



City of Costa Mesa

Inter Office Memorandum

TO: CITY COUNCIL AND PLANNING COMMISSION
CC: TOM HATCH, GARY ARMSTRONG, AND CLAIRE FLYNN
FROM: WILLA BOUWENS-KILLEEN, ZONING ADMINISTRATOR *mf*
DATE: MARCH 19, 2015
SUBJECT: ZONING ADMINISTRATOR DECISION(S)

This is to advise you of the following decision(s) made by the Zoning Administrator within the last week. The decision(s) will become final unless a member of the Planning Commission or City Council requests a review of the decision(s) or an interested party files an appeal by 5:00 p.m. on March 26, 2015. Project descriptions have been kept brief for this notice. As a result, there may be details to the project or conditions of approval that would be of interest to you in deciding whether to request a review of a decision. Please feel free to contact me by e-mail at willa.bouwens-killeen@costamesaca.gov if you have any questions or would like further details.

ZA-14-41 **151 KALMUS DRIVE, SUITE H9**

Minor conditional use permit for a learning center in a 1,931 square foot space for children 9 to 12 years old. Class sizes will consist of 6 students and 3 instructors maximum and operate in two blocks from 7:30 am – 12:30 pm; and 1:00 pm - 5:30 pm., Monday through Friday.

Approved.

Comments received: None.

ZA-15-09 **440 FAIR DRIVE, SUITE 217**

Minor conditional use permit to allow an amateur radio station in Suite 217 with a 70-foot tall Low Power FM (100 watt) exterior ground-mounted radio tower and antenna. The radio station (90.3 FM) is for a non-profit, bilingual (English/Spanish) public service organization (International Crusade of the Penny).

Denied.

Comments received: Four in support of denial.

LEE, MEL

Subject: FW: Installation of 40' Tower at 400 Fair Drive

From: Carol Morrison [<mailto:275cam.m@gmail.com>]

Sent: Monday, March 16, 2015 8:07 PM

To: FLYNN, CLAIRE

Subject: Installation of 40' Tower at 400 Fair Drive

Dear Ms. Flynn,

There has been discussion in the NextDoor Princeton Group about the application to install a radio station antenna at the above location. We've been informed that it is the City's plan to deny the application. My husband and I live in the College Park area and are firmly against this tower since something of this height is totally out of character in a residential area. We appreciate your intent to deny this application. Carol and Jack Morrison, 275 Princeton Drive, Costa Mesa, CA.

LEE, MEL

Subject: FW: Cell phone tower

From: robe465@sbcglobal.net [mailto:robe465@sbcglobal.net]

Sent: Monday, March 16, 2015 3:40 PM

To: FLYNN, CLAIRE

Subject: Cell phone tower

Please deny the application for the 70' tower at 440 Fair drive. We are a residential neighborhood in close proximity to a commercial area but that does not mean we have to have this type of development near by. Thank you for considering this.

Janet and Alastair Robertson
308 Hanover Drive
Costa Mesa

Sent from Samsung tablet

LEE, MEL

From: Teresa Drain <teresadrain@gmail.com>
Sent: Monday, March 16, 2015 11:46 AM
To: FLYNN, CLAIRE
Cc: ARMSTRONG, GARY; BOUWENS-KILLEEN, WILLA; LEE, MEL
Subject: Fwd: ZA Decision for 3/19/2015

Dear Claire,

I see by the attached note that the Zoning Administrator will be recommending denial of the antenna at 440 Fair Drive on March 19, 2015.

I want to thank you, the Zoning Administrator, and any and all of the staff involved for the recommendation for denial of this project.

Your support for keeping the aesthetics and character of our neighborhoods free of this type of installation is greatly appreciated. Our neighbors have shown a lot of concern about the installation of a a 70-foot tall antenna adjacent to our homes.

I will be sure to let the neighbors know of your consideration. Again, thank you for recommending denial of this project.

Best, Teresa

Begin forwarded message:

From: "ARMSTRONG, GARY" <GARY.ARMSTRONG@costamesaca.gov>
Date: March 16, 2015 8:51:30 AM PDT
To: Teresa Drain <teresadrain@gmail.com>
Cc: "LEE, MEL" <MEL.LEE@costamesaca.gov>
Subject: FW: ZA Decision for 3/19/2015

Teresa,

I have asked Mel Lee, the Project Planner for this item, to respond to your inquiry, but the notice is provided below.

Gary

Gary Armstrong, AICP
Economic and Development Services
Director / Deputy CEO
City of Costa Mesa
(714) 754-5182

From: FLYNN, CLAIRE
Sent: Friday, March 13, 2015 3:26 PM
To: ARMSTRONG, GARY
Cc: BOUWENS-KILLEEN, WILLA; LEE, MEL
Subject: ZA Decision for 3/19/2015

The Zoning Administrator will be recommending denial of this request: Please see the notice card on the website:

<http://www.costamesaca.gov/modules/showdocument.aspx?documentid=17428>

<image001.jpg>

Thanks.

<image002.png> AICP

Asst. Development Services Director
Development Services Department
City of Costa Mesa
77 Fair Drive, Costa Mesa, CA 92626
(714) 754-5278

<image003.jpg>

LEE, MEL

Subject: FW: ZA-15-09 objection

From: LOOMIS, RYAN

Sent: Wednesday, March 18, 2015 3:56 PM

To: LEE, MEL

Subject: ZA-15-09 objection

Mel,

I received a phone call from Mrs. Luke in objection to ZA-15-09 due to possible interference with their TV antenna. She lives near project.

If you have any questions or concerns, please contact me.

Thank you,

Ryan Loomis | Associate Planner

City of Costa Mesa

77 Fair Drive, Costa Mesa, 92628

Ph. (714) 754-5608 Fax. (714) 754-4913

ryan.loomis@costamesaca.gov



From: Teresa Drain <teresadrain@gmail.com>
Sent: Thursday, March 19, 2015 8:59 AM
To: ARMSTRONG, GARY; FLYNN, CLAIRE
Subject: Antenna at 440 Fair ZA-15-09

Gary and Claire,

I wanted to thank you, and staff, for your prompt responses to the many questions regarding the installation of an antenna at 440 Fair Drive.

This note is just to recap some of the many concerns about this installation from the neighbors in College Park. In the unlikely event that this application is approved, the notice indicated that we may be limited to the concerns raised prior to the decision. Concerns included:

- Unsightly antenna without screening
- Interference with reception of other local stations
- Radiation effects on health
- Safety in inclement weather (wind, lightning)
- Parking space removed for installation
- Potential loss to property values
- Loss of clear view
- Size of antenna is a lot taller than surrounding structures
- This antenna is incompatible with the character and nature of the surrounding neighborhood
- Potential hazard for helicopter flight paths
- Installation of unsightly and unshielded cell antennas on this antenna
- potential height increases with additional antennas added to this structure
- CUP approval would change the land use of this parcel
- structure is incompatible with the scale, character, and nature of our established neighborhood, being installed adjacent to our R-1 neighborhood
- we wish to preserve and protect the value and identity of the established residential neighborhoods
- CEQA compliance (the new installation of an antenna; is not an existing structure)

Therefore, with the recommendation of staff to deny this application, the above concerns will be moot. As such, the neighbors of College Park support the denial of this application and thank you for your consideration.

Teresa Drain



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

March 19, 2015

Tim Lux
150 Paularino Avenue, Suite D195
Costa Mesa, CA 92626

**RE: ZONING APPLICATION ZA-14-41
MINOR CONDITIONAL USE PERMIT FOR A TUTORING CENTER WITH A
DEVIATION FROM SHARED PARKING REQUIREMENTS
151 KALMUS DRIVE, SUITE H9, COSTA MESA**

Dear Mr. Lux:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been approved, based on the findings and subject to the conditions of approval and code requirements (attached). The decision will become final at 5:00 p.m. on March 26, 2015, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Chelsea Crager, at (714) 754-5609, or at chelsea.crager@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description and Analysis
 Findings
 Conditions of Approval, Code Requirements, and Special District
 Requirements
 Business Description
 Approved Conceptual Plans

cc: Engineering Lisa Reid
 Fire Protection Analyst 135 Promontory West Dr.
 Building Safety Division Newport Beach, CA 92660

PROJECT DESCRIPTION

The property is located in the Coppertree Business Park on Kalmus Drive, east of the 73 Freeway. The site zoned PDI (Planned Development Industrial), and has a General Plan land use designation of Industrial Park. Physical on-site improvements include 12 multi-tenant buildings with 767 parking spaces, three points of ingress/egress on Kalmus Drive, and one point of ingress/egress to the neighboring property at 2915 Redhill Avenue. The site was originally developed under Conditional Use Permit ZE-79-142.

The use will occupy a 1,931 square foot tenant space, located in one of the existing multi-tenant buildings. The proposed floor plan consists of two classrooms, two offices, a reading room, a community room, and a restroom.

The applicant requests approval of a minor conditional use permit (MCUP) to allow the establishment of a tutoring program for students ages 9 to 12 with a deviation from the shared parking requirements due to unique operating characteristics.

ANALYSIS

Noise

Noise impacts are not anticipated to surrounding uses due to the quiet nature of a tutoring center.

Parking and Circulation

The parking ratio for a tutoring center is 10 spaces per 1,000 square feet of floor area or 19 parking spaces for this studio. The applicant is requesting approval of a minor conditional use permit to deviate from shared parking requirements due to unique operating characteristics.

The applicant proposes small class sizes, with a maximum of six students and three employees per session. During the day, students are young enough that they will not be driving themselves. Drop-off and pick-up times will be staggered in the morning and evening, per the proposed schedule below. Midday pick-up and drop-off will be offset 30 minutes to avoid parking conflicts between the two sessions.

7:30 a.m.	Block 1 Early Drop-off
8:15 a.m.	Block 1 Drop-off
8:30 a.m. – 12:30 p.m.	Block 1 Session
12:30 p.m.	Block 1 Pick-up
1:00 p.m.	Block 2 Drop-off
1:15 p.m. – 4:15 p.m.	Block 2 Session
4:15 p.m.	Block 2 Pick-up
5:30 p.m.	Block 2 Late Pick-up

The project is conditioned that students will be dropped off and picked up only, with no observation of classes permitted. Parking spaces will be utilized for drop-off and pick-up, keeping drive aisles clear. Additionally, parent education classes are held after 5:30 p.m. only, when most other uses in the business park are closed. Since six parking spaces are allocated for this suite (using the industrial parking ratio of three spaces per 1,000 square feet of building area) adequate parking will be available with these conditions.

If parking shortages or other parking-related problems develop, the business operator will be required to institute appropriate operational measures necessary to minimize or eliminate the problem including, but not limited to, reducing the class sizes and/or operating hours of the business.

General Plan Consistency

The Industrial Park General Plan land use designation is intended to apply to large districts that contain a variety of industrial and compatible office and support commercial uses. The small class sizes and staggered drop-off/pick-up times will not generate noise or parking impacts, and therefore, ensure the use is compatible with surrounding uses.

The proposed use, as conditioned, is consistent with the Zoning Code and the City's General Plan because, with the included conditions of approval, the tutoring center should not adversely impact the surrounding uses.

FINDINGS

A. The information presented complies with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

1. The proposed use is compatible and harmonious with developments in the same general area and would not be materially detrimental to other properties within the area. The proposed use will have limited class sizes that will minimize any noise and parking impacts on surrounding uses. Additionally, all students will be of a non-driving age and will be dropped off and picked up, with a half hour gap between the

two sessions.

2. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood. Parents will drop-off and pick-up students utilizing existing parking spaces, keeping drive aisles clear.

3. Granting the minor conditional use permit will not allow a use, density or intensity that is not in accordance with the General Plan designation and any applicable specific plan for the property. The proposed use does not substantially increase the density or intensity of the use.

B. The information presented complies with Costa Mesa Municipal Code Section 13-29(e) in that:

1. There will be a compatible and harmonious relationship between the proposed building and the site development, and use(s), and the building and site developments, and uses that exist or have been approved for the general neighborhood. Parking impacts will be avoided by conditioning the tutoring center to operate with small class sizes of no more than six students too young to drive per session.

2. Safety and compatibility of the design of buildings, parking area, landscaping, luminaries, and other site features which may include functional aspects of the site development such as automobile and pedestrian circulation have been considered. Students will be dropped off and picked up utilizing existing parking spaces, keeping drive aisles clear.

3. The project complies with performance standards described elsewhere in this Zoning Code, and is conditioned to operate as described in this staff report.

4. The use is consistent with the General Plan in that a tutoring center is considered a compatible use in an Industrial Park land use designation.

5. This zoning application is for a project-specific case and is not to be construed to be setting a precedent for future development.

C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt under Section 15301, Existing Facilities, of the CEQA Guidelines.

D. The project, as conditioned, is consistent with Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code in that the development project's traffic impacts will be mitigated by the payment of traffic impact fees.

