

MINUTES

CITY OF CARSON PLANNING COMMISSION REGULARLY ADJOURNED MEETING

CITY COUNCIL CHAMBERS, CARSON CITY HALL

*701 East Carson Street, Second Floor
Carson, CA 90745*

March 10, 2011 (THURSDAY) – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletego called the meeting to order at 6:35 P.M.
2. **PLEDGE OF ALLEGIANCE** Vice-Chairman Park led the Salute to the Flag.
3. **ROLL CALL**

Planning Commissioners Present:
*Brimmer, Diaz, Faletego, Goolsby,
*Gordon, Park, *Schaefer, Saenz,
*Verrett

*(Brimmer arrived at 6:53 P.M.;
Gordon arrived at 6:53 P.M.;
Schaefer arrived at 6:37 P.M.; Verrett
arrived at 6:36 P.M.)

Planning Commissioners Departed
Early: Faletego (8:15 P.M.), Verrett
(10:25 P.M.)

Planning Staff Present: Planning
Officer Repp, Senior Planner Signo,
City Attorney Wynder, Assistant City
Attorney Sultani, Associate Planner
Newberg, Assistant Planner
Raktiprakorn, Planning Technician
Alexander, Recording Secretary
Bothe
4. **AGENDA POSTING
CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Saenz moved, seconded by Commissioner Diaz, to approve the Agenda as presented (Commissioners Brimmer, Gordon, Schaefer, and Verrett had not yet arrived).
6. **INSTRUCTIONS
TO WITNESSES** Chairman Faletego requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation.

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7. **SWEARING OF WITNESSES** City Attorney Wynder
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes.
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9. **CONSENT CALENDAR**

A) **Minutes:** February 22, 2011

MOTION: Chairman Faletogo moved, seconded by Commissioner Saenz, to approve the February 22, 2011, Minutes as presented. Motion carried as follows:

AYES: Diaz, Faletogo, Goolsby, Park, Saenz, Schaefer, Verrett
NOES: None
ABSTAIN: None
ABSENT: Brimmer, Gordon

Vice-Chairman Park commended and thanked Recording Secretary Bothe for her thorough minutes of the last meeting.

10. **CONTINUED PUBLIC HEARING**

A) **Retail Sale of Diesel Fuel for Large-Body Trucks**

Applicant's Request:

The applicant, Bijan Radnia, Mobil Gas Station, is requesting to consider a major modification to allow large-body trucks on-site for retail sale of diesel fuel or revocation of approval for retail sale of diesel fuel at an existing Mobil gas station located in the CG-D (Commercial, General – Design Overlay) zoning district. The subject property is located at 21633 South Wilmington Avenue.

Staff Report and Recommendation:

Planning Technician Alexander presented staff report and the recommendation to open the public hearing, take testimony and provide direction to staff and the applicant.

Chairman Faletogo asked why the applicant has not abided by the conditions of approval for this property in the past 10 years.

Planning Technician Alexander explained that the applicant has stated due to the lack of funds and the poor economy, he has not been able to afford to implement some of the improvements for this business.

Planning Officer Repp explained that on the west/southwest side of this property, there has been a shared parking arrangement between this operator and the adjacent liquor store owner to provide overflow parking to the liquor store business; and that because the liquor store patrons were using this applicant's site for parking and not visiting his convenience store for purchases, this property owner constructed the wall on the west in 2008, and as a result, the circulation changed at that point with few passenger vehicles coming to his site. She noted that somewhere along this time, there was more interest by the large truck drivers to visit this site for fueling; and she pointed out a need for painted stalls and directional signage for safe maneuvering and circulation of small vehicle and truck traffic on this site. Planning Officer Repp advised that staff has recently observed trucks maneuvering in both directions, sometimes blocking circulation

on this site, sometimes backing out onto Wilmington Avenue; and stated that the trucks have been utilizing this site in an unsupervised manner, noting a need to control it with the use of proper signage.

Planning Officer Repp advised that there have been a number of meetings with the property owner, staff explaining to him there is a necessity for immediate action; and stated that to date, staff has not seen any signage or substantive effort to correct these violations. She added that staff has suggested to the applicant that failure to comply would require the Planning Division to submit a revocation hearing before the Planning Commission; and noted this is why this item is before this Commission this evening.

