

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*

May 10, 2011 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:32 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Commissioner Brimmer.
3. **ROLL CALL**

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

*(Commissioner Gordon arrived at
6:39 P.M.)

Planning Commissioners Absent:
Schaefer (excused)

Planning Commissioners Departed
Early: None

Planning Staff Present: Senior
Planner Signo, Assistant City
Attorney Sultani, 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 Chairman Faletogo, to approve the Agenda as submitted. Motion carried (Commissioner Gordon had not yet arrived; absent Commissioner Schaefer).
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.
7. **SWEARING OF WITNESSES** Assistant City Attorney Soltani

8. ORAL COMMUNICATIONS

For items **NOT** on the agenda. Speakers are limited to three minutes. None.

9. CONSENT CALENDAR

A) Minutes: March 23, 2011

MOTION: Chairman Faletogo moved, seconded by Commissioner Diaz, to approve the March 23, 2011, Minutes as presented. Motion carried, 7-0 (Commissioner Gordon had not yet arrived; absent Commissioner Schaefer).

10. CONTINUED PUBLIC HEARING

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

Applicant's Request:

The applicant, Bijan Radnia, 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 site is located at 21633 South Wilmington Avenue.

Staff Report and Recommendation:

Planning Technician Alexander presented staff report and the recommendation to continue this matter to June 14, 2011.

Bijan Radnia, applicant, asked that this matter not be continued, stating he has provided everything that has been required. He stated that the new signage has been up for five weeks; that all employees have been trained to direct the large trucks to the proper areas; and advised that he has spent \$20,000 getting this property into conformance.

Chairman Faletogo asked staff why a continuance is being recommended.

Planning Technician Alexander pointed out that the applicant did not meet the deadline that was imposed upon him from the last Planning Commission meeting; stated that the applicant did not display the new signage in the correct locations and that the signs were too small; she noted the applicant was advised that the signs were inadequate; that the signage was encroaching in the public right-of-way; that some of the signage was obscured; and that staff did not believe the signage was effective. She advised that the applicant was sent a letter advising of staff's position on the signage; and that Planning staff and the traffic engineer met with Mr. Bijan to clearly explain to him what was being required. She noted that the new signage was installed May 4th; and that staff needs this time to see if the placement and size is effective. She added that the Building and Safety Department has indicated his permits are outdated and need to be renewed; and stated that the 30-day continuance should allow the applicant time to meet with the Building and Safety Department to pull the necessary permits and will also give staff more time to see how the new signage is working.

Commissioner Saenz asked if staff communicated with the applicant where the signs should be placed and the number of signs to install.

Planning Technician Alexander stated that staff urged the applicant to hire a professional who could draw up the proper site plan; and pointed out that the signage was shown on the revised site plan but that the applicant did not follow through with what was reflected on the revised site plan.

Commissioner Gordon asked if all the signs are now correctly displayed.

Planning Technician Alexander stated that as of this past weekend, the signs have been installed correctly; and because they were only installed correctly this weekend, it has not given staff adequate time to determine if the signage is effective. She added that the canopy barrier is still not installed; and that the new bollard has not been installed to protect the electrical equipment cabinet.

Commissioner Brimmer asked how many staff is present on an average day.

Mr. Radnia stated that each shift averages one to two people.

Commissioner Brimmer asked if the applicant was directed on the size of signage to install, expressing her belief there is too much going on with the different colored signs; and she expressed her belief the truck drivers are not going to read the posted sign with direction to truck drivers and that something else needs to be done to provide direction to the truck drivers.

Mr. Radnia pointed out that the cashiers are able to stop the pumps from inside when drivers are incorrectly positioned; advised that 90 percent of the trucks that use this site are small; mentioned that his business is slow; and that the existing bollard prevents trucks from entering that location.

Commissioner Gordon pointed out that the applicant had an approved site plan and reiterated his question: is the applicant in compliance with the signs as noted on this site plan.