CONDITIONS OF APPROVAL

- PIng.
1. The use shall be limited to the type of operation described in this staff report: a tutoring center for no more than six students at a time ages 9 to 12 with occasional parent education classes. Any change in the operational characteristics including, but not limited to, type of service provided, size of classes, or time of classes will require approval of an amendment to the minor conditional use permit, subject to Zoning Administrator approval.
 2. Students shall be dropped off and picked up only. There shall be no observation of classes permitted.
 3. Parking spaces shall be utilized for drop-off and pick-up. No drop-off or pick-up of students shall occur in the drive aisle.
 4. There shall be a minimum of 30 minutes between classes to allow departing students to leave before arriving students.
 5. All uses shall be conducted within the tenant space (underroof).
 6. Occupancy of the tenant space shall be limited to 9 people (students and instructors) prior to 5:30 pm weekdays.
 7. If parking shortages or other parking-related problems arise, the business operator shall institute appropriate operational measures necessary to minimize or eliminate the problem, including, but not limited to, reducing class sizes or the days and/or hours of the business.
 8. The applicant shall contact the Planning Division to arrange a Planning inspection of the site. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

CODE REQUIREMENTS

The following list of federal, state, and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- PIng.
1. Approval of the zoning application is valid for one year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by one of the following actions: 1) obtains building permits for the authorized construction and initiates construction; and/or 2) obtains a business license and/or legally establishes the business. If the applicant is unable to establish the use/obtain building permits within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the zoning application.
 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance.
- Bldg.
3. Comply with the requirements of the following adopted codes: 2013 California Building Code, 2013 California Electrical code, 2013 California

Mechanical code, 2013 California Plumbing code and 2013 California Energy Code (or the applicable adopted, California Building code California Electrical code, California Mechanical code California Plumbing Code and California Energy Code at the time of plan submittal or permit issuance) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. Requirements for accessibility to sites, facilities, buildings and elements by individuals with disability shall comply with chapter 11B of the 2013 California Building Code.

- Bus. Lic. 4. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained.
5. Business license shall be obtained prior to the initiation the business.
- Trans. 6. The applicant shall submit a \$1,448 Traffic Impact Fee to the Transportation Division prior to the effective date of the Minor Conditional Use Permit. The traffic impact fee is based upon the average daily trip generation rate of 69.4 net trip ends for the proposed use. The fee is required to fulfill mitigation of off-site traffic impacts pursuant to the prevailing schedule of charges adopted by the City Council. The traffic impact fee is calculated and includes credits for existing uses. NOTE: The Traffic Impact Fee will be recalculated at the time of issuance of the Minor Conditional Use Permit based upon any changes in the prevailing schedule of charges adopted by the City Council and in effect at that time.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani. 1. It is recommended that the applicant contact the Costa Mesa Sanitary District at (949) 645-8400 for current district requirements.
2. Comply with the requirements of the California Food and Agriculture (CDFA) to determine if red imported fire ants exist on the property prior to any soil movement or excavation. Call CDFA at (714) 708-1910 for information.
- AQMD 3. Applicant shall contact the Air Quality Management District (800) 288-7664 for potential additional conditions of development or for additional permits required by AQMD.

December 1, 2015

To Whom It May Concern:

I am writing this letter to respectfully request a Minor Conditional Use Permit for the property located at 151 Kalmus Drive, Suite H9, Costa Mesa, CA 92626. This property is located within Coppertree Business Park, is approximately 1,931 square feet large and will be used to deliver educational services to children between the ages of nine and twelve years old.

Reid Day School and Center for Brain Based Excellence is a learning support program for children who are gifted but also have learning challenges. Many of these children are home schooled or are in need of support that falls outside of their typical school day program and so this project will offer ancillary educational services for curriculum needs that are not being met by their existing arrangements.

We will serve a population of between 12-18 students who will attend a part time block schedule daily Monday-Friday. Curriculum blocks will be assigned based on the variable needs of the students. Our morning block will run from 8am-12pm and the afternoon block will run from 12-4. Given the age of the student population, they will be dropped off and picked up and therefore will not require parking. Traffic related to drop off and pick up will be minimal due to the distribution of the 12-18 students between the two curriculum blocks.

The program will have a total of 3 full time employees and will therefore not infringe on parking availability of neighboring businesses. Our small numbers and intentionally calm learning environment will assure that noise will not be detectable from outside of the business.

Full regular operating hours will begin in the summer and will run from 7am-5pm to account for one hour of employee preparation time in the morning and evening with occasional after school student assistance. We will have evening parent education

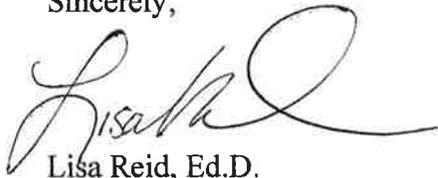
meetings for approximately 25 individuals on a monthly basis that will occur when most of the businesses in the complex are closed.

The nature of this project is highly compatible with the property uses in the general area and we will not be making changes to the existing office structure.

We intend to serve as a partner and an asset to the community of Costa Mesa while we provide a highly needed resource for this unique group of students.

Please feel free to contact me with any questions that you may have regarding this project. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Reid".

Lisa Reid, Ed.D.

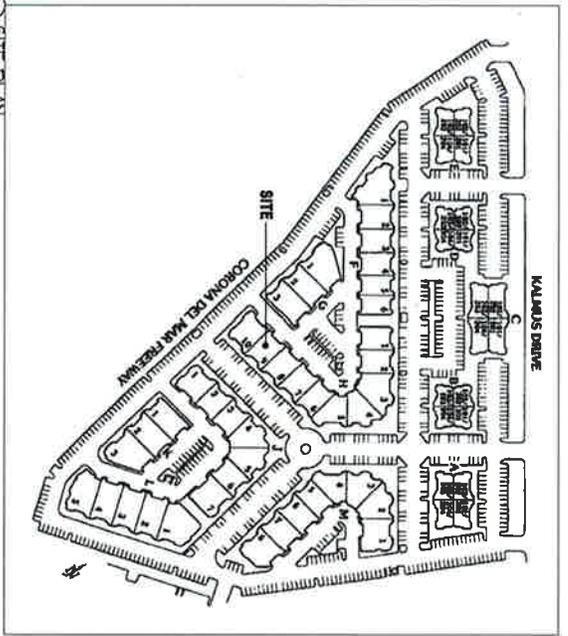
Reid Day School and Center for Brain Based Excellence

135 Promontory Drive West

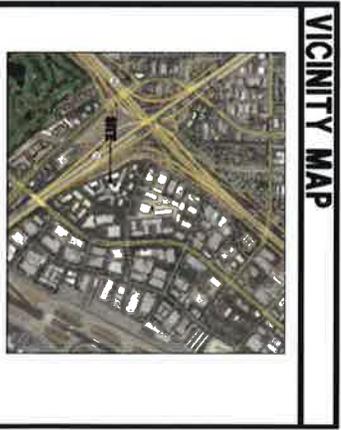
Newport Beach, CA 92660

(480) 510-9493

Lisajane1@cox.net



B SITE PLAN
N.T.S.



VICINITY MAP

PROJECT DESCRIPTION

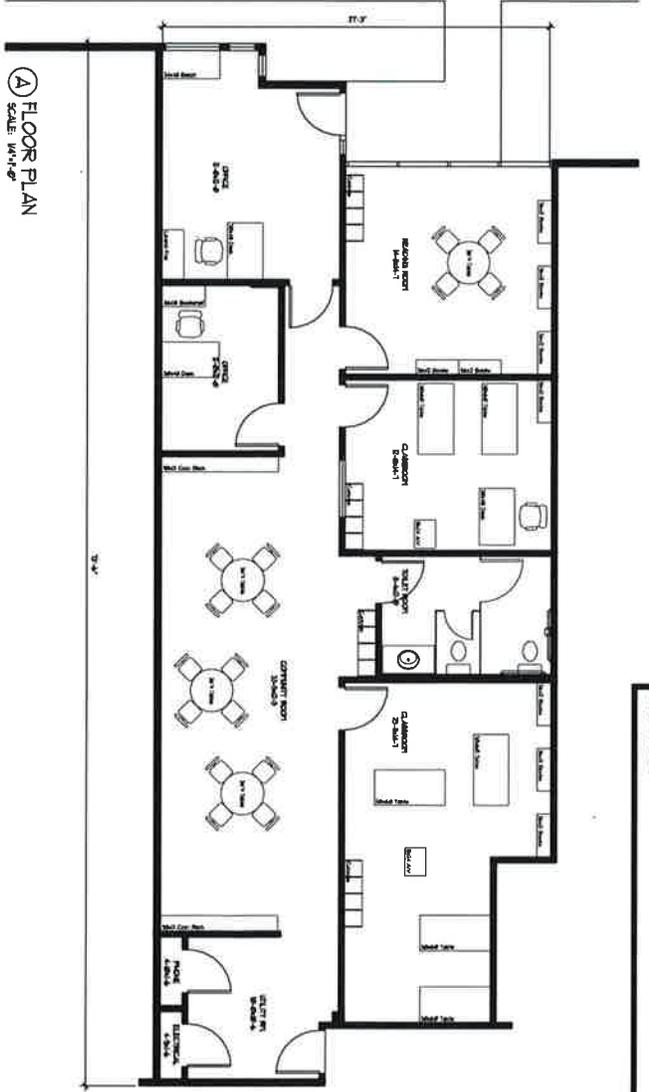
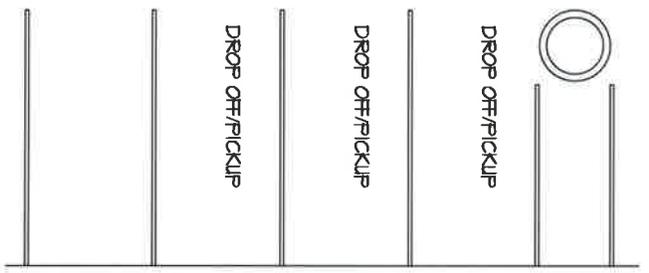
THE DRAWING SET, CONTRACT DOCUMENTS, SPECIFICATIONS AND CONDITIONS SHALL BE USED TO CONSTRUCT THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTIONS.

OWNER

NAME: J. ANGELO
 ADDRESS: 151 KALMUS DRIVE, SUITE H9
 COSTA MESA, CA 92626
 PHONE: (714) 440-1111

TENANT

REID DAY SCHOOL AND CENTER FOR BRAIN BASED EXCELLENCE
 151 KALMUS DRIVE, SUITE H9
 COSTA MESA, CA 92626
 PHONE: (714) 440-1111



A FLOOR PLAN
SCALE: 1/4"=1'-0"

DATUM
RECTANGLES

50 BALBOA NE-S/E 016
 9149 * 581 * 2225
 E-Mail: datum@pscc.com



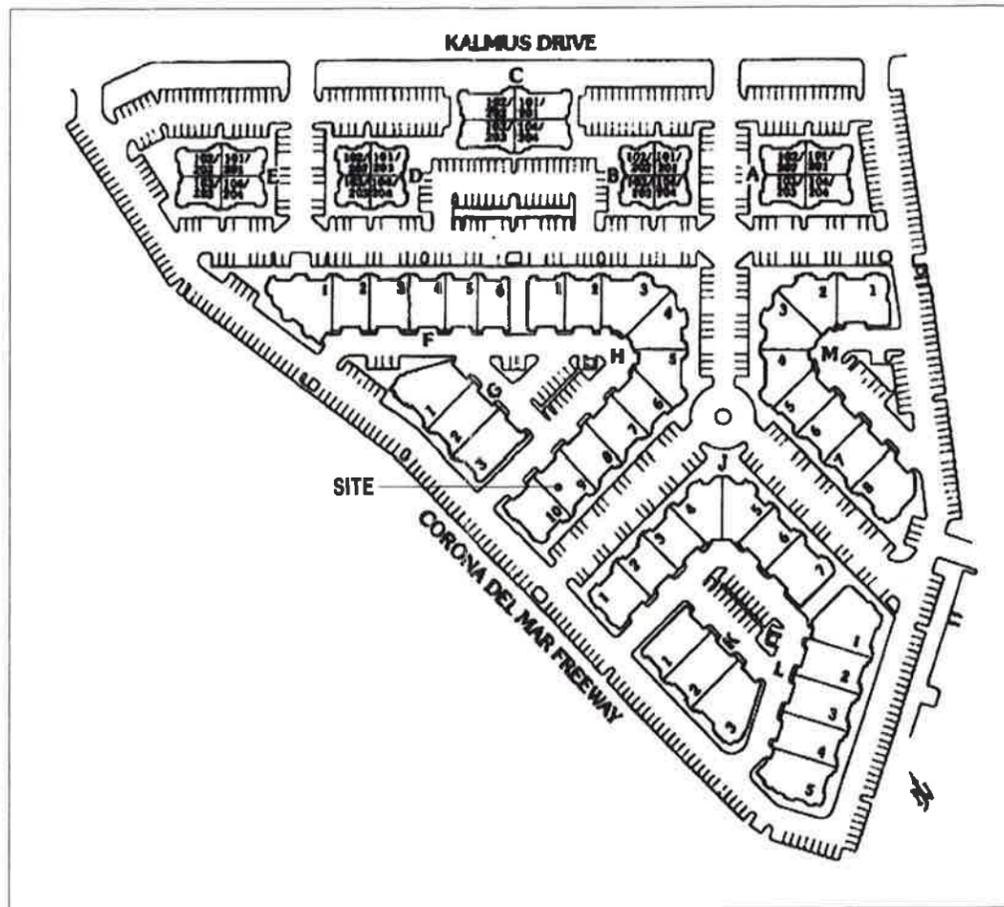
REID DAY SCHOOL AND CENTER FOR BRAIN BASED EXCELLENCE
 151 KALMUS, SUITE H9
 COSTA MESA, CA

Issue and revision
 No. Date Description
 001 01/15/2020 Initial Design

PARTITION PLAN

Project No. 2019-001
 Drawing No. 02-1100
 Sheet No. 1 of 1

CUP-11



(B) SITE PLAN
N.T.S.