Planning Officer Repp pointed out that in fairness to the applicant, the diesel sales are a substantial portion of his business and without the diesel sales, the owner would likely go out of business; and therefore, staff is requiring the applicant to show staff how he can provide for safe operations on this site. She explained that the Commission has the opportunity this evening to review and consider the revocation versus an opportunity for the applicant to continue to provide diesel sales for the trucks.

Vice-Chairman Park noted it is necessary to provide diesel fuel in this town; and asked if any consideration has been given to lowering the canopy so the larger trucks are not able to access those prohibited fueling areas.

Planning Technician Alexander stated that staff had recognized the canopies are high enough to allow large trucks but explained that one of the ways this property owner was supposed to have controlled that use was not to have allowed automatic payment at the pumping stations, which would have made the truck drivers physically pay for their diesel fuel inside the building and requiring the employees to direct the truck drivers to the proper pump area. Sometime following that direction, she explained that the property owner had installed a pumping station with automatic payment at the pump, thus allowing trucks to now pay at the pump station, pointing out this change was all done without benefit of a permit.

Commissioner Brimmer asked what dialogue has been taking place in this 10-year period.

Planning Officer Repp stated there was substantial dialogue in 2007 and 2008 with regard to the addition of the wall and modifications proposed to the site, pointing out at that time, there was no issue with large trucks using this property.

Planning Technician Alexander added that in 2008, the property owner had been making changes on this property without benefit of permits/authorization, such as the service bays being converted into a convenience store and other interior modifications, construction of the west wall, installation of new pumping stations; and noted that staff was not aware of any circulation problems in 2008.

Chairman Faletogo opened the public hearing.

Bijan Radnia, business owner and gas station operator, stated that these issues only started to become a problem when the adjoining liquor store owner became angry when he installed the property line wall two to three years ago; advised that there are only three other gas stations in Carson that accommodate diesel sales and large trucks – Arco at Santa Fe/Carson, Chevron at Wilmington/223rd, and Shell at Wilmington/223rd; and pointed out that out of all three of those stations, his lot is the largest and can more easily accommodate the large trucks. He stated that if he is no longer permitted to sell diesel, that will force all the large trucks to do business at the heavily congested Wilmington/223rd stations, noting those properties are much more difficult to access. He

added that if the diesel sales are revoked, by law, all the diesel underground storage tanks and pipes will have to be removed; and pointed out this would cause enough damage to the remaining pipes and pumping system that he will have to go out of business. He stated that the business at this station has been very slow for the past two years; pointed out that he does not have a beer and wine license that other stations have; that if the diesel fuel sales are revoked, it will put him at a severe disadvantage with his competitors, noting the diesel sales are the larger percentage of his business. He reiterated that any limitations forced upon him will cause his business to be shut down. He stated he has 10 employees at this station; and advised that this station generates \$50,000 a month in sales tax. He stated that in the last 11 years of operating this station, there has not been any accidents onsite or any incidents resulting from business at this station.

Mr. Radnia advised that he did pull permits for the wall and due to a misunderstanding with Planning and Building and Safety, his permits expired, noting that the building inspector told him everything was fine. He stated that he does not want to spend the money on the improvements if he is going to shut down this business, reiterating his business is slow. He mentioned that if his station does not sell 50,000 gallons of gasoline each month, he is fined by Mobil for not meeting their quota. He stated that since he put up the wall on the west end of the property, that area remains empty most of the time, with very few cars or trucks coming to his station; and pointed out that because this is an industrial area, business almost comes to a halt after 5:00 P.M. and is very slow on weekends.

Chairman Faletogo expressed his concern that this applicant has a long history of doing things without the benefit of permit or authorization.

Patrick Fiedler, representing Mr. Radnia, stated that he drafted the revised site plans.

Commissioner Goolsby asked the applicant if he is willing to put the money into this property and correct all the violations if the diesel sales are not revoked and the revised site plan is approved.

Planning Officer Repp explained that if there is adequate directional signage and if the truck drivers comply, then vehicles can safely circulate on this property.

Mr. Fiedler stated that when he analyzed the location and observed the same issues, he identified ways that modifications could be implemented to enable the safe fueling of the tandem diesel trucks; and stated that his computer simulated revised plans generated a worst case scenario for these trucks to safely maneuver at this site.