Planning Technician Alexander indicated he is now in compliance with the sign requirements. She added that he has too much signage at one location and that staff needs to determine if the signage will be effective.

Commissioner Goolsby noted his support of this applicant's efforts, pointing out that the recommended improvements seem to be limitless and that this applicant should not have to continue spending money especially during these hard economic times. He expressed his belief that the signage on site is adequate and that additional requirements are not necessary.

Commissioner Brimmer stated that there are too many colors in his signage and that there needs to be some design structure.

Commissioner Goolsby pointed out that staff has indicated this applicant now complies with the signage requirements.

Senior Planner Signo pointed out that the 30-day continuance is necessary to give this applicant time to work with the Building and Safety Department on pulling the proper permits.

Chairman Faletogo noted his concern with this applicant and his long history of noncompliance at his place of business and noted his support for continuing this matter.

Commissioner Saenz urged staff to be very specific and clear with Mr. Radnia on what remains to be done at this site.

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Goolsby, to allow the applicant to continue selling diesel fuel provided he follow all the guidelines; and moved that the CUP be revoked if within 30 days he is not in full conformance with the conditions of approval. (This motion was superseded by the substitute motion.)

By way of a substitute motion, Chairman Faletogo moved, seconded by Vice-Chairman Park, to continue this matter to June 14, 2011. This motion carried as follows:

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

11. PUBLIC HEARING

**A) Design Overlay Review No. 1400-11 and
Conditional Use Permit No. 859-11**

Applicant's Request:

The applicant, AutoWest Collision Group, is requesting to perform a façade remodel and elated landscaping, parking area, and general improvements to the former Don Kott Ford automobile dealership. A conditional use permit (CUP) is requested to permit a proposed auto repair collision center. The property is located at 21212 South Avalon Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg explained that the applicant is seeking a continuance of this matter to the Commission's May 24, 2011 meeting.

Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Verrett, to continue this matter to May 24, 2011. Motion carried (absent Commissioner Schaefer).

11. PUBLIC HEARING

**B) Design Overlay Review No. 1398-11 and
Conditional Use Permit No. 856-11**

Applicant's Request:

The applicant, Rick's Lube and Tune and Brakes, is requesting to perform a façade remodel and related landscaping, parking area, and general improvements to the former Don Kott Jeep automobile dealership. A conditional use permit is requested to permit a proposed auto repair and oil change facility as a primary use in the CA (Commercial, Automotive) zone district. The property is located at 21101 South Avalon Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg explained that the applicant is seeking a continuance of this matter to the Commission's May 24, 2011 meeting.

Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Diaz, to continue this matter to May 24, 2011. Motion carried (absent Commissioner Schaefer).

11. PUBLIC HEARING

C) Conditional Use Permit No. 773-09

Applicant's Request:

The applicant, Pat Brown/Miguel Casillas, is requesting to approve an auto repair business on a site located in the CG (Commercial, General) zoning district. The subject property is located at 21906 Avalon Boulevard.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and recommendation to APPROVE Conditional Use Permit No. 773-09; and WAIVE further reading and ADOPT Resolution No. 11-2389, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 773-09 to permit an existing vehicle service and repair use located at 21906 South Avalon Boulevard."

Vice-Chairman Park stated it was his understanding there were not to be any pole signs on Avalon Boulevard, noting they were all to be amortized over a certain period of time.

Senior Planner Signo stated that pole signs are allowed in this zone.

Chairman Faletogo opened the public hearing.

Pat Brown, applicant's representative, advised that the cargo container has been removed from the back of this property; explained that this is not an auto repair business but a high-end stereo installation business; asked that the applicant be permitted to have a small indoor trash bin for the wire clippings and other related trash, noting they do not have a lot of trash. He stated that the pole sign is legal and that a

permit is on file; and he asked that the existing sign copy be allowed to match the logo on the building, stating the graphics are pleasing to the eye.