VICINITY MAP

PROJECT DESCRIPTION

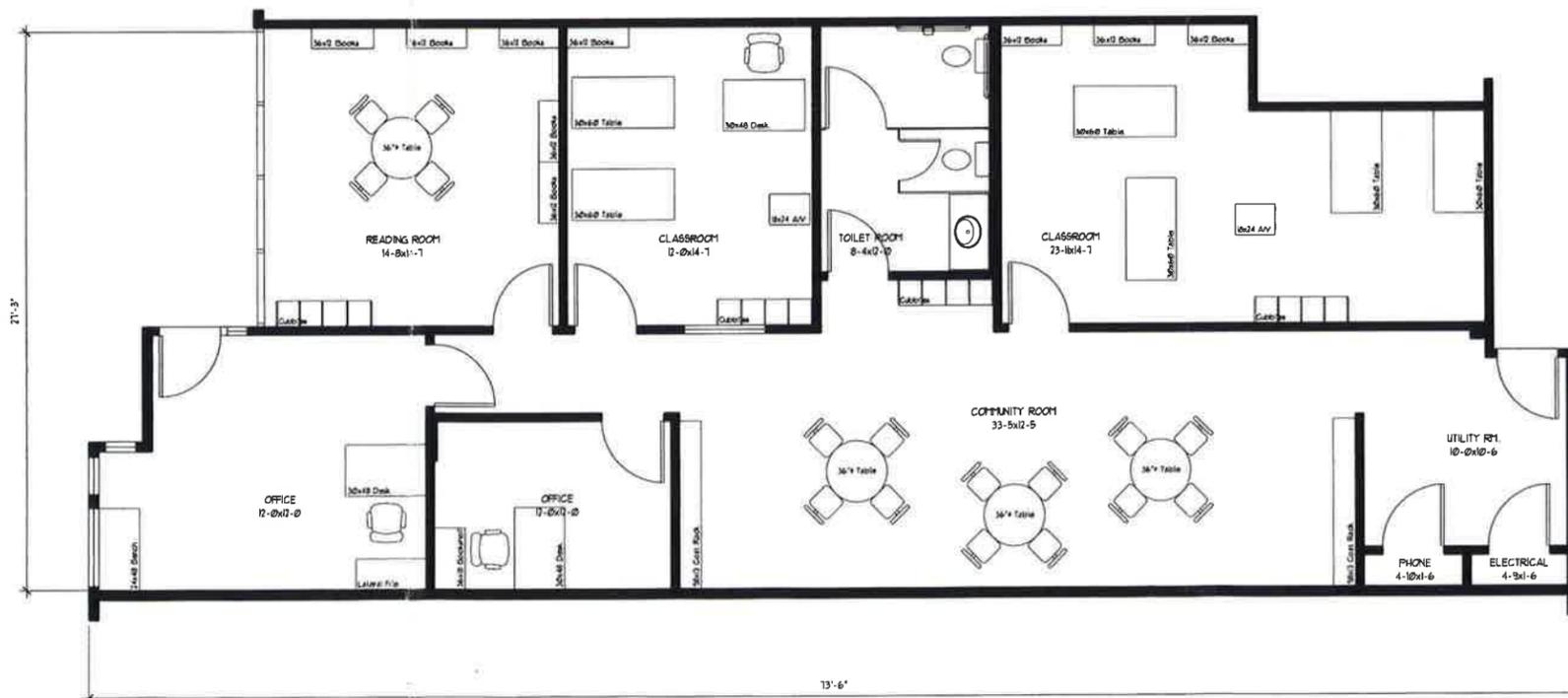
THE BUSINESS WILL OFFER LEARNING SUPPORT SERVICES FOR STUDENTS IN 4th-6th GRADES WHO ARE GIFTED, BUT WHO ALSO HAVE LEARNING CHALLENGES (I.E. ADHD, DYSLLEXIA, DYSGRAPHIA, ETC.) MANY PARENTS OPT TO HOMESCHOOL THESE STUDENTS AND SO THE BUSINESS WILL OFFER ANCILLARY CURRICULUM SUPPORT. THERE IS NO CONSTRUCTION PROPOSED AT THE BUILDING.

OWNER

BARRY J. ARONOFF
ARONOFF CAPITAL, INC.
151 KALMUS DRIVE, SUITE H-10
COSTA MESA, CA 92626
PHONE: 714.951-9111

TENANT

REID DAY SCHOOL AND CENTER FOR BRAIN BASED EXCELLENCE
151 Kalmus Drive, Suite H9
COSTA MESA, CA 92626
CONTACT: LISA REID
PHONE: 480.510-3433



(A) FLOOR PLAN
SCALE: 1/4"=1'-0"



REID DAY SCHOOL AND CENTER
FOR BRAIN BASED EXCELLENCE
151 KALMUS, SUITE H9
COSTA MESA, CA

Issue and revision

no.	date	description
1	7/11/14	CUP application

sheet title
**PARTITION PLAN
AND DETAILS**

These drawings and accompanying specifications are to be an instrument of service and shall remain the property of the architect. They are not to be used on other projects or extensions to this project except by an agreement in writing and with appropriate compensation to the architect. Contractor is responsible for confirming and controlling dimensions at the job site. The Architect will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the project.

drawn by

project no.
10-478.00

sheet no. of 1

CUP-1



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

March 19, 2015

Mary L. Luna
12501 Jane Drive
Garden Grove, CA 92841

**RE: ZONING APPLICATION ZA-15-09 MINOR CONDITIONAL USE PERMIT FOR
A 70-FOOT TALL RADIO STATION ANTENNA TOWER
440 FAIR DRIVE, COSTA MESA**

Dear Ms. Luna:

City staff's review of your zoning application for the above-referenced project has been completed. The application, as described in the attached project description, has been denied, based on the findings attached. The decision will become final at 5:00 p.m. on March 26, 2015, unless appealed by an affected party, including filing of the necessary application and payment of the appropriate fee, or called up for review by a member of the Planning Commission or City Council.

If you have any questions regarding this letter, please feel free to contact the project planner, Mel Lee, at (714) 754-5611, or at mel.lee@costamesaca.gov.

Sincerely,

WILLA BOUWENS-KILLEEN, AICP
Zoning Administrator

Attachments: Project Description
 Findings
 Conceptual Plans
 Applicant's Project Description and Exhibits

cc: Engineering
 Fire Protection Analyst
 Building Safety Division

ZA-15-09
March 19, 2015
Page 2 of 3

Dennis Dalessio
440 Fair Drive
Costa Mesa, CA 92626

BACKGROUND

Project Site/Environs

The property is located on the north side of Fair Drive, east of Harbor Boulevard, and contains a two story, 20,745 square foot medical office building originally constructed in the early 1960's. The property is zoned C1 (Local Business District) and has a general plan land use designation of Neighborhood Commercial. The property is bounded by a car dealership (zoned C1) to the north, single-family residences across Carnegie Avenue (zoned R1) to the east, an apartment complex (zoned R3) and car dealership property (zoned CL) to the south, and a service station (zoned C1) to the west.

PROJECT DESCRIPTION

The applicant is proposing to operate a radio station within Suite 217 of the building. The radio station would be a Federal Communication Commission (FCC) Licensed, low power (100 watt) FM Station (frequency 90.3 MHz) operated by The International Crusade of the Penny, a non-profit public service organization providing bi-lingual (English/Spanish) programming to the community. According to the applicant's description of the use, a copy of which is attached to this letter, the programming would provide information and education to handicap, children and less fortunate within the community. Although the station operates on a 24-hour, 7-days a week basis, the station is mostly automated and would not be manned the entire time it is in operation.

Minor Conditional Use Permit for Radio Antenna Tower

As part of the proposed radio station operation, the applicant is proposing to install a freestanding 70-foot tall radio transmission tower within the parking area of the site for the antennas transmitting from the station. Zoning Code Section 13-142 (Antenna Development Standards) requires radio antennas greater than 30 feet in height to be screened in order to "lessen visual impacts to the adjacent residential zones".

Although the subject property is zoned C1, it is bounded by single-family R1-zoned properties across Carnegie Avenue to the west and multiple-family R-3 zoned properties across Fair Drive to the south. As a result, the proposed radio transmission tower would be visible from these residentially-zoned properties and is required to be screened per the Zoning Code.

ANALYSIS

Justifications for Denial

Staff has reviewed the applicant's request and does not support the request based on the following:

- The radio tower cannot be screened to minimize visual impacts to surrounding residentially zoned properties as required in City Zoning Code Section 13-142 (Antenna Development Standards). As noted in the above code section, antennas greater than 30 feet in height are required to be screened to lessen visual impacts to adjacent residentially-zoned properties and the proposed antenna does not fall within any exception to this requirement. With respect to cellular communication antennas, they can be screened by disguising them as trees, flagpoles, etc., or can be integrated into the roof parapets of taller buildings. However, according to the applicant's radio engineer, there is no effective method available to camouflage or screen the proposed radio antenna tower without creating interference with the radio signal (see Exhibit 2, letter from David Petrik, Qualified Professional Radio Engineer, dated January 20, 2015).
- There is no basis for making findings for approval for a radio antenna tower of this height that cannot be screened to minimize visual impacts to nearby residentially-zoned properties. The proposed 70-foot tall radio antenna tower would be the tallest structure in the surrounding area; the existing two-story building on the subject property is 25 feet in height and the surrounding Edison overhead utility poles are 38 feet in height. As a result, the radio tower would be extremely out of scale in terms of height with the surrounding structures in the area and clearly visible to nearby residential properties, creating an adverse visual impact detrimental to the surrounding area.

It should also be noted that certain types of Ham Radio antennas (such as those shown in the photos of the applicant's Exhibit 3) are exempted from the City's antenna regulations per Code Section 13-140(a) as indicated below, and the radio tower proposed by the applicant does not fall into these categories:

Exemption. Antennas meeting all of the following criteria are exempt from the regulations of this article:

- (1) *The antenna and associated support structure are supported primarily by attachment to a building.*
- (2) *The antenna, including associated support structure, does not weigh more than eighty (80) pounds.*
- (3) *The antenna, excluding associated support structure, does not exceed four and four-tenths (4.4) square feet in effective wind load area.*
- (4) *Attachment of the antenna and associated support structure to a building does not require modification or reinforcement of load bearing elements of the building in order to support the antenna and associated support structure at wind speeds up to seventy (70) miles per hour.*

- (5) *The environmental radio frequency radiation generated by the antenna does not exceed ANSI/IEEE standards, except as categorically excluded by the Federal Communications Commission.*
- *A radio tower of this height and scale could be located in other areas of the City where it would be less visually intrusive to residential properties and would not necessarily be required to be screened.* The City Zoning Code requirements for screening of radio antennas over 30 feet in height applies only to antennas adjacent to residentially-zoned properties. Therefore, the applicant could locate the radio station and tower in another zoning district in the City; for example, an MG (General Industrial) or MP (Industrial Park) zoned property that is not near residentially-zoned properties and therefore would not be required to be screened.

GENERAL PLAN CONFORMITY

Future development of all land within the City of Costa Mesa is guided by the General Plan adopted in 2002. The General Plan sets forth land use goals, policies, and objectives that guide new development and uses.

Based on the issues discussed in the previous sections, the request is not consistent with the following goals and objectives of the General Plan.

- **Objective LU-1F.1:** *Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.*
- **Objective CD-8A.6:** *Locate areas for outside equipment...in the least conspicuous part of the site. Utility and mechanical equipment...should be concealed from view of public streets, neighborhood properties, and nearby higher buildings.*

ENVIRONMENTAL DETERMINATION

Because the request cannot be approved, it is exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

FINDINGS

- A. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) in that:

Finding: The proposed use is not compatible with developments in the same general area and would be materially detrimental to other properties within the area.