Planning Officer Repp asked how they plan to keep trucks from fueling on the opposite side of the pumps closer to the roadway.

Mr. Fiedler stated that guard posts/bollards would need to be installed along those outer island areas, which would limit the width and create too narrow of an area for the large trucks to pull into; stated the same would be done along the Wilmington Avenue side; and noted it would need to be clearly identified which side is for truck fueling and which side is for auto fueling. He stated it would also be helpful to hang vertical signs low enough that trucks could not fit under, which would be an additional barrier; and that directional signs would also help to direct auto fueling and truck fueling. He stated there is enough space to keep the trucks off the public sidewalk while fueling; and expressed his belief the trucks will need 25 feet to safely swing out onto Carson Street to exit this site.

Vice-Chairman Park questioned if there is enough room on this property for both trucks and passenger vehicles to safely maneuver.

Mr. Fiedler stated that this industrial area has the roadway to support the activities of these large vehicles.

Planning Officer Repp stated that based on staff's observation, the large truck combinations extend into the northerly portion of the property enough so that the driveway would be constrained.

Planning Technician Alexander advised that there currently are no signs posted on site; and stated that while staff was recently observing site operations, no employee came out to stop any large trucks from fueling in the wrong area. She noted that both the property owner and adjoining property owner were supposed to have added landscaping on the west property line; if that covenant couldn't be agreed upon between the two property owners, this applicant was then directed to install the landscaping himself; and advised that currently, there is no landscaping present in that area. She added that this applicant was also to provide ground cover and trees and noted there is none present. She added that the applicant's permits expired because the applicant did not complete the landscaping requirements by Building and Safety; and noted that staff had advised the applicant of that fact in December 2010 and directed him to work out the various issues with Building and Safety and that as far as staff is aware, he has yet to do that.

Commissioner Brimmer stated there is not enough supporting information at this time to support this business any longer, noting it has been operating out of control for too long and has had ample time to comply.

Mr. Radnia reiterated that he is willing to do the improvements as long as he is able to continue selling the diesel fuel; and stated that whatever the direction is, he will follow through. He noted that he will immediately put up the signage. He stated there are some obstacles because the Mobil franchise agreement sets certain image guidelines he must abide by; and stated that he will reinstate the permits he had pulled earlier.

Commissioner Verrett noted her support for hanging signage that keeps trucks from entering certain pumping stations.

Commissioner Diaz stated that he would support a revocation because this applicant has been given plenty of time to comply with the regulations.

Commissioner Saenz stated he would not like to see the diesel sales stop at this location, believing the revocation will cause traffic problems at the remaining stations that offer diesel fuel at 223rd/Wilmington.

Mr. Radnia stated that approximately 99 percent of the tractor trailers that visit his site are locally owned and operated, taking trips back and forth from the harbor to Carson; and stated that because of the high price of fuel, these truck drivers rarely fill their tanks, typically pumping \$50 to \$100 just to get back and forth. He stated the majority of his truck driving clients are not long-distance drivers; and noted that he typically sees these drivers every day and that they're not filling up their tanks on these short trips because they don't have the money.

There being no further input, Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Chairman Faletogo, to revoke the permit for diesel sales at this site as recommended by staff. (This motion was ultimately withdrawn.)

Planning Officer Repp clarified that staff's recommendation is not for revocation or modification at this time; and that staff is recommending the Planning Commission provide direction. While staff recognizes the problems at this site, Planning Officer Repp explained it may be possible to develop appropriate conditions for the safe operation of diesel truck fueling and also recognizes this applicant having a history of not abiding by the conditions of approval; and noted that there has been some compelling information given this evening from a business interest/perspective. She noted her concern that the truck drivers have learned improper use of this station over the last couple of years and that they need to learn the proper ways to access and fuel at this site. She noted that the applicant needs to submit for a building inspection report that clearly identifies the outstanding building permit corrections that are necessary and a comprehensive plan of improvement which can be installed within a short period of time.

Chairman Faletogo noted his concern with this operator's long history of noncompliance.

Commissioner Verrett pointed out that the applicant has stated on the record he will take the necessary steps to get this station in compliance with the conditions of approval; and stated she'd like staff to work with the applicant and clearly explain to him what needs to be done to keep him from getting his permits revoked.

Vice-Chairman Park said he sympathizes with the owner and the difficult business he is in but pointed out the need for safe operations.

Vice-Chairman Park moved, seconded by Commissioner Saenz, for the applicant to immediately put in the safeguards per site circulation drawings, with the trucks cuing in/out as indicated on his design drawings; that the applicant erect directional signs; that the applicant obtain all necessary permits from Building and Safety; that the applicant install the required landscaping; and that the applicant be given 60 days to complete this work and come back before this Commission with all requirements completed.

City Attorney Wynder clarified the motion as follows: to approve the revised site plans with the understanding the items would be installed within 30 days.

Planning Officer Repp recommended that the Commission continue the public hearing for 60 days, to May 10th; that in the meantime, within 14 days, the applicant shall install the necessary signs to demonstrate the safe maneuvering of trucks on site, including canopy signage restricting access of large bodied trucks; that at the end of that 60-day period, the Planning Commission will review the ability for the site to safely operate; that during this period, the applicant will obtain a building inspection report to determine what corrections are required, noting this will require a licensed/qualified architect/engineering professional to properly evaluate the condition of the buildings and to take all corrective measures within these 60 days. She noted that staff will then prepare a resolution, both for approval and denial, for the Commission's consideration at the end of that 60-day period; and if staff determines this site is then not operating safely, staff will also draft a resolution of revocation for the Commission's decision.

City Attorney Wynder asked if the makers of the motion agree with Planning Officer Repp's recommendation.

Vice-Chairman Park and Commission Saenz concurred with Planning Officer Repp's recommendation.

By way of a friendly amendment, Commissioner Brimmer asked that the motion also include that the sale of diesel fuel be stopped until all the corrections have been made; and that a training plan be put in place for the employees.

Vice-Chairman Park did not accept the friendly amendments proposed by Commissioner Brimmer.

By way of a friendly amendment, Commission Gordon asked that an employee direct the large truck traffic on site for the next 30 days until the signs can be erected to make sure the truck drivers learn the new way to safely maneuver on site.

The makers of the motion accepted Commissioner Gordon's friendly amendment to have a station employee on site direct truck traffic to the correct fueling areas until the new directional signs have been installed.

Planning Officer Repp recommended that the applicant also prepare an instruction sheet for the employees' use to properly educate them on the proper direction of large vehicle traffic onsite and any restrictions that may apply, which is to be done within 14 days from this evening; and that in the interim, gas station staff is to immediately be outside directing the truck drivers to safely maneuver on site.

Vice-Chairman Park and Commissioner Saenz noted their concurrence.

Planning Officer Repp asked that the public hearing be opened and that this matter be continued to May 10, 2011. She noted that the applicant shall provide staff a copy of the property inspection report for preparation of staff report for the Planning Commission's May 10th meeting.

Commissioner Brimmer stated that a training manual should be developed, not simple instructions; and stated that the diesel sales should be suspended for 60 days to see whether the applicant complies.

Vice-Chairman Park stated that this Commission has made it very clear to the applicant what is expected of him within the next 60 days.

Chairman Faleto go re-opened the public hearing and continued this matter to the May 10th Planning Commission meeting.

Mr. Radnia stated he agrees with the motion as amended.

Chairman Faleto go recessed the meeting at 8:15 P.M. Vice-Chairman Park reconvened the meeting at 8:20 P.M. Chairman Faleto go departed the meeting during the break.

10. CONTINUED PUBLIC HEARING

B) Conditional Use Permit No. 747-09 and Conditional Use Permit No. 832-10

Applicant's Request:

The applicant, Mohammad Malek, is requesting to approve two separate conditional use permits for vehicle service and convenience goods sales at a retail petroleum outlet

located in the CG-D (Commercial, General Design Overlay) zoning district. The subject property is located at 22309 South Main Street.

Staff Report and Recommendation:

Assistant Planner Raktiprakorn presented staff report and the recommendation to APPROVE the Categorical Exemption; APPROVE Conditional Use Permit No. 747-09 and Conditional Use Permit No. 832-10, subject to the conditions of approval attached as Exhibit "B" to the Resolution; WAIVE further reading and ADOPT Resolution No. 11-2381, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 747-09 to allow for the sale of convenience goods at an existing retail petroleum outlet within 300 feet of a high school, and Conditional Use Permit No. 832-10 for a retail petroleum outlet with automotive smog test only located 100 feet from a residential area on a site zoned CG-D (Commercial, General – Design Overlay) located at 22309 South Main Street."

