findings to approve this request.

Vice Chairman Valenzuela – Stated that he concurs with his fellow Commissioners and could make the findings to vote in favor of this request. Stated that he would like to indicate that findings two and three should be corrected on the Draft Resolution.

Commissioner Seibert – Made a motion to approve Conditional Use Permit 10-1760, find that this project is categorically exempt from CEQA pursuant to section 15301, and approve the amended Resolution, seconded by Commissioner Horton, and unanimously carried.

Chairman O'Leary – Stated that the application was approved 5-0 and stated that there is a 15-day appeal/review period.

B. PUBLIC HEARING: A CONDITIONAL USE PERMIT 10-1757 TO ALLOW THE REPLACEMENT OF A 70-FOOT TALL LIGHT POLE WITH A WIRELESS COMMUNICATION FACILITY AT THE HIGH SCHOOL'S FOOTBALL FIELD, WHICH IS LOCATED AT 9501 LEMON AVENUE. THE PROPOSAL WOULD ALSO INCLUDE AN ASSOCIATED EQUIPMENT CABINET, A NEW ELECTRICAL METER AND A NEW 25-FOOT TALL UTILITY POLE THAT WOULD BE LOCATED IN AN 8-FOOT BY 16-FOOT LEASE AREA; THE PROPOSED UTILITY POLE WOULD RUN A NEW OVERHEAD UTILITY DROP TO THE MAIN UTILITY POLE THAT IS LOCATED ON THE NORTH SIDE OF CAMINO REAL AVENUE. THE SUBJECT SITE IS LOCATED IN THE SINGLE FAMILY RESIDENTIAL (R-1) ZONE, AND IS DESIGNATED AS INSTITUTIONAL BY THE CITY'S GENERAL PLAN.

SUBJECT SITE: 9501 LEMON AVENUE

CASE NUMBER: CONDITIONAL USE PERMIT 10-1757

APPLICANT: BEMIS DEV. (CLEARWIRELESS, LLC)
250 EL CAMINO REAL, #216
TUSTIN, CA 93780

PROPERTY OWNER: TEMPLE CITY UNIFIED SCHOOL DISTRICT
9700 LAS TUNAS DRIVE
TEMPLE CITY, CA 91780

RECOMMENDATION:

- 1) HEAR STAFF REPORT
- 2) HEAR THOSE FOR AND AGAINST
- 3) CONSIDER ADOPTION OF A NEGATIVE DECLARATION
- 4) ADOPT RESOLUTION FOR APPROVAL

Chairman O'Leary – Asked for a Staff Report.

Community Development Manager Lambert – Gave the Staff Report dated July 27, 2010.

Associate Planner Gulick – Gave a PowerPoint presentation.

Chairman O'Leary – Asked if there were any questions or comments from the Planning Commissioners for the Staff. The Planning Commissioners did not have any questions at this time.

Eric Little, Bemis Dev. (Clearwireless, LLC) 250 El Camino Real, #216 Tustin, CA 93780 – Stated that he would like to have the approval of the Planning Commission and answer any questions that they may have.

Chairman O'Leary - Asked if anyone from the public would like to speak in favor or against the proposed request. One person came forth at this time.

Mr. Kuing, 6632 Cloverly Ave., Temple City, CA 91780 - Stated that the Powerpoint presentation was too rapid and would like to know how this project would affect his property and if there would be an impact on overall health, as he had received a notice of public hearing.

Commissioner Seibert – Stated that he had received a Notice of Public Hearing because he owns a property within 300 feet of the proposed request. Stated that this project would not affect his property or anybody's health if it were approved.

Community Development Manager Lambert - Stated that the light standard is existing, however, it would be replaced with a similar light standard at the same location and would also have the cellular antenna on the pole. Stated that every wireless facility in Temple City requires a Conditional Use Permit, which requires a public hearing, public notices are sent to property owners within a specified radius and the Planning Commission will vote to either approve or deny a request. Stated that there are many requests that require a CUP and that this is the normal hearing

procedure, in which the public may make comments pertaining to a request. Stated that the FCC has found that the health effects of a wireless facility would be negligible.

City Attorney Murphy – Stated that the applicant has to show proof via documentation to the Planning Staff to satisfy the concerns of the City.

Chairman O’Leary - Asked if anyone else from the public would like to speak in favor or against the proposed request. No one came forth at this time.

Commissioner Seibert – Made a motion to close the Public Hearing, seconded by Commissioner Horton and unanimously carried.

Vice Chairman Valenzuela – Stated that he concurs with Staff and could make the findings to approve this request.

Commissioner Horton – Stated that the draped power line going over the school is a concern because the school is used as an assembly point for community events and emergencies. Stated that perhaps the power line should be fed underground. Stated that he would like to hear the Chairman’s expertise regarding this matter.

Commissioner Chen – Stated that he would also like to would like to hear about the possibility of underground wiring. Stated that he could make the findings to vote in favor of this request.

Chairman O’Leary – Stated that he is in favor of overhead wiring as the cost of underground wiring would be costly, and that there is another wire that is overhead. Stated that he could make the findings to approve this request.

Commissioner Horton – Stated that he could also make the findings to approve this request.

Commissioner Horton – Made a motion to approve Conditional Use Permit 10-1757, and adopt the Negative Declaration, seconded by Commissioner Chen, and unanimously carried.

Chairman O’Leary – Stated that the application was approved 5-0 and stated that there is a 15-day appeal/review period.

9. COMMUNICATIONS: NONE

10. MATTERS FROM CITY OFFICIALS: NONE

11. ADJOURNMENT:

Chairman O’Leary – Adjourned the meeting at 8:02 p.m. to the next Planning Commission meeting of August 24, 2010 at 7:30 p.m.

Next Scheduled Meeting of:

City Council: August 3, 2010
 Parks & Recreation Commission: August 18, 2010

 Chairman

 Secretary