Facts in Support of Findings: The applicant's request cannot be supported based on the following:

- *The antenna cannot be screened to minimize visual impacts to surrounding residentially zoned properties as required in City Zoning Code Section 13-142 (Antenna Development Standards).* As noted in the above code section, antennas greater than 30 feet in height are required to be screened to lessen visual impacts to adjacent residentially-zoned properties and the proposed antenna does not fall within any exception to this requirement. With respect to cellular communication antennas, they can be screened by disguising them as trees, flagpoles, etc., or can be integrated into the roof parapets of taller buildings. However, according to the applicant's radio engineer, there is no effective method available to camouflage or screen radio antennas without creating interference with the radio signal.

Finding: Granting the minor conditional use permit will be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to property or improvements within the immediate neighborhood.

Facts in Support of Findings: *There is no basis for making findings for approval for a radio antenna tower of this height that cannot be screened to minimize visual impacts to nearby residentially-zoned properties.* The proposed 70-foot tall radio tower would be the tallest structure in the surrounding area; the existing two-story building on the subject property is 25 feet in height and the surrounding Edison overhead utility poles are 38 feet in height. As a result, the radio tower would be extremely out of scale in terms of height with the surrounding structures in the area and clearly visible to nearby residential properties, creating an adverse visual impact detrimental to the surrounding area.

Finding: Granting the minor conditional use permit will allow a use, density, or intensity which is not in accordance with the General plan designation.

Facts in Support of Findings: The request is not consistent with the following goals and objectives of the General Plan.

- **Objective LU-1F.1:** *Protect existing stabilized residential neighborhoods from the encroachment of incompatible or potentially disruptive land uses and/or activities.*

Consistency: Because there is no effective method available to camouflage or screen the 70-foot tall radio antenna without creating interference with the radio signal, the radio tower would create an incompatible and potentially disruptive land use and/or activities for surrounding residential properties and uses. Therefore, the request is not

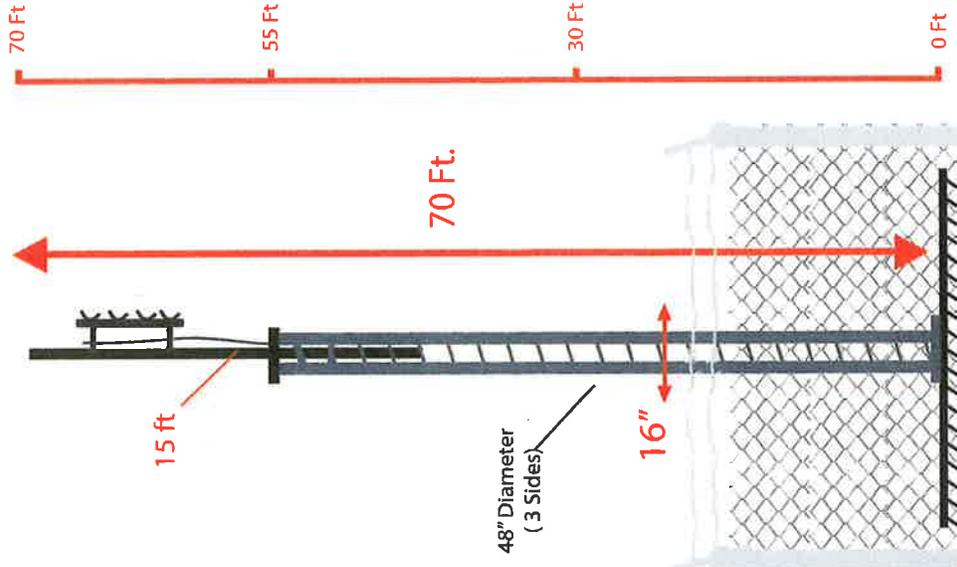
consistent with this General Plan goal.

- **Objective CD-8A.6:** *Locate areas for outside equipment...in the least conspicuous part of the site. Utility and mechanical equipment...should be concealed from view of public streets, neighborhood properties, and nearby higher buildings.*

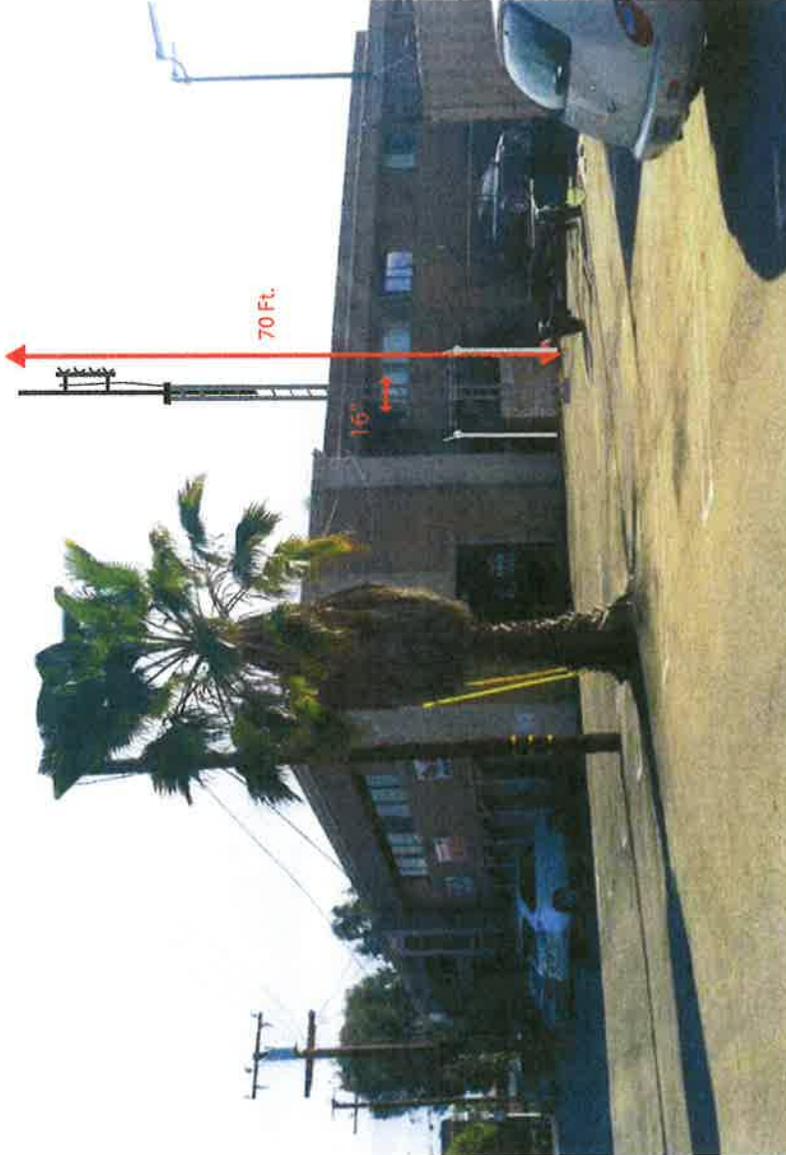
Consistency: The proposed 70-foot tall radio tower would be the tallest structure in the surrounding area; the existing two-story building on the subject property is 25 feet in height and the surrounding Edison overhead utility poles are 38 feet in height. As a result, the radio tower would be extremely out of scale in terms of height with the surrounding structures in the area and clearly visible to nearby residential properties, creating an adverse visual impact detrimental to the surrounding area. The applicant could locate the radio station and tower in another zoning district in the City; for example, an MG (General Industrial) or MP (Industrial Park) zoned property that is not near residentially-zoned properties and therefore would not be required to be screened. Therefore, the use is not consistent with this General Plan goal.

- B. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out.
- C. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

**Installation Type:
Self Support Ham Radio Tower WT-51**

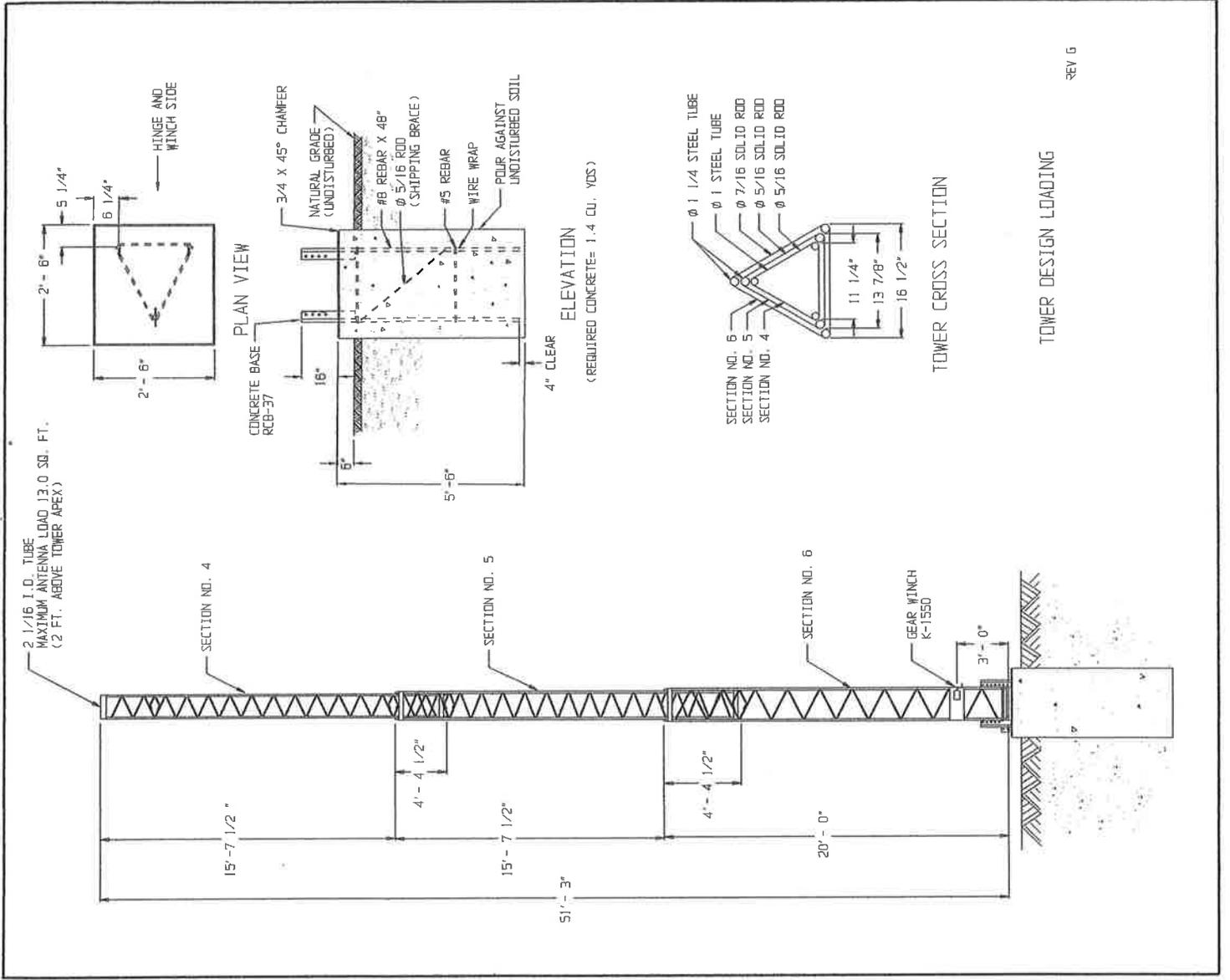


Surrounded by a 5 ft Barbed wire fence



Contact: Mary Luna
International Crusade of the penny
Since 1987
Qualified 501(C) 3 org.
12501 Jane Dr
Garden Grove Ca 92841
(714) 818-7839
email: crusadeofpenny@aol.com

Install Address:
440 Fair Drive
Costa Mesa Ca 92626-6229



REINFORCED CONCRETE BASE

The base mount and the tower base are designed so that two bolts may be inserted into the base mount and the tower base while the tower is laying horizontally on the ground. Then the base mount and the tower base are hinged. This allows the tower to be tilted upwards to the vertical position where the final bolt can be inserted, thus locking the tower in the vertical position. The purpose of this design is to make it easier and safer to erect the tower. To access the antenna for maintenance, a tilt over accessory is required to position the antenna in a working elevation.

APPLICATIONS: General communications, amateur radio, two-way radio, light cellular antennas, citizen band radio, television, cameras, and environmental monitoring instrument installation.

FINISH: All crank up towers are HOT DIPPED GALVANIZED after fabrication. They are galvanized in accordance with ATSM A123. The towers are galvanized, hot-dipped, after fabrication in molten zinc so that tube legs are zinc coated inside the tubes as well as outside and completely covering all the steel tower. Drain holes shall be kept clear.

MATERIAL: The towers are made of ASTM-36 structural shapes, ASTM A513 Tubing, ASTM A53 Grade B pipe. Hardware is hot dipped galvanized or Stainless Steel. No plated hardware is used.