Vice-Chairman Park opened the public hearing.

Pat Brown, applicant's representative, stated he is opposed to Condition No. 16, stating that is excessive landscaping material along the perimeter; noted that this business works on approximately four to five cars on a good day; and asked that the number of recommended trees and vines be reduced, allowing them to plant annual flowers in the large containers at the end of the bays.

Miguel Casillas, project designer, commented on the landscaping that has already been added onsite; and noted his concern with the recommendation to increase the current 3 feet of landscaping to 10 feet of landscaping along 223rd Street.

Vice-Chairman Park asked if the applicant is willing to allow the Sheriff's Department access to their video security system.

Mr. Brown stated that if the cost is within reason, the applicant would likely agree.

Senior Planner Signo explained for the applicant that the recommended landscaping falls within the code requirements, but noted the Planning Commission has the authority to consider reducing the amount of landscaping on a case-by-case basis. He noted that because there is enough room for safe maneuvering and circulation, staff would continue to recommend the 10 feet of landscaping along 223rd Street.

Commissioner Saenz stated that because business is slow, he would support deleting Condition No. 16 in its entirety.

Planning Officer Repp stated that because this auto fueling station site is larger than most, staff would support spreading out the trees to one every 40 feet instead of 25 feet but stated she would still recommend the 10 feet of landscaping along 223rd Street because there is adequate room. She highlighted the need to buffer the area between the fueling station and the mobile home park and in order to keep graffiti activity at bay, she would still recommend the vines.

Mr. Brown stated that the one tree for every 40 feet would be acceptable, but stated that there is very limited problem with graffiti activity at this site and that the vines are not necessary, noting the only place they have had graffiti is on the north facing area on the service bay for the smog check and that the walls are not a problem.

There being no further input, Vice-Chairman Park closed the public hearing.

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Diaz, to approve the applicant's request, amending Condition No. 16c, requiring a ratio of one tree per 40 feet of interior lot line; and moved to adopt Resolution No. 11-2381. Motion carried, 8-0 (absent Chairman Faletogo).

11. PUBLIC HEARING

A) Zone Change Case No. 164-11

Applicant's Request:

The applicant, city of Carson, is requesting to change the zone designation of certain properties from ML (Manufacturing, Light) to ML-D (Manufacturing, Light – Design Overlay). The property involved is certain properties in the northwest section of Carson comprising the subject area which is approximately 24.4 acres and generally bounded by Alondra Boulevard on the north, Avalon Boulevard on the east, Gardena Boulevard on the south, and Maple Avenue on the west.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation for City Council to approve Zone Change Case No. 164-11 to change the zoning on certain properties to ML-D (Manufacturing, Light), thereby bringing the zoning for those properties into conformance with the General Plan; and WAIVE further reading and ADOPT Resolution No. 11-2382, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of Zone Change Case No. 164-11 affecting certain properties in the northwest area of the city, changing the existing zoning designation of ML (Manufacturing, Light) to ML-D (Manufacturing, Light – Design Overlay)."

Vice-Chairman Park opened the public hearing. There being no input, Vice-Chairman Park closed the public hearing.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Diaz, to approve staff recommendation, thus adopting Resolution No. 11-2382. Motion carried, 8-0 (absent Chairman Faletogo).

12. NEW BUSINESS DISCUSSION

A) Workshop regarding Long-Term Banners

Applicant's Request:

The applicant, city of Carson, is requesting the Commission discuss and consider long-term banners for commercial properties.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation for the Planning Commission to discuss and consider the information provided for in this workshop; and provide direction to staff on how to proceed.