Luis Mendez, property owner, stated he has owned this property for 30 years; advised that the rent from this property provides his retirement income; and asked that there be limited landscaping near the driveway because his customers typically reverse their cars into this area to exit from this site. He also requested that no landscaping be required below the large front window. He asked that the landscaping requirement for the side setback be limited, noting that there are other businesses that were not asked to provide this much landscaping.

There being no further input, Chairman Faletogo closed the public hearing, but reopened the public hearing for clarification on the landscaping requirement.

Mr. Brown stated that several of the automotive businesses on Main Street were not required to have side setback landscaping, and expressed his belief the landscaping requirement for the side setback is excessive for this property.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Brimmer, to approve staff recommendation. (This motion was ultimately rescinded.)

Vice-Chairman Park moved, seconded by Commissioner Verrett, to approve staff recommendation with the following changes to the conditions of approval: to delete the requirement for an outdoor trash enclosure; that landscaping requirements be waived or removed for the side yard and for the portion along the building façade taken up by the window space; and moved to adopt Resolution No. 11-2389.

By way of a substitute motion, Commissioner Brimmer moved, seconded by Commissioner Diaz, to concur with staff recommendation. The motion failed as follows:

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

Vice-Chairman Park's motion carried as follows:

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

11. PUBLIC HEARING

D) Conditional Use Permit No. 867-11

Applicant's Request:

The applicant, Bonita Massage, is requesting the operation of a full-body massage service in an approximate 1,120-square-foot tenant space within a multi-tenant retail and commercial complex in the CR-D (Commercial, Regional – Design Overlay) zone

and within the Carson Consolidated Redevelopment Project Area. The subject property is located at 20930 East Bonita Street.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to APPROVE Conditional Use Permit No. 867-11 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 11-2390, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 867-11 to allow a full body massage service for Bonita Massage located at 29930 East Bonita Street, Unit V."

Senior Planner Signo noted for Vice-Chairman Park that this business must meet all state and local health requirements.

Chairman Faletogo opened the public hearing.

Jeerawan Tandee, applicant, noted her concurrence with the conditions of approval; and advised that her technicians will be state board certified as massage therapists.

Commissioner Verrett noted her concern with the poor lighting in this area and the safety of those doing business in this center.

David Nasarrati, property owner's representative, stated they have made \$3 million in improvements to this center, also improving the lighting; stated there is a very active recycling program in place; and noted that the kidney dialysis center is open from 5:00 a.m. to 11 p.m., noting there have not been any problems on site since the lighting improvements have been made.

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

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Gordon, to concur with staff recommendation, thus adopting Resolution No. 11-2390. Motion carried, 8-0 (absent Commissioner Schaefer).

12. NEW BUSINESS DISCUSSION

A) South Bay Pavilion Advertising Signs

Applicant's Request:

The applicant, Vintage Real Estate, LLC, is requesting a workshop to discuss updating the South Bay Pavilion sign program to allow advertising signs for tenants and uses within the mall. The subject property is located at 20700 South Avalon Boulevard.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation for the Planning Commission to CONSIDER and DISCUSS the issues presented in this staff report and DIRECT staff and the applicant in how to proceed.

Commissioner Verrett expressed her concern with the possibility for sign clutter.

Neal Kleinman, Vintage Real Estate, explained that people have come to rely on signage that is easily viewable; and highlighted the problems with recognition at this mall, pointing out that the Target and IKEA shoppers, for the most part, do not go inside the mall. He stated it is typical for these large anchor stores to be open to the inside of malls, making the inside of the mall easily accessible to the anchor store shoppers; but pointed out these two anchor stores are closed off to the mall. He expressed his professional opinion that placing the large signage below the roof sign is ineffective and un-noticeable; and he advised that the small store tenants are struggling inside the mall.

Commissioner Verrett asked if the tenants pay for the outdoor signage.