WELDING: Welding is done in accordance with AWS D1.1 the latest Revision. Welding rod and gas are selected to insure the highest ductility and to insure embrittlement does not occur during the galvanizing process. Certified AWS welders are used and they certification kept on file.

DESIGN AND ENGINEERING

The crank up towers meets the American Institute of Steel Construction standards for steel structures. The concrete design meets the American Institute of Concrete requirement for concrete and reinforcement. The tower design meets the 1997 Uniformed Building Code as stated in the calculations.

Karl Tashjian is a licensed Registered Civil Engineer.

WT-51

Tower Specs :

TYPE: Self-supporting, extendable, manual crank-up tower.

SPECIFICATIONS:

TOWER HEIGHT: Extended 51 feet (15.5M). Retracted 21 feet (6.4m).

TOWER SUPPORT: Self-supporting, no guys.

WIND LOADING: Engineering analysis indicates the tower will support 13 Square feet of projected area at winds of 85 MPH 3 second gust wind speed per ANSITIA EIA RS 222 Rev. G.

DEAD LOAD: The maximum dead load is 300 lbs.

WEIGHT: The tower with the base weighs 355 pounds (161kg).

SECTIONS: The tower is made from three each 20 foot sections, #4, #5, and #6 is the base.

DESCRIPTION:

Tower is complete with a manual crank-up winch and hoisting cables, and a rigid concrete base mount. The tower is designed to extend the tower telescopic sections uniformly. With your purchase, a user manual one and stamped set of drawings and calculation is provided.

This tower has pulley frame on one face only. The lifting cable is 3/16 x 7 x 19 aircraft cable.

Because of high strength tubing and the bracing of solid rod, this design is considered to be the strongest engineering configuration for towers, yet saves weight, resists torsion load and reduces wind resistance, allowing more useful load to be installed on the tower.

ACCESSORIES:

RCB-37 LT (#6 Wide Section)

CO-3 for WT-51

TA-51

#4 rotator plates

Cable Kit for WT-51

Manual Winch 1,500 Pound

TB-2 Trust Bearing

Masts

WT-51 Manual, Drawings, Calculations

Replacement Pulleys

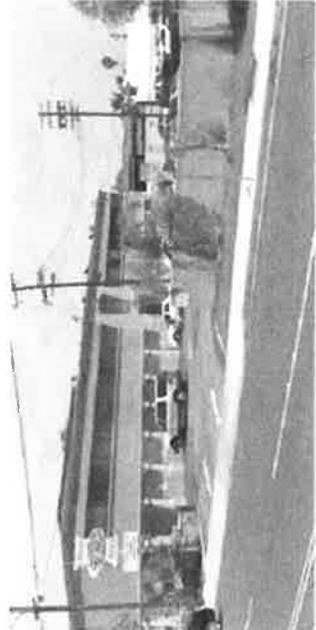
Note: all the specifications in this document are the obtained by the FCC.

Height of ground above mean sea level at site: 22.0 meters.
Overall height of tower above ground: 21.3 meters (or 70 feet).
Center of Radiation above Ground: 17.8 meters
Center of Radiation above Mean Sea Level: 39.8 meters (This is 22.0 m plus 17.8 meters)
HAAT (Height Above Average Terrain): 15 meters
ERP (Effective Radiated Power): 100 watts

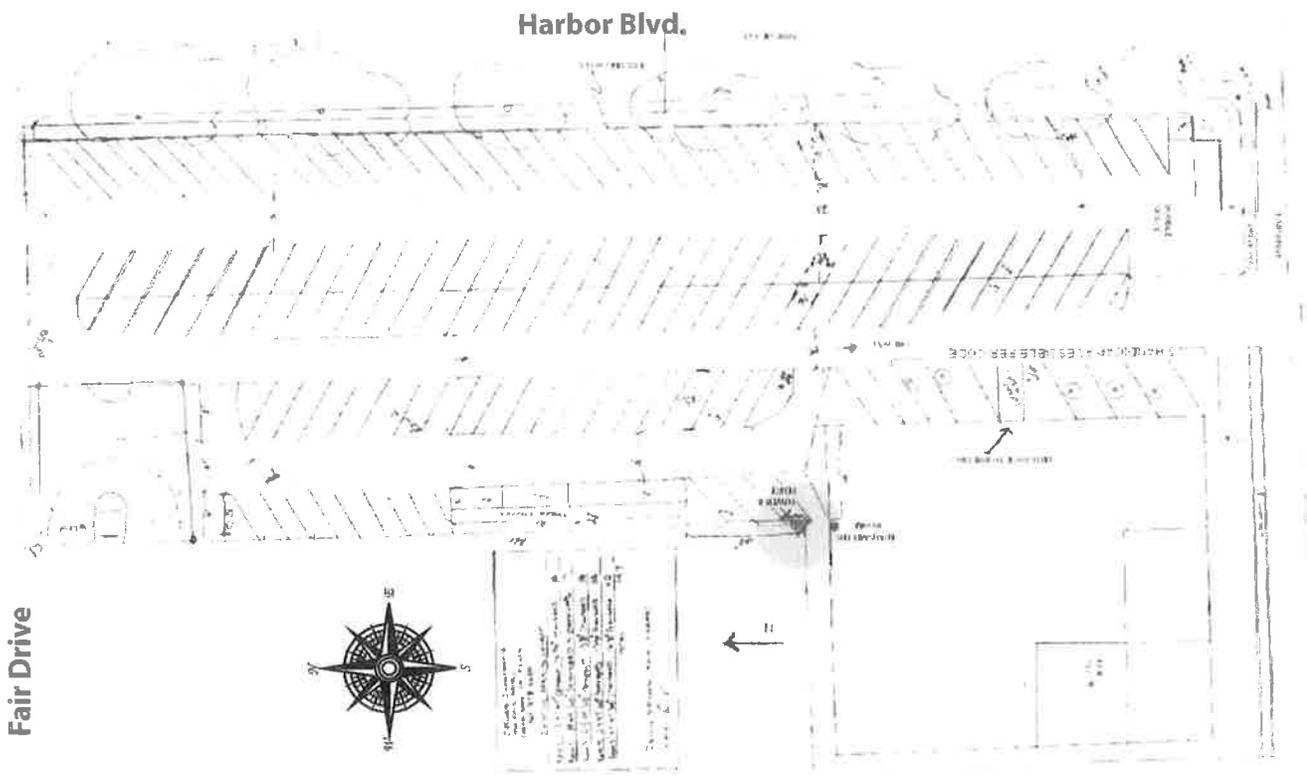
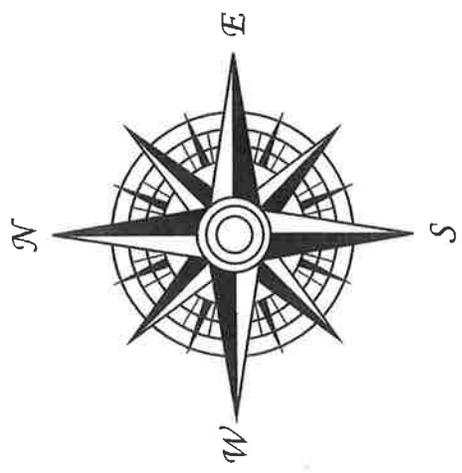
Harbor Blvd.



Fair Drive



Property Map / Street View
440 Fair Drive
Costa Mesa Ca 92626-6229



Fair Drive

Callsign: KLIE-LP

Permit No.: BMPL-20140911ABI

Transmitter: Type Certified. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: As required to operate within authorized range of effective radiated power.

Antenna type: Non-Directional

Antenna Coordinates: North Latitude: 33 deg 39 min 50 sec
West Longitude: 117 deg 55 min 03 sec

Maximum Effective radiated power in the Horizontal Plane (watts):	100
Minimum Effective radiated power in the Horizontal Plane (watts):	50
Height of radiation center above ground (Meters):	18
Height of radiation center above mean sea level (Meters):	40
Height of radiation center above average terrain (Meters):	23

Antenna structure registration number: Not Required

Overall height of antenna structure above ground: 21 Meters

Obstruction marking and lighting specifications for antenna structure:

It is to be expressly understood that the issuance of these specifications is in no way to be considered as precluding additional or modified marking or lighting as may hereafter be required under the provisions of Section 303(q) of the Communications Act of 1934, as amended.

None Required

Special operating conditions or restrictions:

- 1 The permittee/licensee in coordination with other users of the site must reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines.

*** END OF AUTHORIZATION ***



Int. Crusade of the Penny Org.

Qualified 501 © Since 1987

Friday, January 30, 2015

City of Costa Mesa Planning Commission
77 Fair Drive
Costa Mesa, Ca.92626-1200
C/O Ms Claire Flynn

Dear Ms Claire Flynn, Mr. Mel Lee, Mr. Antonio Gardea,

After the recess since we met on Nov.14, 2014 we continue with our application. Before I start the letter I want to point out to you that I'm attaching Exhibits and explanations of your request and assuring you that we're coming in to Costa Mesa as outstanding American Citizens and coming in with high profile individuals, as you see the Exhibits.

Attach to this letter are Exhibits as follows:

Exhibit 1: Copy from prior requests

- ↓ 1) Copy of letter submitted with previous request dated Oct.27, 2014 also requesting approval of our applications

Exhibit 2: Letters from Companies and Radio Engineer against camouflaging our CB Ham Tower

- ↓ 1) Letter from Company Custom Made Designs for Camouflaging
- ↓ 2) Letter from Company that makes designs
- ↓ 3) Letter from a Licensed Radio Engineer

Exhibit 3: Pictures of a few of the Towers that Exist in Costa Mesa and Radio Stations with antennas and neither camouflaged

- ↓ 1) A few pictures of Towers already existing in Costa Mesa
- ↓ 2) Pictures of Radio Stations antennas not covered or camouflaged in the Costa Mesa



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Exhibit 4: FYI how a Nonprofit qualifies for extra point in having site for Main Studio

- ✚ 1) Section III of the FCC application showing about having a site
- ✚ 2) Explanation of Point System
- ✚ 3) Article FYI of how the FCC granted almost 2,000 applicants in the USA CP to nonprofit Org. for Community Purpose not Commercial as you believe.

Exhibit 5: FYI FCC 47 CFR Ch. 1 Proof of Emergency Alert System Protocol on how it's required of Broadcaster as a main priority to be carried out.

- ✚ 1) First Article FCC on how Broadcaster must, and have to obey about the EAS
- ✚ 2) Second Article of the expectation from the FCC

Exhibit 6: Letter from Mark A. Lowry Director of the Orange County Food Bank to you. And who the High Profile individuals supporting us 100% letters provided to you upon request.

- ✚ 1) Letter from Mark A. Lowry Director of the Orange County Food Bank
- ✚ 2) Who is Jerry Velasco Supporter in favor of us.
- ✚ 3) Who is Janet Napolitano Supporter in favor of us.
- ✚ 4) Who is "Angelica Maria" Supporter in favor of us.
- ✚ 5) Who is Victor Mendez Founder of the Org.
- ✚ 6) Who are the individuals behind and active with the Organization before and now.



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Ms. Flynn,

First of all I want to thank-you for sending us the information on how you wanted our CB Ham tower camouflaged. But as you see and read the Exhibit a CB Tower and antennas for Radio cannot be covered or camouflaged as you're requesting from our Organization. Doing that, it would kill the Radio signal. Not only that, if you, or your staff hadn't pointed out to us that it would be ok to have a ham tower when we asked, and it was approved as long as it didn't go past 75 feet we'd wouldn't of gone through the expense. We believed and trusted your word.

Second, during our meeting in person with you and your associates, in conclusion, once again you stated that you'd be recommending our application for **denial and incomplete**. As I stated previously how could anything be incomplete when we've practically have gone back and forth with your department fulfilling all your requests. During this period we have dealt with three different of your commissioners and each provides different information. Grant you they're all wonderful.

I want you to know that our CB Ham Tower will not be different nor it will be any higher that what is already as in existent in the City of Costa Mesa as you can see the exhibit in the pictures. We will do just like the rest in the City and obey the rules and regulations just like they're doing.

Ms Flynn, there's seem to be a conflict of interest with you and the FCC and insisted that we should of gone to you first and you would of told us. We're new to your City and you kept asking "Why Costa Mesa?" The way you kept asking and commenting it was obvious that you don't want us in your City. My answer to you is Why not? It's a free Enterprise. All of us are American Citizens in good standing. We're coming in with High Profile Individuals such as supporters as Jerry Velasco, and through Jerry Velasco we have Janet Napolitano, The Orange County Food Bank, Famous Movie Star, Singer, Producer, Angelica Maria, The Founder of the Org. Victor Mendez, and the staff are Popular TV and Radio Celebrities. These individuals and Companies will be very instrumental to the City of Costa Mesa. We're filling in the void that the City of Costa Mesa needs.(See Exhibit of who they're)

- I'm attaching Exhibit proof that a Nonprofit to qualify for an extra point for a CP from the FCC you must have a main studio. We have been very honest from the start.
- Our original site was on the Americana Tower but when we finally got granted our permit there was no room for our antenna, and we honestly do not have options to go elsewhere because we can only move 3.5 miles from the original site. Which is and was very hard to find a site that the Landlord would approve having an antenna or tower approved.