Senior Planner Signo stated that the Council Subcommittee expressed its concern with the small businesses struggling during this poor economy; and noted their support for these businesses to display their banners for a longer period of time, noting that the Council Subcommittee has referred this matter to the Planning Commission for further consideration. He highlighted Mr. Dupetit's (owner of Men's Suits for \$129.99) proposal for year-round banner displays at the 20761-20775 South Avalon Boulevard shopping center and proposes that only those small businesses located within 500 feet of the 405 Freeway be included in this proposal; and he added that Mr. Dupetit is also requesting a larger sign -- 5 feet by 50 feet -- to be displayed along the back wall of the shopping center that faces the 405 Freeway. He noted that Mr. Dupetit's Design Overlay Review (DOR) permit for the back wall 3-foot channel letter signage was revoked by the Planning Commission, pointing out that Mr. Dupetit is requesting that he be allowed to install back wall signage larger than what was originally approved by the Planning Commission.

Senior Planner Signo stated that he researched other South Bay cities to see if those cities are extending banner display permits, noting that he found no other cities that had amended its ordinance for banner display extensions; but advised that some cities are allowing banner displays to be displayed for up to 90 to 120 days maximum. He added that some cities are giving some leniency to banner displays; and advised that Carson allows banner displays up to 60 days per calendar year. He advised that the banner display timeline has been extended for shopping centers over 100,000 square feet; noted that the Carson Auto Row is allowed banner displays 8 separate times per year for specific events/holidays for 16 days per period, a total of 128 days to display banners in a year. In addition, he added that the Carson Auto Row also gets another two specific events to display banners per year above that 128 total days. He stated it is staff's recommendation to extend the displays from 60 to 90 calendar days.

Commissioner Brimmer expressed her belief that the large freeway-oriented business signs for South Coast Plaza are very pleasing and effective, suggesting this City allow large freeway-oriented signs for these businesses along the freeway; and stated that this business should be assisted.

Planning Officer Repp explained that this shopping center was not designed for back wall signage, and noted that is why the architectural embellishments were recommended in Mr. Dupetit's DOR. She stated that an ordinance amendment would typically apply throughout the entire city, noting her concern with the proliferation of temporary banners.

In response to Commissioner's Verrett's question, Senior Planner Signo stated that the exception to banner displays, an ordinance amendment, was granted to IKEA because its building is over 100,000 square feet and noted that it only applies to the South Bay Pavilion.

Commissioner Verrett stated that this exception should also benefit the struggling small businesses, especially those adjacent to the freeway.

Senior Planner Signo stated that the Commission could consider amending the ordinance to allow extended banner displays for commercial properties located within 500 feet of the 405 Freeway, or only those located within the CR0 .

zone. He pointed out that should the Commission support freeway-oriented properties having extended banner displays, this would also include those commercial properties along the 91 and 110 Freeways, not just the 405 Freeway.

Commissioner Gordon stated that he'd like to see evidence that banners increase business; and stated that this Commission has already extended a helping hand to this business owner for a couple of years and that Mr. Dupetit has not abided by the conditions of approval, pointing out that no other business in this shopping center got that accommodation.

Commissioner Diaz stated he would support extending the banner displays to 90 days.

Commissioner Brimmer reiterated her support for large, permanent signs that face the freeway, such as has been successfully and tastefully done with the South Coast Plaza shopping center.

Commissioner Goolsby noted he would support 120 days for banner displays.

Commissioner Verrett stated she'd like to see more data with regard to staff's research of other cities, pointing out that Mr. Dupetit has put forth a huge effort to keep his business in Carson viable; and noted she would support an ordinance amendment that allows banner displays in good condition to be up for more than 120 days for those businesses along the 405 Freeway and to ultimately put up permanent and effective signage.

Vice-Chairman Park stated he would not support extended banner displays for businesses facing the 405 freeway.

Ronald Shimokaji, resident, stated that it is the business owners who pay for the banners and the permits and that it doesn't cost the city anything by allowing an extended banner display; noted his disappointment with the City not offering any options to help these struggling businesses; and he suggested that the Economic Development department be contacted to see if they can provide financial assistance for a more effective freeway-visible sign for this applicant..

Mr. Dupetit stated there are only a handful of retail businesses adjacent to the 405 Freeway, but noted that the large automotive businesses all along the 405 Freeway have very large signage as well as the IKEA business, which is even further away from the freeway. He reiterated that the 3-foot channel letters on the back wall facing the freeway were ineffective and that he needs larger signage to keep his business open, noting he has no doubt that existing larger signage has brought in a substantial number of customers to this store; and stated he is out of options for consideration. He stated that he will change the banners periodically and that he won't allow his banners to get in poor condition.

Commissioner Verrett stated that she wants Carson's small businesses to be successful and noted her support for allowing banner displays to be up for a minimum of 120 days; and that she would support a larger sign on the back wall that effectively works for this establishment, possibly an illuminated sign.

Commissioner Brimmer urged staff to look at the effective signage for businesses along the freeway, especially down by the South Coast Plaza; and she suggested that staff

take photos of various shopping center signs along the freeway for the Commission's review. She noted her support for extending the banner displays to 120 days and stated this business should have effective freeway-oriented signage.

Planning Officer Repp stated there is not a lot of analytical data related to temporary signage and banners, noting that staff believes appropriately placed/sized signage is beneficial to businesses; but added that improperly placed and excessive signage can be a hindrance to bringing in more customer traffic. She noted that staff will prepare an ordinance amendment to allow up to 90 days for banner displays, noting for Commissioner Verrett that the Commission may extend that number when the ordinance amendment is presented to this body.

Commissioner Verrett reiterated that she would like to see a minimum of 120 days in the ordinance amendment.

Planning Commission Decision:

The Commission directed staff to draft an ordinance amendment to extend the number of days to 90 for banner displays, understanding the Commission may increase the suggested number at that meeting.

12. NEW BUSINESS DISCUSSION

B) Workshop regarding auto repair use in the CA zone

Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission discuss and consider the information provided for in this workshop regarding Section 9138.15 of the Carson Municipal Code concerning allowing auto repair as a primary use in the CA (Commercial Automotive) zone with approval of a conditional use permit; provide direction to staff. The properties involved are in the CA (Commercial, Automotive) zoned district.

Vice-Chairman Park asked if a CUP would be required for auto repair use if it's within 100 feet of residential.

Associate Planner Newberg indicated yes, but explained that in this case, staff is suggesting this use is primarily auto repair use with no car sales.

Planning Officer Repp explained that because there are some underutilized properties in this area with limited proposals, staff would support an amendment that would allow short-term auto repair use for the next five or six years; but pointed out that currently, Sonic has an option to extend the lease up to 15 years. She stated that the Planning Commission is to consider whether an ordinance amendment would be appropriate; explained that if the Planning Commission supports a short-term use, specific provisions will be included in the ordinance for that short-term use; and that if the Commission is open to extending that use, it would be subject to a CUP which would provide for the timeframe that use is permitted and/or extended.

Vice-Chair Park stated it is his understanding there are currently 90 car repair businesses in Carson.

Commissioner Goolsby stated that because these buildings are vacant, they create a blighted condition and noted he'd like to see some business on these properties.

Associate Planner Newberg noted that the applicant intends to put an approximate half-million-dollar investment into the interior and exterior of this property; and stated that staff believes the applicant's conceptual plans are aesthetically pleasing and appropriate for this site. He added that Rick's Lube and Tune is planning for a drive-through auto lube and tune facility along Avalon Boulevard and that he will also be making some contemporary upgrades to that property.

Commissioner Brimmer stated she would like to see some conceptual drawings.

Planning Officer Repp explained that the Commission should first consider whether an auto repair use should be permitted in this zone, whether it would be a short-term use or eligible for a longer term; and stated that standards can be developed either way that will best serve all parties involved.

Vice-Chairman Park noted his concern that the former Jeep property abuts the mobile home park and that the noise from the air tools may negatively impact those residents.

Commissioner Saenz noted that the economy could turn around within the next couple of years, stating that 10 to 15 years is a long time to tie up these properties with an automotive repair use.

Commissioner Gordon asked if other concepts have been suggested for these properties.

Planning Officer Repp explained that the site is constrained because of the land lease which runs for another six years; advised that there have been several developers interested in this property, proposing such projects as a large single retail use, mixed use with restaurants, and noted that new auto dealerships might come back; and she pointed out that no one will completely redevelop the property with a six-year land lease.

Commissioner Diaz stated that he would support auto use for a short term rather than see these properties sit vacant, believing their investment into the properties should be predicated on that short-term understanding.

Rick Nickel, Rick's Lube and Tune, stated that the 76 gas station he is currently operating out of does not have ample room for his business; reminded the Commission of the City's relocation of his business a year and a half ago; and noted the importance of getting onto a site that can adequately fulfill his business needs/operations. He noted his intent to put a new façade on this building; advised that all work will be done inside the facility; and stated that he is willing to buy more expensive and quieter tools to lessen the noise, pointing out that they do not use a lot of air tools. He expressed his belief there is more noise being generated from the freeway next door than what will be generated from his business operations.

Alexander Astts, Auto West Collision Group, noted that this company has been in business for over 20 years, working on high-end collision repairs; advised that they are

certified to work on most makes/models of vehicles; and stated they typically work with the dealerships. He added that they would be willing to open a new car franchise on this site to get an extended lease. He pointed out that approximately 90 percent of the high-end cars they work on are no older than five years; added that the majority of their sites are in Northern California, such as San Jose, Oakland, Fremont; and stated they are interested in bringing three new locations to Southern California, which they're proposing to be located in Carson, Monrovia, and Beverly Hills.

Napoleon Garcia, spray booth contractor, noted that his company manufactures spray booths for Southern California collision centers; that due to the poor economy, his company expanded into the Bay area where collision business seems to be much stronger; noted his support for the Auto West Collision Group; and advised that Auto West Collision Group typically locates their facilities in prime areas and that they cater to dealerships, such as Sonic. He added that the work is done inside the building.

Commissioner Schaefer expressed her belief that five or six years is not a short time period, questioning a business's decision to invest a lot of money into a property they only will be occupying for that five- or six-year term.

Planning Officer Repp noted that the Commission has three options to consider: change nothing, which means the auto repair will not be a permitted use; direct staff to draft an ordinance amendment to allow only a short-term auto repair use for six years; or draft the ordinance to allow short-term use with the option for an extension to 15 years. She highlighted staff's concern with this land sitting vacant for another six years, reiterating that staff would support this proposed use.

Commissioner Goolsby noted his support for drafting an ordinance amendment for the auto repair business and allowing an extension to 15 years.

Commissioner Diaz reiterated his support for only short-term auto repair use, with no possibility of an extension.

Commissioner Brimmer asked staff to come back with other options for the short term; questioned whether Sonic has asked to be let out of this lease; and reiterated her request to see some conceptual plans.

Planning Officer Repp stated if the Commission wishes to continue this workshop, the applicant should be able to provide preliminary plans for this site. She noted that amending the ordinance will also impact other CA zones.

12. NEW BUSINESS DISCUSSION

C) Workshop on building colors and Site Plan and Design Review approval authority

Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission discuss design guidelines and standards relating to building color in the Zoning Ordinance and possible solutions for improvement; and discuss the current approval process for small rehabilitation projects and possible changes to the thresholds. The properties involved are citywide.

Due to the late hour, it was agreed to continue this matter.

Planning Commission Decision:

Without objection, Vice-Chairman Park continued this matter to the April 12, 2011, Planning Commission meeting.

13. WRITTEN COMMUNICATIONS None.

14. MANAGER'S REPORT

Planning Officer Repp advised of the Governor's proposed budget to eliminate redevelopment agencies statewide, highlighting the substantial impact that would have throughout California; and stated that an additional Planning Commission meeting has been scheduled for Tuesday, March 15th, 5:00 P.M., for the Planning Commission to consider affirming that the acquisition by the city of Carson and the new Carson Housing Authority of certain properties owned by the Carson Redevelopment Agency is consistent with the City's General Plan and that no change of General Plan designation has occurred with the conveyance of property. Commissioners Faletogo, Park, Brimmer, Gordon, and Verrett had advised they would be able to attend that meeting.

15. COMMISSIONERS' REPORTS

Commissioner Brimmer pointed out that almost a half-million workers in California could lose their jobs if the Redevelopment Agencies are eliminated, noting this would create a ripple effect throughout all business in California.

Vice-Chairman Park announced the I-710 Corridor Local Advisory meeting for Wednesday, March 16, 2011, 6:30 P.M. to 8:30 P.M., Dominguez Community Center, noting that the EIR will be reviewed at this meeting.

16. ADJOURNMENT

At 11:20 P.M., the meeting was formally adjourned to Tuesday, March 15, 2011, 5:00 P.M., Executive Conference Room.

Chairman

Attest By:

Secretary