

**MEETING MINUTES OF THE CITY OF
COSTA MESA PLANNING COMMISSION**

June 10, 2019

These meeting minutes represent an "action minute" format with a concise summary of the meeting. A video of the meeting may be viewed on the City's website at www.costamesaca.gov or purchased on DVD upon request.

Chair de Arakal called the meeting to order at 6 p.m.

Vice Chair Harlan led the Pledge of Allegiance.

SWEARING IN OF NEWLY-APPOINTED PLANNING COMMISSIONERS BY CITY CLERK.

The City Clerk administered the oath of office to Council-appointed Planning Commissioners Dianne Russell and Jenna Tourje.

ROLL CALL

Present: Chair Byron de Arakal
Vice Chair Jeffrey Harlan
Commissioner Carla Navarro Woods
Commissioner Dianne Russell
Commissioner Jenna Tourje
Commissioner Jon Zich

Absent: Commissioner Kedarious Colbert

Staff: Barry Curtis, Director of Economic and Development Services
Tarquin Preziosi, Assistant City Attorney
Jennifer Rosales, Transportation Services Manager
Justin Arios, Assistant Planner
Johnwilly Aglupos, Assistant Planner
Katelyn Walsh, Assistant Planner
Julie Colgan, Recording Secretary

ANNOUNCEMENTS AND PRESENTATIONS:

None.

PUBLIC COMMENTS:

Ann Parker, Costa Mesa resident, discussed businesses and DMV customers illegally parking in Senior Center parking lot.

The Chair closed public comments.

PLANNING COMMISSIONER COMMENTS AND SUGGESTIONS:

Commissioner Tourje stated that she is excited to join the Commission and to hear from members of the community.

Commissioner Russell stated that she is excited to be here and is looking forward to working with the community to improve Costa Mesa.

Vice Chair Harlan welcomed the new commissioners.

Chair de Arakal welcome the new commissioners; spoke on a "Meet the City's Planner" event that he attended and thanked Council Member Mar for arranging it; and spoke on the One Metro West scoping meeting that he attended.

CONSENT CALENDAR: None

Chair de Arakal asked Barry Curtis, Director of Economic and Development Services, to provide a report on communication that transpired between the City and tonight's applicant with their preference on how they wanted to proceed with their items.

Mr. Curtis reported that the Mayor Pro Tem John Stephens called the small cell applications that were approved at the last Planning Commission meeting up to the City Council for further consideration and to reconsider the City's process with dealing with small cell antennas. Those items will be heard at the July 2 City Council meeting and the applicant for all three items at tonight's meeting requested that their items be continued until the July 8 meeting which will allow the City Council to weigh in this issue in the advance of the hearings. Staff is recommending that the Planning Commission open the public hearing for the purpose of continuing them and continue these items to the July 8 meeting.

Chair de Arakal explained how public testimony will work on the public hearings since they will be continued.

PUBLIC HEARINGS

1. ZONING APPLICATION 19-15, A REQUEST FOR A MINOR CONDITIONAL USE PERMIT TO INSTALL A SMALL CELL FACILITY ON TOP OF A REPLACEMENT SOUTHERN CALIFORNIA EDISON STREETLIGHT POLE LOCATED WITHIN THE PUBLIC STREET RIGHT-OF-WAY NEAR 1701 BAKER STREET (ON MESA VERDE DRIVE EAST)

Project Description: Zoning Application 19-15 is a request for a Minor Conditional Use Permit (MCUP) to install a small cell facility on top of a replacement Southern California Edison streetlight pole located within public street right-of-way near 1701 Baker Street (on Mesa Verde Drive East).

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3), New Construction or Conversion of Small Structures.

No ex-parte communication to report.

The Chair opened the public hearing.

PUBLIC COMMENTS

Ann Parker, Costa Mesa resident, spoke on a public records request she had submitted regarding the City's consultant, Dr. Kramer. She stated that she has not gotten it back and would like to have it back before she says anything else about the cell phone towers. She also stated that the City could have bought the poles, could have planned it out better, and does not think the City knows what they are doing with this technology. It is really changing so fast and she feels the City is being dumped on by Edison. The cell phone tower on 20th Street and Tustin Avenue was put there because they needed a boost for Dover Shores over in Newport Beach. She is tired of Costa Mesa being used as the dump for other communities and she thinks Edison is using the City. She asked why the City has so many different kind of street lights? Why does Edison put whatever they want wherever they want? Other cities have a plan and do not just put whatever is left over in our city.

MOTION: Move that the Planning Commission continue the public hearing on planning hearing item number one, Zoning Application 19-15, to the Planning Commission meeting of July 8.

Moved by Chair de Arakal, seconded by Commissioner Zich.