Another comment you made was that you we would be able to carry out and comply with the Emergency Alert System of the CB Ham Towers would. For your information that's one of the prerequisites of Priority of Importance that all Broadcasters must comply with and we have to have



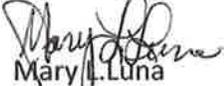
Int. Crusade of the Penny Org.

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especial equipment installed in the studio. We explained it to you but you seemed not to believe us so please see the attachment. I know that expressed look at the CB Towers much different and you should, but you should also be fair about broadcasters. (47CFR) PART 11

Finally once more I'm pleading as I have also in the past is to give us that "Just and Fair Opportunity" and approve us like the rest in your City. Please see Exhibit at the end of the High Profile of individuals that we're involved with and gives you the Potential we have to come in to Costa Mesa making a HUGE Compliment to the City and Stand our above the rest.

Sincerely,


Mary L. Luna
Sec. of ICOP



Int. Crusade of the Penny Org.

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High Profile Individuals:



(LETTER INCLUDED ALREADY)

We have Jerry Velasco is supporting us 100% along and through him Ms Janet Napolitano. We also have Movie Star, Singer and Celebrity "Angelica Maria" known International, and USA

***MS. JANET NAPOLITANO: University of California President Janet Napolitano with the 2015 *Inspiration Award*. Her leadership personifies Meritus values: persistence, academic scholarship, and contributions to the community.

Janet Napolitano began her tenure as President of the University of California in September 2013. She is a distinguished public servant with a record of leading large, complex organizations at the federal and state levels. She served as Secretary of Homeland Security from 2009-13, as Governor of Arizona from 2003-09, as Attorney General of Arizona from 1998-2003, and as U.S. Attorney for the District of Arizona from 1993-97. Before that, she practiced at the law firm of Lewis & Roca in Phoenix, where she became a partner in 1989. She began her career in 1983 as a clerk for Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit.

***Jerry Velasco Treasurer of City of El Monte

Mr. Velasco is the Board Vice President of El Monte Promise Foundation and was Planning Commissioner of the City of El Monte. As a prominent actor, producer, and publicist, he is considered the "Information Voice" of Hollywood and Hispanics and is sought after as a speaker in the United States, Mexico, and Latin America. He is a successful actor who appears in both American and Mexican television and films. Mr. Velasco is involved with many local, national, and international non-profit organizations. Mr. Velasco was raised in the city of Los Angeles and is a native of Jalisco Mexico.

***ANGELICA MARIA

Angélica María is an American-born Mexican actress and a Grammy Award-winning singer-songwriter. Who has had 5 Shows, 58 Films, 20 TV Soap Operas, 16 Plays, 56 video songs, recorded 64 CD's, 244 awards in America, 64 soap operas, and over 600 TV Shows, 500 songs and several Grammy Awards

***VICTOR MENDEZ

Practically born behind the microphone was in television since the age of 8. Comes from a Family of Singers, Celebrities and all kinds of Talents. Is a very popular Radio Disc Jockey in the Hispanic Media with high ratings. Has had his own Television Shows which Network across all of the United States including a Network going to Mexico and 16 countries in South America.

He's the founder and President of a Qualified Tax Exempt Nonprofit Organization Int, Crusade of the Penny is not only well known with the Public, his fans but also known and respected by Celebrities in the communications field of Television, Radio and Newspapers.



Int. Crusade of the Penny Org.

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I ASSURE YOU THAT THE REST OF THE INDIVIDUALS INVOLVED WITH THE PROJECT BEHIND THE MICROPHONES ARE ALSO VERY POPULAR, PROFESSIONAL TELEVISION AND RADIO HOSTS. OUR PROGRAM WILL BE BI-LINGUAL WHICH WILL BE TOTALLY DEDICATED TO THE COMMUNITY AND FOR THE COMMUNITY.

WE WILL BE VERY DEDICATED AND ARE A NON-PROFIT STATUS.

THANK-YOU



Int. Crusade of the Penny Org.

INTERNATIONAL CRUSADE OF THE PENNY EXHIBITS FOR THE CITY OF COSTA MESA PLANNING
COMMISSION DATED JANUARY 30, 2015 FOR CONTINUATION OF OUR APPLICATION

EXHIBIT 1

(A) PRIOR LETTER THAT WAS SUBMITTED OCTOBER 27, 2014 AFTER THAT
MEETING IN PERSON NOVEMBER 14, 2014



International Crusade of the Penny
Founded 1987

October 27, 2014

Costa Mesa Planning Commission

77 Fair Drive, Costa Mesa, CA92626

To Whom It May Concern:

On behalf of the Board of Directors and Members of the nonprofit Organization which is a Qualified 501(c)3 (Int. Crusade of the Penny) Org. since 1987 am submitting the pending forms required for the application of the CUP already in your hands.

The FCC granted the Organization a CP license for a LP radio station particularly approved on the site of 440 Fair Drive.

A ham radio tower of 70' tall was also approved on this site by the FCC.

The LP fm is 100 watts. All studies and approval proof(s) copies area being provided to you.

We have no option to go to another City. We're assigned here at Costa Mesa and on this site.

This project will incorporate with other organizations in this City for the purpose of serving needs in the Community.

We're asking you for your approval and supporting this project. The second page will list items listed that today are being turned in to complete application project PA-14-37 DATED: 09/18/2014

visit our website at www.icopenny.org. I can also be reached at 714-818-7839

Thank you for your consideration.

Sincerely,

Mary L. Luna

Sec. to ICOP



International Crusade of the Penny

Founded 1937

Page2

ITEMS SUBMITTED AND LISTED WHICH ARE PENDING TO: PA-14-37 DATED: 09/16/2014

- PLANNING TRANSACTION RECEIPT
- PICTURED APPROVAL OF 811
- E-MAIL OF 811 OF NO CONFLICT
- COPY OF BUSINESS CARD OF PROFESSIONAL ENGINEER TO SET UP HAM RADIO TOWER
- COPY OF LANDLORD APPROVAL OF PLACING HAM RADIO TOWER ON NORTH EAST SIDE BACK OF BUILDING
- PICTURE AND DEFENITION OF FOUR BAY ANTENNA
- PICTURE, EXPLANATIONS, DETAIL S OF INSTALLATION, MEASUREMENTS OF HAM RADIO TOWER/8PAGES
- ALLOCATION STUDY DONE BY A PROFESSIONAL ENGINEER OF AREA,OF HAM RADIOTOWER, SITE, NO RADIATION,CONTOUR, ELEVATIONS OF METER OF HAM RADIO TOWER,HEIGHT AND STUDY OF SITE, FOUR BAY ANTENNA.
- DRAWINGS TO SCALE OF BUILDING / PROJECT

*NOTE: NO CHANGES WILL NOT BE MADE TO THE OFFICE

*12501 Jane Drive Garden Grove, Ca.92841 Tel Number: (714)818-7839
e-mail:crusadeofpenny@aol.com website: icspenny.org*



EXHIBIT 2

PROOF OF LETTERS FROM COMPANIES NOT IN FAVOR A RADIO ANTENNA TOWER
OR INCLUDING RADIO ANTENNAS CAMOFLOUGED

- (1) LETTER FROM COMPANY
- (2) LETTER FROM SECOND COMPANY
- (3) LETTER FROM LISCENSED RADIO ENGINEER

From: Michael Beringer <custompalms1201de@sbcglobal.net>

To: crusadeofpenny <crusadeofpenny@aol.com>

Subject: CB Antanna Tower

Date: Mon, Jan 5, 2015 12:52 pm

Hi Mary

As per our conversation earlier today, I just wanted to confirm that any and all materials used to conceal the antenna in question must not contain metal. I spoke to Shively, the manufacturer, and they told me that there must be no metal 5 feet in front, above or below the antenna. The tower itself can be metal since this is a directional antenna and the main RF signal flows from the front of the antenna and the tower is behind the antenna and the RF signal. My suggestion is that only PVC and fiberglass materials be used within that space in front, above or below the antenna. I have been in the wireless business for over 18 years and the one thing that RF engineers all agree on and have told me is that there should NEVER be any metallic materials near the radiating side of the antenna. Metal will cause interference with the RF signal as it propagates through the air. I hope this helps. We are currently working on a design that will work for your application and should have a Proposal soon for your review. Thank You

Best regards,

Pieter Stappers
Michael Beringer
Director of Concealment
Product Sales & Marketing

Custom Made Palm Trees & Tiki Hut Co.,LLC

Michael A. Beringer

V.P. Sales/Marketing

Ph: (330)633.0063

Fax:(330)633.1515

Toll Free 1(866)349.4582

Website: www.custompalmtrees.com

Jan, 18th 2015



Hello Mary,

I hope all is well. I have reviewed your project and came up with the following:

Unfortunately we do not recommend covering up (camouflage) your radio antenna for several reasons.

1.) In order for us to cover the antenna we would have to use what is called max metal.

The sheets are 4'x8' and 3mm thick. We would have to lay several layers around the tower and fasten them to the tower. This being the case two things would happen.

a.) they would weigh too much. b.) this would block your signal.

2.) there are also wind factors involved which would prevent us from covering the tower.

Max metal sheets are solid sheets with no room for the air to escape this might cause it to fail.

The only other option I would have would be key banner? This would mean we would wrap the tower in a pattern of banner and create wind channels thru it. I am sorry we could not help you with this project.

Best Regards,

Mark Sanchez

714.739.2855

6061 Dale Street Unit G Buena Park CA 90621

Phone (714) 739-2855

Fax: 714 739-2815



QUALIFIED PROFESSIONAL RADIO ENGINEER

License No. PG-11-32409

January 20, 2015

To the City Planning of Costa Mesa,

To Whom It May Concern:

My name is David Petrik, I'm a Professional Radio Engineer for over 20 years and continue being one of the Engineers for Radio project for the Community which was granted to the Nonprofit Org. Int. Crusade of the Penny.

Studying and analyzing the request for the tower as being camouflaged by your Department, I do not recommend it for many reasons one of the main ones is that an antenna cannot be touching other metal or be near metal. The suggested camouflaging is seen only on cell towers, much different than a radio tower, and are in a different channel. If you notice, no tower that holds antennas for radio are ever covered. As a Professional, I'm personally against the thought, and through my experience which is very extensive, have never ever seen a radio station do that, not anywhere. I'm providing a copy of one of my licenses for your view and information that I'm qualified.

Your concern that we will not air out or make it a priority of the Emergency Alert, the FCC mandates all Broadcasters to abide by it.

The LPFM is also mandated by the FCC and IEEE to have all equipment that must be used is held to the highest standard than even big high power station that are currently on the air. Also all of the LPFM have to operate at all times. The equipment that ties The Emergency Alert System to the direct output of the station to serve the purpose if something should arise that would have direct effect to the population the stations programming is interrupted for announcements to direct the people on what to do.

If you have any questions please feel free to call anytime.

Sincerely,

Mr. David Petrik

Phone number 541- 367- 0556 or dpetrik@centurytel.net

The United States of America

Federal Communications Commission

GENERAL RADIOTELEPHONE OPERATOR LICENSE

(General Radiotelephone Certificate)

This certifies that the individual named below is a licensed radio operator and is authorized to operate licensed radio stations for which this class of license is valid. The authority granted is subject to any endorsement placed on this license. The authority granted is also subject to the orders, rules, and regulations of the Federal Communications Commission, the statutes of the United States, and the provision of any treaties to which the United States is a party, which are binding upon radio operators.

This license may not be assigned or transferred to any other person. This license is valid for the lifetime of the holder unless suspended by the FCC.

Endorsement: NONE

Licensee: DAVID A. PETRIK

Date of Birth JUNE 12, 1949	Issuance Date JAN 02 1985	Place of Issuance LONG BEACH, CALIFORNIA
		License Number PG-11-32409

David A. Petrik

Signature of Licensee





EXHIBIT 3

PICTURES OF COSTA MESA TOWERS AND ANTENNAS

- 1) PICTURES OF TOWERS LIKE OURS NEARBY OUT SITE NOT CAMOFLOUGED NOR ANTENNAS COVERED
- 2) PICTURES OF RADIO ANTENNAS NOT CAMOFLOUGED OR COVERED

Our CB Ham tower will be self support and will not be any higher than the ones already in existence in the City of Costa Mesa. No antennas or CB towers in the City are covered or camouflaged. Your request is only applicable to us. These are very near the address we provided to put up ours, and doesn't look much different than the one we purchased when you told us we could put one up but no higher than 75 feet. They don't seem to create an impact like you told us that ours would.



ANTENNAS IN RADIO STATIONS IN COSTA MESA ARE NOT COVERED OR CAMOFLOUGED LIKE YOU'RE REQUESTING OF US...RADIO ANTENNAS ARE NEVER COVERED...IT WOULD KILL THE SIGNAL

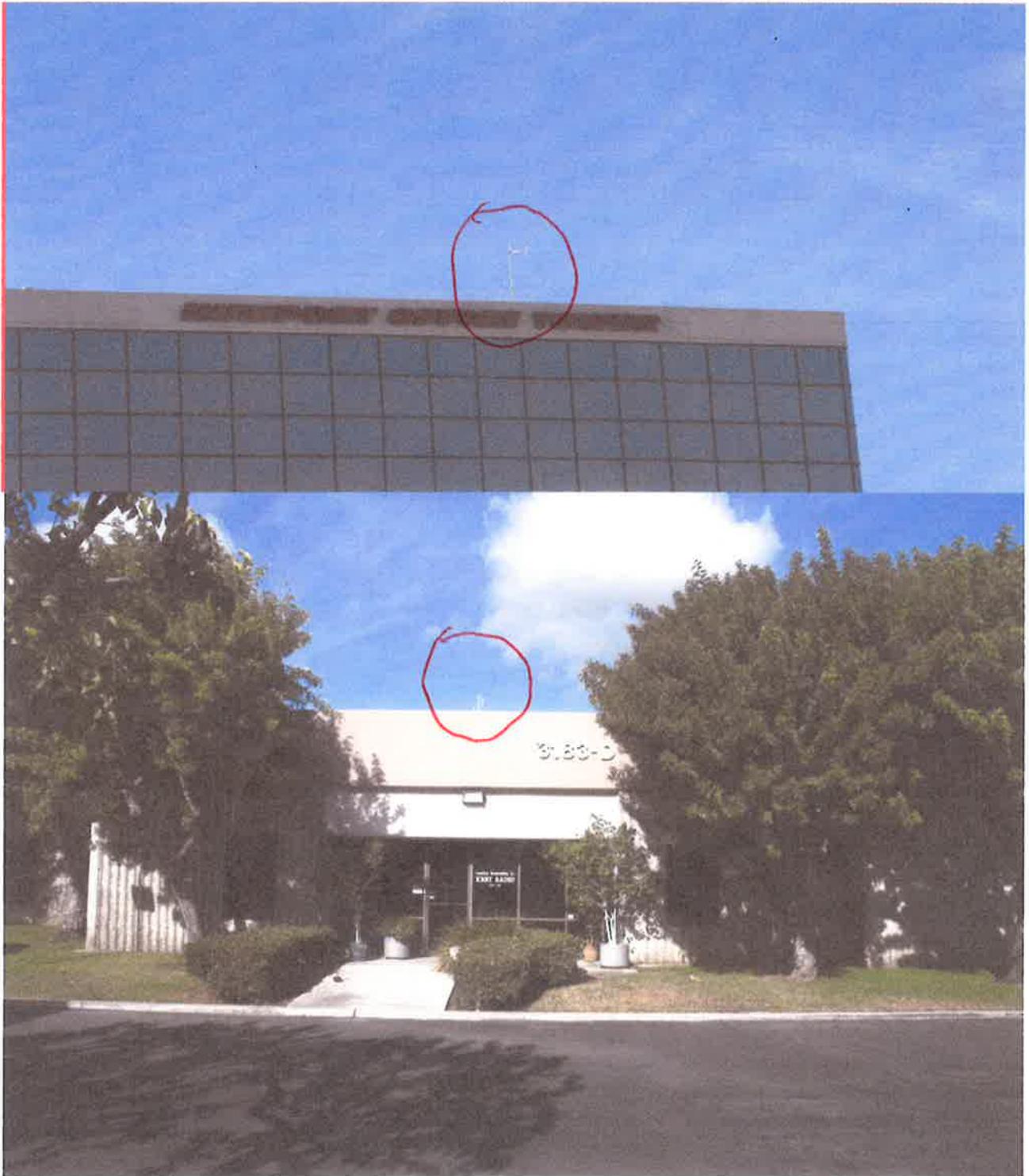




EXHIBIT 4

FYI SHOWING YOU HOW A NONPROFIT QUALIFIES FOR EXTRA POINTS IN
HAVING A STUDIO FOR A CP

- 1) SAMPLE OF APPLICATION THAT MUST BE FILLED WITH THE FCC
FROM EVERYONE APPLYING FOR QUALIFICATIONS
- 2) ARTICLE ON HOW FCC GRANTED CP TO ALMOST 2,000 APPLICANTS
IN OUR NATION

disposition of the previously reported matter.	
8. Unlicensed Operation. The applicant certifies, under penalty of perjury, that neither the applicant nor any party to the application has engaged in any manner, individually or with other persons, groups, organizations, or other entities, in the unlicensed operation of any station in violation of Section 301 of the Communications Act of 1934, as amended, 47 U.S.C. Section 301.	<input checked="" type="radio"/> Yes <input type="radio"/> No
9. Anti-Drug Abuse Act Certification. Applicant certifies that neither the applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No

Section III - Point System Factors

New station and major change applicants must complete the following questions.

Point system factors are used only for selection among mutually exclusive applications for new LPFM stations and major modifications of authorized LPFM stations. Mutually exclusive applicants will be awarded a point for each of the following:

<p>1. Established community presence.</p> <p>a. Nonprofit educational organizations. The applicant certifies that, for a period of at least two years prior to the date of this application, it has existed as a nonprofit educational organization and has been physically headquartered, has had a campus, or has had seventy-five percent of its board members residing within 16.1 kilometers (10 miles), for the top 50 urban markets, or 32.1 kilometers (20 miles), outside the top 50 urban markets, of the coordinates of the proposed transmitting antenna.</p> <p>An applicant claiming a point under 1a. must submit an exhibit documenting its established community presence. <i>See</i> instructions.</p> <p>b. Tribes and Tribal organizations. The applicant certifies that it is a Tribe and that its Tribal Lands are within the service area of the proposed LPFM station; or that it is a Tribal organization owned or controlled by a Tribe (or Tribes) and its (or their) Tribal Lands are within the service area of the proposed LPFM station.</p> <p>c. Public Safety Radio Service. The applicant certifies that, for a period of at least two years prior to the date of this application, it has had jurisdiction within the service area of the proposed public safety radio service LPFM station.</p>	<p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> <p>[Exhibit 10]</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p> <p><input type="radio"/> Yes <input checked="" type="radio"/> No</p>
2. Local program origination. The applicant pledges to originate locally at least eight hours of programming per day.	<input checked="" type="radio"/> Yes <input type="radio"/> No
3. Main studio. The applicant pledges to maintain a publicly accessible main studio that has local program origination capability, is reachable by telephone, is staffed at least 20 hours per week between 7 a.m. and 10 p.m., and is located within 16.1 kilometers (10 miles) of the proposed site for the transmitting antenna for applicants in the top 50 urban markets and 32.1 kilometers (20 miles) for applicants outside the top 50 urban markets.	<input checked="" type="radio"/> Yes <input type="radio"/> No
The applicant claiming a point under 3. must provide the proposed address and telephone number for the main studio.	
Address:	
440 FAIR DRIVE	
City COSTA MESA,	State or Country (if foreign address) CA
Zip Code 92626-6229	
Telephone Number (include area code) 7146362626	E-Mail Address (if available) CRUSADEOFPENNY@AOL.COM

FCC LPFM POINT SYSTEM

The commission uses a point system to award LPFM CP grants in cases of mutually exclusive applications where competing groups cannot resolve. According to Tracy Rosenberg, executive director of Media Alliance, points are awarded for:

- 1) An established presence in the community as a 501c3 organization for at least two years;
- 2) A pledge to air at least 8 hours a day of locally originated programming;
- 3) A pledge to maintain a local main studio that is inside the signal area, publicly accessible and able to generate locally originated programming from that site;
- 4) Qualifying under points 2 and 3 in the same application, which earns an extra point;
- 5) Having no interest in any other broadcast outlet;
- 6) Being a tribal applicant that plans to broadcast on tribal lands.

Rosenberg said many LPFM applicants in the recent window worked hard to make sure they could maximize their number of points in the 4-to-5 range to be competitive for a license.

"Sometimes two applicants will join together and merge their applications in order to combine the points in both original applications and thus achieve a higher total number," she said. "The final FCC decision is awarded on the basis of which application has the highest number of points."

If there is a tie and no voluntary sharing agreement, Rosenberg said, the commission will determine a sharing agreement.

"Most people agree that voluntary sharing agreements are more likely to work out well than involuntary ones. In most cases, an objection or petition to deny will be filed on the basis that competing applicants have been awarded points they don't deserve," Rosenberg said.

— Randy J. Stine

RADIO WORLD



JANUARY 1, 2015 | The News Source for Radio Managers and Engineers | \$2.50 | RADIOWORLD.COM

LPFMs Look Ahead to 2015

Advocates are keeping track of new strategies, peer support groups

BY RANDY J. STINE

Low-power FM faithful expect 2015 to be the year of major station build-outs — a flurry of facility launches as community broadcasters stake claim to more space on the FM band.

At the same time, advocates are watching how these new broadcasters raise money for equipment, adapt to new management strategies and create peer support groups.

Close to 2,000 new LPFMs could be on air within 18 months as result of the application filing window in 2013, LPFM advocates estimate. About 150 of those are now on the air.

Observers said the FCC was quick to assess and process LPFM applications during the past year. The commission in early 2014 began issuing construction permits where there was only one clear, qualified applicant. In fact, CP grants for LPFMs were seemingly “fast-tracked” in 2014, according to several observers.

The commission is expected to finish sorting through the mutually exclusive, or MX, applications from that filing window in the first half of 2015, according to observers. MX applications are

cases where entities are vying for the same frequency. Conflicts among MX applications can be resolved by technical amendments eliminating mutual exclusivity, by settlement or by time-share agreement. The MX period thus brings a lot of negotiation, coordination and amendment filing among hopeful low-power broadcasters.

Two regional MX settlement windows have closed, according to the FCC. Observers believe the agency will open a final MX settlement window, covering mostly southern states, by early 2015. This will include several large MX groupings in desirable areas like Houston, Dallas/Fort Worth and Orlando, observers said.

LONG-AWAITED WINDOW

Space on the FM dial remains a sought-after commodity, and some settlements of MX applications could take years to work out. If voluntary timeshare agreements can't be reached among the mutually exclusive applicants, a commission point system point system is used to determine the grantee. The system is a set of criteria used to score applications and break ties (see sidebar on page 6).

Low-power FM stations, which broadcast at a maximum of 100 watts and typically reach seven to 10 miles from the antenna, must be licensed to non-profit entities. These proliferating new micro FM stations promise to air programming that ranges from art and culture to education and hobbies with a hyper-local focus. Churches, civic groups and foreign-language stations make up a large number of the CPs.

For instance, the Center for Hmong Arts and Talent in St. Paul, Minn., aims to nurture, explore and illuminate the Hmong American experience through artistic expression, according to its website. The Flint Odyssey House in Flint, Mich., is concerned about addiction services and drug education; the Women's Civic Improvement Club of Sacramento, Inc., in Sacramento, Calif., will air programming related to the group's work in the community, according to the website Radio Survivor.

In the first LPFM window 15 years ago, 3,258 applications were filed; from (continued on page 6)

Cumulus Settles In at New Ops Center Page 24

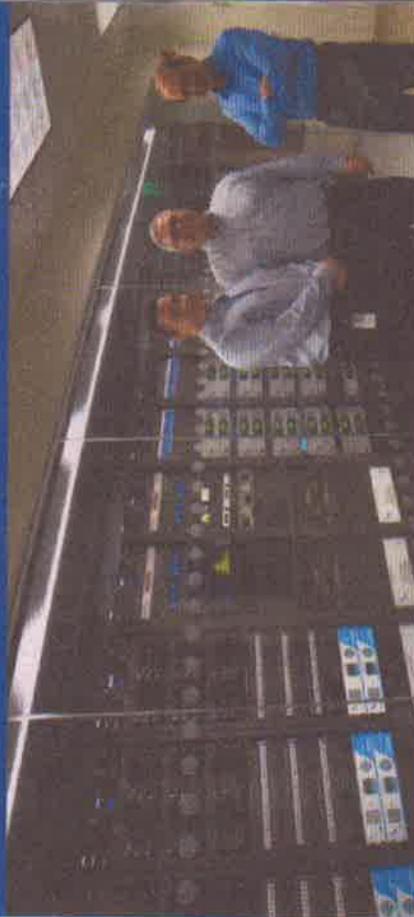




EXHIBIT 5

FYI SHOWING ARTICLES ABOUT YOUR CONCERN THAT WE'RE NOT AS IMPORTANT GIVING OUT THE EMERGENCY ALERT...THE FCC REQUIRES IT FOR ALL BROADCASTERS (47CFR) 11

- 1) REQUIREMENTS OF EAS**
- 2) ARTICLE 2 OF EAS THAT'S EXPECTED FROM THE FCC**

Federal Communications Commission

§ 11.2

part 10 that include a vibration cadence capability that meets the requirements of this section.

