

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

September 27, 2011 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:43 P.M.
2. **PLEDGE OF ALLEGIANCE** Vice-Chairman Gordon led the Salute to the Flag.
3. **ROLL CALL**

Planning Commissioners Present: Brimmer, Faletogo, Goolsby, Gordon, Schaefer, Saenz, Verrett, Williams

Planning Commissioners Absent: Diaz (excused)

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, 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 Commissioner Schaefer, to consider the Public Hearing items as the first order of business and moved to approve the Consent Calendar as presented. Motion carried, 8-0 (absent Commissioner Diaz).
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: September 13, 2011

MOTION: Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the September 13, 2011, Minutes as presented. Motion carried, 8-0 (absent Commissioner Diaz).

9. CONSENT CALENDAR

B) Modification No. 4 to Design Overlay Review No. 848-04

Applicant's Request:

The applicant, Aldon, Inc. (Carson Toyota), is requesting approval to modify approved site plan and reauthorize a previously approved, but never constructed, detached carwash as an ancillary use to an existing 131,758-square-foot Carson Toyota automobile dealership on an approximately 9.35-acre property located within the CA (Commercial, Automotive) zone and within the Carson Consolidated Redevelopment Project Area. The subject site is located at 1333 East 223rd Street.

Staff Report and Recommendation:

WAIVE further reading; APPROVE Modification No. 4 to Design Overlay Review No. 848-04; and ADOPT Resolution No. 11-2401, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 4 to Design Overlay Review No. 848-04 for the construction of an automobile laundry to be operated as an accessory use to an automobile dealership located at 1333 East 223rd Street."

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the applicant's request, thus adopting Resolution No. 11-2401. Motion carried, 8-0 (absent Commissioner Diaz).

10. CONTINUED PUBLIC HEARING

A) Ordinance Amendment

Applicant's Request:

The applicant, city of Carson, is requesting an amendment to the Zoning Ordinance to consolidate or reorganize duplicate language, eliminate typos, and clarify requirements; amend requirements for a home occupation, caretaker's residence, bathroom within an accessory structure, and outdoor display and storage; and addresses issues concerning nonconforming uses in the MU-CS (Mixed Use – Carson Street) zoning district. Properties involved would be citywide.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to CONSIDER the issues discussed in this staff report; OPEN the public hearing; RECOMMEND to the

City Council approval of the proposed ordinance amendment; and ADOPT Resolution No. 11-2403, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of an Ordinance Amendment regarding Part 1 (Introduction), Part 2 (Residential Zones), and Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code to consolidate or reorganize duplicate language, eliminate typos, and clarify requirements; amend requirements for certain uses; and address issues concerning nonconforming uses in the MU-CS (Mixed Use – Carson Street) zoning district and other uses that become nonconforming as a result of the ordinance amendment."

Chairman Faletogo thanked Senior Planner Signo for a thorough report.

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

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Schaefer, to approve staff's recommendation, thus adopting Resolution No. 11-2403. Motion carried, 8-0 (absent Commissioner Diaz).

11. PUBLIC HEARING

A) Conditional Use Permit No. 875-11

Applicant's Request:

The applicant, Keywell, LLC, is requesting approval of a processing facility for recyclables on a site located in the MH (Manufacturing Heavy) zoning district. The subject property is located at 2250 East Dominguez Street.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to ADOPT the negative declaration; APPROVE Conditional Use Permit No. 875-11; and WAIVE further reading and ADOPT Resolution No._____, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 875-11 for a processing facility for heavy recyclables located at 2250 East Dominguez Street." He noted that the Planning Commission received the applicant's letter this evening asking that Condition Nos. 16, 18, 31, 33 and 42 be amended as follows:

"It is proposed that Conditions 16 and 18 be combined and revised as follows:

"If during construction/demolition of the development, soil and/or groundwater contamination is suspected, construction/demolition in the suspected area shall cease and appropriate health and safety procedures implemented. If it is determined that contaminated soil and/or ground water exists, owner/applicant shall identify how any required investigation and/or remediation will be conducted and obtain the appropriate government agency oversight of such investigation and/or remediation.

"It is proposed that Condition 31 be deleted or otherwise waived because the property owner will not consent to or agree to dedicate the 9 feet of additional right-of-way abutting the development along Dominguez Street.

"It is proposed that Condition 42 be revised to read as follows:

"The Developer shall file and record a covenant and agreement to annex the appropriate area abutting the development to the L.A. County lighting Maintenance District for the purpose of operating and maintaining the street lights to be installed. The Developer shall agree that the annexation shall be to the satisfaction of L.A. County, and the Developer shall provide an adequate surety of such performance prior to the issuance of Certificate of Occupancy. The Developer acknowledges that additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation.

"With respect to Condition 33, the Developer understands that this condition is inapplicable because the existing overhead utility lines are in excess of 12 kilovolts. The Developer will provide a letter or other appropriate written communication from Southern California Edison confirming this fact."

Planning Officer Repp explained that since staff would not recommend waiving the requirement for the 9-foot dedication of land, staff would suggest that after discussion of this item this evening, this be continued to the next Planning Commission meeting so all parties have a chance to more fully address this request.