Mr. Kleinman stated that the signs are free for the tenants for a certain period of time, usually for 6 months for struggling tenants; added that the tenant covers the cost for the production of the signage; and he noted for Commissioner Verrett that they are only requesting static signage.

Commissioner Brimmer noted her support for large signage to bring in the customers to shopping centers, noting the trend is going toward larger store signs. She noted that she is not very supportive of the proposed four large signs at the front but that she is supportive of larger signs.

Mr. Kleinman explained that the static signs will fit into those four compartments and would be lit from the bottom.

Dave Jones, YESCO Custom Electric Signs, advised that these signs comply with updated standards for energy savings.

Commissioner Gordon questioned why Target was closed off from the rest of the mall.

Mr. Jones stated that this Target owns the parcel and it was their choice to be closed off from the rest of the mall.

Commissioner Brimmer stated that larger signs facing the 405 Freeway can be attractive especially using mesh steel material, such as is used at other Southern California malls located off the freeways.

Senior Planner Signo stated that the City's ordinance does not allow signs to go above the roofline, noting it would require an ordinance amendment.

Commissioner Verrett stated she is in support of larger signage.

Commissioner Diaz stated that he would not support this proposed signage because the code does not allow it; and noted his concern with the proliferation of large signage.

Commissioner Goolsby stated that the proposed larger signage is attractive, highlighting the intent to bring more business inside the mall.

Jerry Garner, Vintage Real Estate, stated that 10 to 13 percent of all mall sales are being handled on line, which is creating a huge loss in sales for the stores located inside malls; pointed out that advertisement is a huge business on line; and that this proposal is in response to the loss in business these malls are experiencing nationwide. He expressed his belief that municipalities are too restrictive and that it is necessary to modernize municipal codes to allow for larger signage; and explained that the signs located above the parapet will look aesthetically pleasing and will get the attention they need to attract more customers.

Chairman Faletogo expressed his belief this mall does need some improvement with the signage.

Senior Planner Signo expressed staff's belief that the proposed 3 signs for Target are too large.

Mr. Kleinman stated that there is a lot of square footage at this center and that they are able to erect more signage, but pointed out that they are interested in erecting signage that will be effective in bringing in more shoppers inside the mall; and that they believe the signage located above the roofline will be the most effective means.

Commissioner Brimmer stated that Carson needs to become more progressive and contemporary, suggesting the signage be lowered a bit but still above the roofline.

Commissioner Goolsby noted his support for the applicant's proposal.

Mr. Garner stated that the proposed signage has purposely been designed to interrupt the building architecture; and he confirmed for Commissioner Verrett that the signage will be able to safely handle any wind load it receives in this region.

Chairman Faletogo noted the Commission's support for improved signage at this center and asked that the applicants and staff work out a plan that is acceptable to all parties.

Senior Planner Signo stated the Commission has 3 options to consider: 1) have the applicants reduce the height of the signage and placement below the roofline; 2) apply for an ordinance amendment, or 3) apply for a variance. He added that an ordinance would likely affect the entire City.

Commissioner Goolsby stated he would support a variance to allow the signage to be placed above the roofline.

Commissioner Verrett stated that because this mall is in need of some improvement, she would support a variance.

Commissioner Verrett moved, seconded by Commissioner Goolsby, to direct staff to work with the applicants in applying for a variance to allow the signage to be placed above the roofline. No objection was noted.

Mr. Garner stated that at this time, they would prefer to go the route of a variance, noting that something is needed now at this center to help the struggling businesses inside the mall.

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| 13. WRITTEN COMMUNICATIONS | None. |
| 14. MANAGER'S REPORT | None. |
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15. COMMISSIONERS' REPORTS

Commissioner Diaz noted he will not be able to attend the Planning Commission's June 28th meeting.

Chairman Faletogo thanked everyone for their efforts this evening.

16. ADJOURNMENT

At 10:02 P.M. the meeting was formally adjourned to Tuesday, May 24, 2011, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary