

MINUTES

CITY OF CARSON REGULAR MEETING OF THE PLANNING COMMISSION

CITY COUNCIL CHAMBERS, CARSON CITY HALL

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

April 12, 2011 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:36 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Chairman Faletogo.
3. **ROLL CALL**

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

*Commissioner Brimmer arrived at
6:45 P.M.

Planning Commissioners Absent:
None

Planning Commissioners Departed
Early: None

Planning Staff Present: Planning
Officer Repp, Senior Planner Signo,
Senior Planner Naaseh, Assistant
City Attorney Sultani, Associate
Planner Newberg, 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 Chairman Faletogo, to approve the Agenda as submitted. Motion carried (Commissioner Brimmer had not yet arrived.)
6. **INSTRUCTIONS
TO WITNESSES** Chairman Faletogo 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** Assistant City Attorney Sultani
 - 8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None.
 - 9. **CONSENT CALENDAR**
 - A) **Minutes:** March 10, 2011
 - MOTION:** Chairman Faletogo moved, seconded by Commissioner Saenz, to approve the March 10, 2011, Minutes as presented. Motion carried, 8-0 (Commissioner Brimmer had not yet arrived).
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9. **CONSENT CALENDAR**

B) Extension of Time for Modification No. 2 to Special Use Permit No. 106-74

Applicant's Request:

The applicant, Colony Cove Properties, is requesting a one-year time extension for Modification No. 2 to Special Use Permit No. 106-74 to permit an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates). The subject property is located at 17700 South Avalon Boulevard.

Staff Recommendation:

APPROVE the extension of time for Modification No. 2 to Special Use Permit No. 106-74 until April 13, 2012; and ADOPT a minute resolution extending the approval to April 13, 2012.

Planning Commission Decision:

Vice-Chairman Park moved, seconded by Chairman Faletogo, to approve the applicant's request. Motion carried as follows:

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

9. **CONSENT CALENDAR**

C) Modification No. 2 to Design Overlay Review No. 733-00

Applicant's Request:

The applicant, Paul Collins, is requesting modifications to conditions of approval of Planning Commission Resolution No. 10-2358 approving Modification No. 1 to Design Overlay Review No. 733-00. The subject property is located at 16619 and 16629 South Main Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to APPROVE Modification No. 2 to Design Overlay Review No. 733-00; and ADOPT Resolution No. 11- 2384, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 2 to Design Overlay Review No. 733-00 to modify conditions adopted by Planning Commission Resolution No. 10-2358 for the property located at 16619 and 16629 South Main Street."

Paul Schifino, applicant, stated that due to the economy, he has laid off half his workforce, noting he had 200 employees in 2008; advised that business is still slowing down; explained that this project is necessary to keep his current employees working fulltime; and noted that the proposed building is basically a large tool shed. He stated that staff's recommendation for the following three conditions are excessive for this minor project: \$90,000 for undergrounding offsite electrical, trash enclosure, and planting of trees on Main Street, reiterating that he is only building this "glorified tool shed" to create more work for his current employees and that those three recommendations are excessive and not necessary and have nothing to do with this project. He stated that this is not the type of project that should require in-lieu fees for offsite improvements and that it will likely put an end to this proposal if those fees are imposed.

Planning Officer Repp stated that staff is sympathetic to the cost of the offsite improvements but explained that it is a policy decision that has been imposed on other applicants; and noted that there has been no recent situation where this requirement has been waived.

Mr. Schifino explained that this building is only being built to keep his employees busy and that there will be no income generated from this building.

Paul Collins, project architect, stated that with all the recommended improvements being imposed by staff, the cost will be close to going over 50 percent of what it will cost to construct this building.

Commissioner Goolsby pointed out these are difficult economic times and that the City should be doing all it can, when possible, to help businesses stay open.

Vice-Chairman Park noted his support for deleting Condition No. 80, stating that the applicant has indicated an interest in erecting a new building in the future when the economy improves and that this fee can be applied at that time.

Chairman Faletogo applauded the efforts of this applicant to keep his employees working.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Saenz, to approve the applicant's request, deleting Condition No. 80, ~~"Existing overhead utility lines less than 12 kilovolts along Main Street shall be underground to the satisfaction of the City Engineer. No undergrounding is required along 168th Street. The City will consider and accept an in-lieu fee in an amount determined by the City Engineer to be sufficient~~

~~to cover the costs of such undergrounding. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for determination of applicability; and moved to adopt Resolution No. 11-2384. Motion carried, 9-0.~~

10. CONTINUED PUBLIC HEARING None.

11. PUBLIC HEARING

A) Conditional Use Permit No. 860-11

Applicant's Request:

The applicant, Andres Mondragon, is requesting the approval of a Conditional Use Permit for a second dwelling unit located within the RS (Residential, Single-Family) zoning district. The subject property is located at 2730 East Jackson Street.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to APPROVE Conditional Use Permit No. 860-11 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 11-2385, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 860-11 for an existing second dwelling unit located at 2730 East Jackson Street."

Vice-Chairman Park noted his concern with the congested traffic circulation in this area and stated that their investment should have been amortized by now; and added that this proposal does not meet the City's ordinance.

Senior Planner Signo noted that the Planning Commission can allow the legal, nonconformities with this CUP process.

Chairman Faletogo opened the public hearing.

Andres Mondragon, applicant's representative, noted his concurrence with the conditions of approval. He stated that the traffic is heavy only when the parents are picking up or dropping off their kids at school. He noted for Chairman Faletogo that his cars are typically parked on the long driveway.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the applicant's request, thus adopting Resolution No. 11-2385. Motion carried as follows:

- AYES: Brimmer, Faletogo, Goolsby, Gordon, Saenz, Schaefer, Verrett
NOES: Diaz, Park
ABSTAIN: None
ABSENT: None
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11. PUBLIC HEARING

**B) Modification to Approved Development Agreement
between Bulletin Displays, LLC, and the city of Carson**

Applicant's Request:

The applicant, Bulletin Displays, LLC, is requesting to consider a modification to an approved Development Agreement to allow for the conversion of two static sign faces to electronic digital displays on an existing three-sided outdoor advertising sign. The subject property is located at 19401 South Main Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 11-2386, entitled, "A Resolution of the Planning Commission of the city of Carson recommending to the City Council approval of Ordinance No. 11-1472: a Modification to Development Agreement No. 03-10 between the city of Carson and Bulletin Displays, LLC, for the conversion of two static advertising display faces to digital electronic display faces on an existing three-sided outdoor advertising display located at 19401 South Main Street."

Chairman Faletogo opened the public hearing.

Mark Kudler, applicant, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Saenz, to approve the applicant's request, thus adopting Resolution No. 11-2386. Motion carried, 9-0.

11. PUBLIC HEARING

**C) Conditional Use Permit No. 851-10, Modification No. 1 to Conditional
Use Permit No. 749-09 for Shared Parking**

Applicant's Request:

The applicant, Midnight Sun Auction House, is requesting to authorize a primarily antique sales live auction house and grant a request to modify an approved shared parking conditional use permit for an existing multi-tenant industrial center in the MH (Manufacturing, Heavy) zoning district. The subject property is located at 1210-1250 East 223rd Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to APPROVE Conditional Use Permit No. 851-10 and Modification No. 1 to Conditional Use Permit No. 749-09; and WAIVE further reading and ADOPT Resolution No. 11-2387, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 851-10 authorizing a live auction house at 1210

East 223rd Street and approving Modification No. 1 to Conditional Use Permit No. 749-09 for shared parking at 1210 – 1250 East 223rd Street.”

Chairman Faletogo asked for clarification on parking needs.

Associate Planner Newberg explained that this business has only two employees and that it won't impact the parking needs of other businesses in this center, noting there will be a surplus of parking when the churches are not open.

Chairman Faletogo opened the public hearing.

Jackie Lee, applicant, noted that most of the business is done by the internet and phone; and stated she concurs with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Chairman Faletogo, to approve the applicant's request, thus adopting Resolution No. 11-2387. Motion carried, 9-0.

12. NEW BUSINESS DISCUSSION

A) Workshop to Discuss Building Colors and Site Plan and Design Review Responsibilities

Applicant's Request:

The city of Carson is requesting the Planning Commission discuss guidelines related to the exterior colors of buildings and to discuss responsibilities for Site Plan and Design Review approval. The properties involved would be citywide.

Staff Report and Recommendation:

Senior Planner Naaseh presented staff report and the recommendation for the Commission to consider and discuss the information and direct staff to draft code amendments for procedures for reviewing building colors and Site Plan and Design Review approval authority.

Vice-Chairman Park expressed his belief corporate color schemes should weigh heavily in favor of the applicants when their cases come before this body.

Chairman Faletogo echoed support for allowing corporate identities.

Commissioner Diaz stated that he would support adding mild language that allows the Commission some discretion to prevent corporate color schemes that are not compatible with the surrounding areas.

Planning Officer Repp mentioned that some corporations are flexible when it is believed their color schemes are not in keeping with the community's overall design character.

Commissioner Brimmer stated that discretionary review should be given to all corporate signage, lighting, window graphics, noting she'd like to see a limitation on the number of colors that can be used; stated she would like to see more information on the City's Commercial Façade program; and that she'd like to see an aerial view of what the City is up against with this issue. She added that there should be some education on how area cultures view the use of building colors.

Commissioner Saenz stated he would be opposed to allowing unsightly color schemes on buildings for purposes of supporting a client's religious/ethnic beliefs. He added that he'd like to see a residential color code restriction.

Senior Planner Naaseh stated that he would not recommend regulating residential color schemes, that he would concentrate this effort on commercial buildings.

Commissioner Gordon mentioned that restricting colors can be very subjective and stated if the Commission is to adopt language to control color usage, the language should be clear and firm as to the intent of any restriction.

Chairman Faletogo concurred with Commissioner Gordon's comment.

Commissioner Verrett stated that she would support mild language, leaving the opportunities open based on location and type of business; and she added that if the language is too firm, it may drive a potential new business or existing business out of the City.

Commissioner Goolsby stated that he would support soft language that would easily be acceptable to corporations, noting he would not like to see this type of restriction drive a business out of the City.

Planning Officer Repp added that the language should be in keeping with the community's character for new businesses, pointing out that the City's code does not have these types of restrictions on old buildings.

Commissioner Brimmer stated that more consideration should be given to the Carson Street Corridor, making the color usage more stringently controlled.

Planning Officer Repp stated that most of the buildings on the Carson Street Corridor will be new and that most have neutral color schemes. She added that development plans will help guide the color usage.

Senior Planner Signo stated that proposed colors are addressed during the site plan design review process.

Commissioner Diaz cautioned against making the language too stringent.

Commissioner Verrett asked staff to bring back a variety of language to consider, offering various options to adopt; and stated she'd like to hear about what other local cities are doing to control unsightly building colors.

With regard to site plan and design review approval authority, Senior Planner Naaseh commented on staff's recommendation for the Planning Commission to consider other options instead of using valuation as the determining factor for the approval authority between the Planning Commission and the Planning Officer.

Senior Planner Signo explained that valuation changes over time, noting an applicant will propose fewer improvements to avoid a public hearing; and that implementing a more streamlined process may encourage more property owners to upgrade and improve their properties. He stated there is a need to make this a more equitable process.

Chairman Faletogo directed staff to return to a future Planning Commission meeting with proposed language to amend the code to allow for some discretionary review on commercial building colors and additional language to streamline the site plan and design review approval authority process, noting the consensus of the Commission to give the Planning Officer more approval authority with defined guidelines that make it

clear where the Planning Officer's discretion ends and the Planning Commission's discretion begins.

13. WRITTEN COMMUNICATIONS None.

14. MANAGER'S REPORT

- Appeal of CUP No. 792-10 for the proposed RV storage facility located at 2900 Del Amo Boulevard

Planning Officer Repp advised that the Commission's decision was appealed to City Council; noted that the applicant's plans have since been refined, such as planting 10 trees at the City's direction, driveways to have a broader approach, and clients being encouraged to visit this site on weekends to limit traffic problems; and advised that the applicant now has approvals from the City Council and the US Army Corps of Engineers but still needs the County's approval.

15. COMMISSIONERS' REPORTS

Commissioner Saenz thanked and commended Senior Planner Naaseh for the workshop.

Responding to Commissioner Brimmer's inquiry regarding second unit property inspection reports, Planning Officer Repp explained that thorough property inspection reports are required for all second unit CUP's.

Commissioner Brimmer asked how the devastation in Japan will impact Carson.

Planning Officer Repp stated that so far, the automotive dealerships have been impacted by a shortage of automotive parts, noting that the earthquake and tsunami are likely to impact many economies around the globe.

Senior Planner Signo noted for Commissioner Diaz that there are two developers who are interested in developing the property at Avalon/Sepulveda Boulevards.

Commissioner Diaz asked for a status report on the old Dominguez Water Company site, noting that containers are now being stored on site.

Senior Planner Signo stated that consideration is being given to dividing the property into a commercial and a residential area.

Commissioner Diaz asked that staff contact the Code Enforcement Department to advise them of the container storage activity at this site.

Chairman Faletogo thanked and commended everyone for their work at this evening's meeting.

16. ADJOURNMENT

At 9:30 P.M., the meeting was formally adjourned to Tuesday, April 26, 2011, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary