



**CITY OF SOUTH PASADENA
Planning Commission
Special Meeting Minutes
Monday, November 21, 2022, 6:30 PM
Amedee O. "Dick" Richards Jr. Council Chambers
1424 Mission Street, South Pasadena, CA 91030
and Via Zoom Teleconference**

CALL TO ORDER:

A Special Meeting of the South Pasadena Planning Commission was called to order by Chair Lesak on Monday, November 21, 2022 at 6:34 p.m. The meeting was an in-person hybrid meeting held at the Amedee O. "Dick" Richards, Jr., City Council Chambers, located at 1424 Mission Street, South Pasadena, California and via Zoom teleconference.

ROLL CALL:

Present: Chair: John Lesak
Vice-Chair: Laura Dahl
Commissioners: Janet Braun and Lisa Padilla

Absent: Commissioner: Amitabh Barthakur

City Staff

Present: Angelica Frausto-Lupo, Community Development Director
Alison Becker, Deputy Community Development Director
Ephraim Margolin, Deputy City Attorney
Matt Chang, Planning Manager
Braulio Madrid, Associate Planner

APPROVAL OF AGENDA:

Approved, 4-0.

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS:

Commissioner Padilla visited 1499 Huntington Drive, Item 3 on tonight's agenda.

PUBLIC COMMENT:

1. Public Comment - General (Non-Agenda Items)

None.

PUBLIC HEARING:

2. **800 Fair Oaks Avenue, Project No. 2512-CUP** – A request for a Conditional Use Permit to allow on-site sale and consumption of beer and wine (Type 41 ABC License) at an existing bona fide restaurant (KJ Tofu & BBQ Restaurant) located at 800 Fair Oaks Avenue (APN: 5318-014-009).

Recommendation:

Approve the project subject to the recommended Conditions of Approval.

Vice-Chair Dahl recused herself from this item due to a conflict of interest in this project and left the Chamber.

Staff Presentation:

Associate Planner Madrid presented a PowerPoint presentation.

Questions for Staff:

Commissioner Braun asked about hours of operation and staff responded the question.

Applicant's Presentation:

Steve Dahl, Architect for the Applicant, presented a PowerPoint presentation.

Questions for Applicant:

None.

Public Comment:

Josh Albrektson, Resident – spoke in support of the project.

Applicant Rebuttal:

None.

Discussion:

The Commissioners and Planning Manager Chang discussed Section B (Building Division) of the Conditions of Approval and determined that several conditions to be removed from this approval.

Decision:

Chair Lesak motioned, seconded by Commissioner Padilla, to grant a Conditional Use Permit for on-site sale and consumption of alcohol (Type 41 ABC License) at the existing restaurant (KJ Tofu & BBQ Restaurant) located at 800 Fair Oaks Avenue (APN: 5318-014-009), Project No. 2512-CUP, with the Findings as indicated in the Draft Resolution and a change to the Conditions of Approval striking B-1 and B-2 as irrelevant to this particular Application.

Chair Lesak called for Roll Call:

Commissioner Padilla:	Aye
Commissioner Braun:	Aye
Vice-Chair Dahl:	Recused
Chair Lesak	Aye

Motion carried, 3-0-1.

Vice-Chair Dahl returned to the meeting.

- 3. 1499 Huntington Drive, Project No. 2477-CUP** – A request for a Conditional Use Permit for co-location of six (6) new antennas to an existing unmanned telecommunication facility on the rooftop of a commercial building located at 1499 Huntington Drive (APN: 5319-009-036).

Recommendation:

Approve the project subject to the recommended Conditions of Approval.

Staff Presentation:

Planning Manager Chang presented a PowerPoint presentation.

Questions for Staff:

Commissioner Braun asked if this was an upgrade to 5G, or intended to increase coverage, and confirmed it will be painted to match the existing building.

Chair Lesak asked about the setbacks on the roof from the edge of the building.

DISH Wireless Representative Rob Searcy of Sure-Site Development answered the Commission's questions.

Chair Lesak asked Staff about the fee structure. Planning Manager Chang reviewed the proposed fee structure as proposed in the Conditions of Approval.

Applicant's Presentation:

None.

Questions for Applicant:

None.

Public Comment:

None.

Applicant Rebuttal:

None.

Discussion:

The Commissioners and Deputy City Attorney Margolin discussed the fees to be imposed by the Building Division.

Decision:

Commissioner Braun motioned, seconded by Commissioner Padilla, to approve Project No. 2477-CUP, a request for a Conditional Use Permit for co-location of six (6) new antennas to an existing unmanned telecommunication facility on the rooftop of a commercial building located at 1499 Huntington Drive (APN: 5319-009-036) with the additional comment that on page 4 of the Conditions of Approval under Building Division, Nos 1, 2, 3, 4 and 6 are eliminated, with the understanding that to the extent those are deemed applicable.

Chair Lesak called for Roll Call:

Commissioner Padilla:	Aye
Commissioner Braun:	Aye
Vice-Chair Dahl:	Aye
Chair Lesak	Aye

Motion carried, 4-0.

- 4. 625 Fair Oaks Avenue, Project No. 2502-CUP** – A request for a Conditional Use Permit for co-location of six (6) new antennas to an existing unmanned telecommunication facility on the rooftop of a commercial building located at 625 Fair Oaks Avenue (APN: 5315-001-072).

Recommendation:

Approve the project subject to the recommended Conditions of Approval.

Staff Presentation:

Planning Manager Chang presented a PowerPoint presentation.

Questions for Staff:

Chair Lesak clarified that the equipment would be in the garage and the antennas would be on the rooftop.

Commissioner Padilla inquired about inclusion of a stipulation regarding removal of unused and outdated equipment. Planning Manager Chang and the Commissioners discussed how to get rid of unused or outdated equipment going forward and decided that it should be a separate discussion at a future meeting.

Vice-Chair Dahl inquired about the four (4) issues regarding RF exposure raised in a letter received on this item. Planning Manager Chang and Deputy City Attorney Margolin explained the FCC Regulations in this regard.

Applicant's Presentation:

DISH Wireless Representative Rob Searcy of Sure-Site Development elaborated on the FCC Regulations and RF emission restrictions. He also requested the same changes to the Conditions of Approval made to the previous item.

Questions for Applicant:

Commissioner Padilla inquired about possible RF exposure to tenants in the building.

Public Comment:

None.

Public Comment Via Zoom:

Filippo Marchino, an attorney from the X-Law Group PC, who sent the Commission a letter regarding RF exposure, works in the building on the third floor. His office occupies about 4,500 square feet and is located directly under some of the antennas. His request is for a study regarding the exposure to the tenants in the building referencing the scatter impact, specifically showing that there is no scatter coming down onto the tenants of the third floor.

The Commissioners discussed compliance with FCC Regulations regarding the RF emissions and measurement of emissions exposure to the tenants in the building.

Applicant Rebuttal:

DISH Representative Rob Searcy suggested adding a Condition that might resolve the Commission's concerns - that in six (6) months the Applicant will provide the Commission with an RF emission study that will show the actual performance of the site and where the emissions are radiated from the source.

Discussion:

The Commissioners discussed how to address projects that have already been approved but have not started construction.

Chair Lesak suggested this issue be agendaized for further study and review.

Commissioner Braun recommended moving forward with this project and accepting the Applicant's suggestion requiring an additional exposure report in six (6) months.

Decision:

Commissioner Braun motioned, seconded by Vice-Chair Dahl, to approve Project No. 2502-CUP, a request for a Conditional Use Permit for co-location of six (6) new antennas to an existing unmanned telecommunication facility on the rooftop of a commercial building located at 625 Fair Oaks Avenue (APN: 5315-001-072) with additional deletions on page 4 of the Conditions of Approval under Building Division, eliminating Nos 1, 2, 3, 4 and 6 with the understanding that to the extent those are deemed applicable and adding a Condition that after the antennas are erected and operable, the Applicant will conduct an additional RF study to measure and evaluate the combined exposure of all antennas on the roof that will be monitored by the City to see if they are in compliance with all applicable laws and regulations.

Chair Lesak called for Roll Call:

Commissioner Padilla:	Aye
Commissioner Braun:	Aye
Vice-Chair Dahl:	Aye
Chair Lesak	Aye

Motion carried, 4-0.

ADMINISTRATION:

5. Comments from City Council Liaison:

Councilmember Mahmud remarked on the issue of future construction of multi-story residential properties proximate to telecom facilities, because with the robust RHNA assignment, much of the additional housing is going to have to be through multi-story residential buildings. She also requested staff to prepare and present the minutes.

6. Comments from Planning Commissioners:

Commissioner Padilla wished everyone a Happy Thanksgiving.

Chair Lesak requested that Staff agendize the issue of cellular towers and how to ensure removal of functionally obsolete equipment. Secondly, to condition, if future construction should occur adjacent to these towers, a way to understand the effects of the signals on potential residents or building occupants. And lastly, understanding and limiting the cumulative effects of the different antennas, which would be part of the legal summary that would be provided, including an analysis of how other cities handle this issue. He wished everyone a Happy Thanksgiving.

7. Comments from Staff:

Director Frausto-Lupo provided an update on Staff recruitment efforts which included: an announcement that the fulltime Planning Counter Tech would be

starting on November 28; a Senior Housing Management Analyst started three (3) weeks ago; and the introduction of Deputy Director Alison Becker, who started three (3) weeks ago. She also remarked that Staff is continually working on the minutes. She wished everyone a Happy Thanksgiving.

Deputy Director Alison Becker addressed the Commission.

Commissioner Braun asked for an update on the status of the Housing Element.

Director Frausto-Lupo reported that she recently met with the California Department of Housing and Community Development (HCD). Their comments have been addressed, except for those awaiting clarification. The public draft is expected to be released on December 5th and the final draft will be submitted to HCD on December 12th.

ADJOURNMENT

8. Adjournment to the Planning Commission meeting scheduled for December 13, 2022 at 6:30 pm:

There being no further matters, Chair Lesak adjourned the meeting at 8:27 pm.



For John Lesak, Chair