(a) The vibration cadence must have a temporal pattern of one long vibration of two (2) seconds, followed by two short vibrations of one (1) second each, with a half (0.5) second interval between each vibration. The entire sequence must be repeated twice with a half (0.5) second interval between each repetition.

(b) The vibration cadence must be restricted to use for Alert Messages under part 10.

(c) A device may include the capability to mute the vibration cadence.

§ 10.540 Attestation requirement. [Reserved]

PART 11—EMERGENCY ALERT SYSTEM (EAS)

Subpart A—General

- Sec.
- 11.1 Purpose.
- 11.2 Definitions.
- 11.11 The Emergency Alert System (EAS).
- 11.12 Two-tone Attention Signal encoder and decoder.
- 11.13 Emergency Action Notification (EAN) and Emergency Action Termination (EAT).
- 11.14 Primary Entry Point (PEP) System.
- 11.15 EAS Operating Handbook.
- 11.16 National Control Point Procedures.
- 11.18 EAS Designations.
- 11.19 EAS Non-participating National Authorization Letter.
- 11.20 State Relay Network.
- 11.21 State and Local Area plans and FCC Mapbook.

Subpart B—Equipment Requirements

- 11.31 EAS protocol.
- 11.32 EAS Encoder.
- 11.33 EAS Decoder.
- 11.34 Acceptability of the equipment.
- 11.35 Equipment operational readiness.

Subpart C—Organization

- 11.41 Participation in EAS.
- 11.42 Participation by communications common carriers.
- 11.43 National level participation.
- 11.44 EAS message priorities.
- 11.45 Prohibition of false or deceptive EAS transmissions.
- 11.46 EAS public service announcements.
- 11.47 Optional use of other communications methods and systems.

Subpart D—Emergency Operations

- 11.51 EAS code and Attention Signal Transmission requirements.
- 11.52 EAS code and Attention Signal Monitoring requirements.
- 11.53 Dissemination of Emergency Action Notification.
- 11.54 EAS operation during a National Level emergency.
- 11.55 EAS operation during a State or Local Area emergency.
- 11.56 EAS Participants receive CAP-formatted alerts.

Subpart E—Tests

- 11.61 Tests of EAS procedures.

AUTHORITY: 47 U.S.C. 151, 154 (i) and (o), 303(r), 544(g) and 606.

SOURCE: 59 FR 67092, Dec. 28, 1994, unless otherwise noted.

Subpart A—General

§ 11.1 Purpose.

This part contains rules and regulations providing for an Emergency Alert System (EAS). The EAS provides the President with the capability to provide immediate communications and information to the general public at the National, State and Local Area levels during periods of national emergency. The rules in this part describe the required technical standards and operational procedures of the EAS for analog AM, FM, and TV broadcast stations, digital broadcast stations, analog cable systems, digital cable systems, wireline video systems, wireless cable systems, Direct Broadcast Satellite (DBS) services, Satellite Digital Audio Radio Service (SDARS), and other participating entities. The EAS may be used to provide the heads of State and local government, or their designated representatives, with a means of emergency communication with the public in their State or Local Area.

[72 FR 62132, Nov. 2, 2007]

§ 11.2 Definitions.

The definitions of terms used in part 11 are:

- (a) *Primary Entry Point (PEP) System.* The PEP system is a nationwide network of broadcast stations and other entities connected with government

activation points. It is used to distribute the EAN, EAT, and EAS national test messages and other EAS messages. FEMA has designated 34 of the nation's largest radio broadcast stations as PEPs. The PEPs are designated to receive the Presidential alert from FEMA and distribute it to local stations.

(b) *Local Primary One (LP-1)*. The LP-1 is a radio station that acts as a key EAS monitoring source. Each LP-1 station must monitor its regional PEP station and a back-up source for Presidential messages.

(c) *EAS Participants*. Entities required under the Commission's rules to comply with EAS rules, e.g., analog radio and television stations, and wired and wireless cable television systems, DBS, DTV, SDARS, digital cable and DAB, and wireline video systems.

(d) *Wireline Video System*. The system of a wireline common carrier used to provide video programming service.

(e) *Participating National (PN)*. PN stations are broadcast stations that transmit EAS National, state, or local EAS messages to the public.

(f) *National Primary (NP)*. Stations that are the primary entry point for Presidential messages delivered by FEMA. These stations are responsible for broadcasting a Presidential alert to the public and to State Primary stations within their broadcast range.

(g) *State Primary (SP)*. Stations that are the entry point for State messages, which can originate from the Governor or a designated representative.

[72 FR 62132, Nov. 2, 2007]

§ 11.11 The Emergency Alert System (EAS).

(a) The EAS is composed of analog radio broadcast stations including AM, FM, and Low-power FM (LPFM) stations; digital audio broadcasting (DAB) stations, including digital AM, FM, and Low-power FM stations; analog television broadcast stations including Class A television (CA) and Low-power TV (LPTV) stations; digital television (DTV) broadcast stations, including digital CA and digital LPTV stations; analog cable systems; digital cable systems which are defined for purposes of this part only as the portion of a cable system that delivers channels in digital format to subscribers at the input of a Unidirectional Digital Cable Product or other navigation device; wireline video systems; wireless cable systems which may consist of Broadband Radio Service (BRS), or Educational Broadband Service (EBS) stations; DBS services, as defined in 47 CFR 25.701(a) (including certain Ku-band Fixed-Satellite Service Direct to Home providers); SDARS, as defined in 47 CFR 25.201; participating broadcast networks, cable networks and program suppliers; and other entities and industries operating on an organized basis during emergencies at the National, State and local levels. These entities are referred to collectively as EAS Participants in this part, and are subject to this part, except as otherwise provided herein. At a minimum EAS Participants must use a common EAS protocol, as defined in § 11.31, to send and receive emergency alerts in accordance with the effective dates listed above and in the following tables:

Monthly and Weekly EAS Tests (All Stations)

Weekly Tests

- 1. Receive test**
Receive and log the weekly test from all of your EAS monitoring assignments.
- 2. Transmit weekly test**
Weekly tests must be conducted by EAS participants on different days and at different times.

Sample Audio Message
This is a test of the Emergency Alert System.

Transmit weekly tests codes and transmit EOM codes.
Use the station EAS encoder to transmit the EAS header code and the EOM code.
- 3. Discontinue normal programming**
- 4. Resume normal programming and log**



Emergency Alert System (EAS)

The Emergency Alert System is a national public warning system that requires TV and radio broadcasters, cable television systems, wireless cable systems, satellite digital audio radio service providers, direct broadcast satellite service providers and wireline video service providers to offer to the President the communications capability to address the American public during a national emergency. The system also may be used by state and local authorities to deliver important emergency information such as AMBER (missing children) alerts and emergency weather information targeted to a specific area.

How does the EAS work?

The FCC works with the Federal Emergency Management Agency and the National Oceanic and Atmospheric Administration's National Weather Service to implement the EAS at the national level. Only the President determines when the EAS will be activated at the national level, and has delegated the administration of this function to FEMA. Accordingly, FEMA activates the national EAS, and directs national EAS tests and exercises. The NWS uses the EAS on a local and statewide basis to provide the public with alerts and warnings regarding dangerous weather and other emergency conditions.

The EAS allows participating providers to send and receive emergency information quickly and automatically, even if their facilities are unattended. If one link in the system for spreading emergency alert information is broken, members of the public have multiple alternate sources of warning. EAS equipment also provides a method for automatic interruption of regular programming, and in certain instances is able to relay emergency messages in languages other than English.

What is the FCC's role in EAS?

The FCC's role includes prescribing rules establishing technical standards for the EAS, procedures for EAS participants to follow in the event the EAS is activated and EAS testing protocols. Additionally, the FCC ensures that state and local EAS plans developed by industry conform to the FCC's EAS rules and regulations. The FCC's goal is to make the EAS capable of distributing emergency information as quickly as possible to as many people as possible.

How can state and local authorities use EAS?

Along with its capability of providing an emergency message to the entire nation simultaneously, the EAS allows authorized state and local authorities to quickly distribute important local emergency information. A state emergency manager can use the EAS to broadcast a warning from one or more major radio stations in a particular state. EAS equipment in other radio and television stations, as well as in cable television systems in that state, can automatically monitor and rebroadcast the warning.

What about weather emergencies?

Additionally, EAS equipment can directly monitor the NWS for local weather and other emergency alerts, which local broadcast stations, cable systems, and other EAS participants can then rebroadcast, providing an almost immediate relay of local emergency messages to the public.



EXHIBIT 6

LETTERS OF SUPPORT

**FROM ORANGE COUNTY FOOD BANK AND SUPPORTERS THAT ARE
HIGH PROFILE INDIVIDUALS:**

- 1) LETTER OF SUPPORT FROM MARK A. LOWRY ORANGE COUNTY FOOD
BANK
SUPPORTERS:**
- 2) (1)ORANGE COUNTY FOOD BANK,
(2)JERRY VELASCO,
(3)JANET NAPOLITANO,
(4)ANGELICA MARIA,
(5)VICTOR MENDEZ**



Helping People. Changing Lives.

Community Action Partnership of Orange County

January 22, 2015

To Whom It May Concern,

Representatives of the OC Food Bank have been made aware that Victor Mendez has secured an FCC license, a facility, and related equipment to operate Radio Suerte 90.3 FM in the City of Costa Mesa. Radio Suerte will be operating under a nonprofit with a (501) c3 and has been described to us as a Bi-Lingual station focused on community service.

The OC Food Bank is familiar with Mr. Mendez. He has demonstrated his commitment to community service by picking up food from the OC Food Bank and providing that food to vulnerable Orange County Families.

Mr. Mendez has described his vision for Radio Suerte. This includes regular public service announcements that would feature community based organizations such as the OC Food Bank. Any group, organization, or persons serving to meet the needs of the surrounding community will be given time on Radio Suerte to inform the public of their program. Such public service announcements have the potential to both inform low income families of needed services and to inform others of opportunities for charitable giving and volunteerism.

We understand that there is an issue involving the stations antenna that has delayed the launch of Radio Suerte. We respectfully request your attention to this matter, with hopes that there will be a resolution that will permit Radio Suerte to realize their goal of providing community service based programming.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Mark A. Lowry".

Mark A. Lowry
Director
OC Food Bank

ML/jh



(LETTER INCLUDED ALREADY)

***We have Jerry Velasco is supporting us 100% along and through him Ms Janet Napolitano. We also have Movie Star, Singer and Celebrity "Angelica Maria" known International, and USA, Mr. Victor Mendez, and other TV and Radio Celebrities.

***MS. JANET NAPOLITANO: [University of California President Janet Napolitano](#) with the 2015 *Inspiration Award*. Her leadership personifies Meritus values: persistence, academic scholarship, and contributions to the community.

Janet Napolitano began her tenure as President of the University of California in September 2013. She is a distinguished public servant with a record of leading large, complex organizations at the federal and state levels. She served as Secretary of Homeland Security from 2009-13, as Governor of Arizona from 2003-09, as Attorney General of Arizona from 1998-2003, and as U.S. Attorney for the District of Arizona from 1993-97. Before that, she practiced at the law firm of Lewis & Roca in Phoenix, where she became a partner in 1989. She began her career in 1983 as a clerk for Judge Mary M. Schroeder of the U.S. Court of Appeals for the Ninth Circuit.

***Jerry Velasco Treasurer of City of El Monte

Mr. Velasco is the Board Vice President of El Monte Promise Foundation and was Planning Commissioner of the City of El Monte. As a prominent actor, producer, and publicist, he is considered the "Information Voice" of Hollywood and Hispanics and is sought after as a speaker in the United States, Mexico, and Latin America. He is a successful actor who appears in both American and Mexican television and films. Mr. Velasco is involved with many local, national, and international non-profit organizations. Mr. Velasco was raised in the city of Los Angeles and is a native of Jalisco Mexico.

***ANGELICA MARIA

Angélica María is an American-born Mexican actress and a Grammy Award-winning singer-songwriter. Who has had 5 Shows, 58 Films, 20 TV Soap Operas, 16 Plays, 56 video songs, recorded 64 CD's, 244 awards in America, 64 soap operas, and over 600 TV Shows, 500 songs and several Grammy Awards

***VICTOR MENDEZ

Practically born behind the microphone was in television since the age of 8. Comes from a Family of Singers, Celebrities and all kinds of Talents. Is a very popular Radio Disc Jockey in the Hispanic Media with high ratings. Has had his own Television Shows which Network across all of the United States including a Network going to Mexico and 16 countries in South America.

He's the founder and President of a Qualified Tax Exempt Nonprofit Organization Int, Crusade of the Penny is not only well known with the Public, his fans but also known and respected by Celebrities in the communications field of Television, Radio and Newspapers.