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods, Russell, Tourje, Zich

Noes: None

Absent: Colbert

Abstain: None

2. ZONING APPLICATION 19-28, A REQUEST FOR A MINOR CONDITIONAL USE PERMIT TO INSTALL A SMALL CELL FACILITY ON TOP OF A REPLACEMENT SOUTHERN CALIFORNIA EDISON STREETLIGHT POLE LOCATED WITHIN THE PUBLIC STREET RIGHT-OF-WAY NEAR 1993 MEYER PLACE

Project Description: Zoning Application 19-28 is a request for a Minor Conditional Use Permit (MCUP) to install a small cell facility on top of a replacement Southern California Edison streetlight pole located within public street right-of-way near 1993 Meyer Place.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3), New Construction or Conversion of Small Structures.

No ex-parte communications to report.

The Chair opened the public hearing.

PUBLIC COMMENTS

No public comments.

MOTION: Move that the Planning Commission continue public hearing item number two, Zoning Application 19-28, to the Planning Commission meeting of July 8.

Moved by Chair de Arakal, seconded by Commissioner Zich.

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods, Russell, Tourje, Zich

Noes: None

Absent: Colbert

Abstain: None

3. ZONING APPLICATIONS 19-26, 19-27, 19-29, 19-30, AND 19-32, REQUESTS FOR FIVE MINOR CONDITIONAL USE PERMITS TO INSTALL SMALL CELL FACILITIES ON TOP OF REPLACEMENT SOUTHERN CALIFORNIA EDISON STREETLIGHT POLES LOCATED WITHIN PUBLIC STREET RIGHTS-OF-WAY NEAR 3056 WARREN LANE, 1051 CHEYENNE STREET, 3045 BABB STREET, 3107 KILLYBROOKE LANE, AND 615 TOWN CENTER DRIVE (ON AVENUE OF THE ARTS), RESPECTIVELY

Project Description: Zoning Applications 19-26, 19-27, 19-29, 19-30, and 19-32 are requests for five Minor Conditional Use Permits (MCUPs) to install small cell facilities on top of a replacement Southern California Edison streetlight poles located within public street rights-of-way near 3056 Warren Lane, 1051 Cheyenne Street, 3045 Babb Street, 3107 Killybrooke Lane, and 615 Town Center Drive (on Avenue of the Arts), respectively.

Environmental Determination: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303 (Class 3), New Construction or Conversion of Small Structures.

No ex-parte communications to report.

The Chair opened the public hearing.

PUBLIC COMMENTS

A speaker asked where specifically the pole near 3107 Killybrooke Lane is located and whether the City is earning any money for the cell towers for rental.

Chair de Arakal clarified that Edison owns the poles; not the City.

Justin Arios, Assistant Planner, clarified that the pole is located on the western side of Killybrooke Lane on the southerly drive approach for that property.

The speaker continued her public comments by stating that she lives within 100 feet of the Killybrooke Lane pole and stated concerns with the increase radiation that will occur from the 5G cell towers. She stated there has been many scientific studies that have proven that all cell facilities have an impact on cancer. She stated concerns with placing the pole next to Killybrooke School and the radiation impact from the 5G cell tower on the children and mothers walking by. She spoke on an appeal signed by a scientist that was sent to the World Health Organization and the UN about concerns regarding biological and adverse health effects of cell towers; on the health effects of the 5G cell towers; and on the potential litigation cost from the people coming forward that will develop cancer from the cell towers.

MOTION: Move that the Planning Commission continue the public hearing for Planning Applications 19-26 19-27, 19-29, 19-30 and 19-32 to the Planning Commission meeting of July 8.

Moved by Chair de Arakal, seconded by Commissioner Zich with comment.

Commissioner Zich commented to the speaker on this item that there will be a small cell site agenda item on the City Council meeting in July and if she is interested, she can attend that meeting and express her concerns.

Chair de Arakal commented that the City Council will review the process of small cell site applications at its July 2 meeting and pointed out that, under Federal USC47, the City may not regulate the placement, construction, or modifications of wireless services facility in a manner that prohibits the provision of personal wireless services based on health concerns and the Planning Commission hands are tied by the Federal government. He suggested reaching out to local Congressman or Senators with her concerns.

The motion carried by the following roll call vote:

Ayes: de Arakal, Harlan, Navarro Woods, Russell, Tourje, Zich

Noes: None

Absent: Colbert

Abstain: None

DEPARTMENTAL REPORT(S)

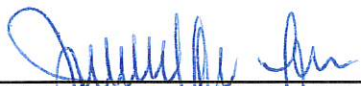
1. Public Services Report – Jennifer Rosales, Transportation Services Manager, provided a report on the I-405 construction occurring in the Costa Mesa area.
2. Development Services Report – Mr. Curtis reminded everyone that the next Planning Commission meeting will be back at the City Council Chambers.

CITY ATTORNEY'S OFFICE REPORT(S)

1. City Attorney – none.

ADJOURNMENT AT 6:26 PM

Submitted by:



BARRY CURTIS, SECRETARY
COSTA MESA PLANNING COMMISSION