Rob Gostek, Keywell representative, stated that Keywell has already invested \$700,000 into this property as of this April, noting that much more will be invested into this property; and advised that this project will provide upwards of 70 new jobs, noting they will be working with Carson's job placement program. He stated this is an American-owned company; that its operations are environmentally sound and beneficial; advised that they plan to be at this site for the long term; and stated that the impacts to the city are minimal, and pointed out it will have a positive impact on the City's economy and environment.

In response to Chairman Faleto'go's inquiry regarding their clients, Mr. Gostek advised that they do not allow people off the streets to recycle at this facility, that their clients are large industrial accounts; and noted they are strictly a metal recycling company.

Maggie Ballin, General Manager of the Huntington Park Keywell plant, explained that Keywell is an aerospace and stainless steel recycler; stated that they reblend alloys per customers' specifications from all over the world; and noted they do not melt the metals at this site. She advised that this will be a state-of-the-art engineered facility that will be very clean and organized; and she noted that 20 new jobs will be created at first and as the company grows, it will employ upwards of 70 employees. She advised that they will train the skills needed and that they will be looking for motivated people who want to work. She added that this will have a low impact on the community; that it will be nicely landscaped; and that there will not be any smoke, dust or noise coming from this facility.

Mr. Gostek noted for Commissioner Brimmer that they have a 20-year lease at this site and stated that their neighbors are aware of the proposed project, noting they have indicated no opposition. He added that they will also be hiring second-chance individuals, people who have made mistakes in their lives; and noted their average tenure for employees is 20 years. He noted that they take deliveries by appointment only, that they are not a high volume truck operation; and stated that if they had 15

trucks on their site every day, that would mean they would be doing extremely well in their field.

Commissioner Brimmer stated that the City should have a means to follow up on the businesses that say they will be hiring Carson residents.

Matt Simon, project architect, provided a slide presentation of the proposed project, noting it will be fully screened from the street. He stated there will be plenty of new xeriscaping and hardscaping.

Michael Stewart, Keywell representative and resident, noted his support of this project; stated it will bring badly needed jobs to this community; and stated that all transactions will be made by purchase orders, not from people coming off the streets. He mentioned that Keywell has 14 other locations in the nation and that they want this Carson facility to be its premier headquarters. He added that they are committed to hiring people who live locally; and advised that they have reached out to the Chamber of Commerce, City Council Members, the City's Job Clearing House, and their neighbors. He advised that they also will train their employees and that they offer decent salaries.

John Wogan, president of the Chamber of Commerce, noted his support of this project; advised that this company is a leader in its field; and stated that this company is a perfect match for this site and this community. He added that this company will be putting \$20 million into this community.

Mr. Gostek highlighted the proposed changes to Condition Nos. 31 and 42, noting they will obtain a letter from Edison regarding the high voltage power lines.

Rob Katherman noted his support of this project, and he advised that Edison will not allow the high voltage power lines to be moved because they are greater than 12 kilowatts.

Mr. Gostek stated that they have met with their neighbor NYK, noting they do not have any issues with this proposed project; and added that NYK is being allowed to use some of their property for their own purposes, pointing out they will only need four acres on this site for Keywell's operations.

Mr. Simon advised that there will be plenty of drought tolerant landscaping installed adjacent to the street.

Mr. Gostek noted for Commissioner Williams that the project grading will be adequately engineered and will not have standing water on the driving paths.

Commissioner Williams encouraged Keywell to also reach out to high school students for employment and internship.

Mr. Gostek added that their employees also receive profit sharing when the company is doing well and that bonuses are also given to employees who bring forth suggestions that are implemented into the company's operations.

Chairman Faletogo read into the record the following letter of support from the Chamber of Commerce:

“Dear Mayor Dear,

“The Carson Chamber of Commerce is writing to express its support for the Keywell recyclable processing facility planned for 2250 E. Dominguez Street. Keywell’s presence will not only provide employment opportunities and contribute to the economic activity in the city of Carson, but will also support its commitment to becoming a “green” city. Keywell plans to make a substantial investment in the 2250 E. Dominguez Street site. The many improvements that Keywell plans for the site include state-of-the-art environmental protections and safety measures as well as “good neighbor” improvements, such as upgrades to landscaping and hardscape and the construction of a decorative screening wall. It has already exhibited its interest in being an active corporate citizen by joining the Carson Chamber of Commerce and becoming the Chamber’s newest Chairman’s Circle member.

“We respectfully request your approval of this project so that work can commence as soon as possible.”

Planning Commission Decision:

Chairman Faletogo moved, without objection, to continue this matter to the Planning Commission’s October 11, 2011, meeting (absent Commissioner Diaz).

11. PUBLIC HEARING

- B) Conditional Use Permit No. 803-04; Conditional Use Permit No. 804-10; Conditional Use Permit No. 811-10; Conditional Use Permit No. 812-10; Conditional Use Permit No. 814-10; Conditional Use Permit No. 815-10; Conditional Use Permit No. 816-10; Conditional Use Permit No. 817-10; Conditional Use Permit No. 818-10; Conditional Use Permit No. 828-10**

The applicant, Botach Management, is requesting to review and consider City Council remand of the appeal request concerning the denial of ten (10) individual, existing, non-conforming auto repair uses located on the subject property and within the MU-CS (Mixed Use – Carson Street) zone and the Carson Consolidated Redevelopment Project Area. The subject site is located at 336-348 East Carson Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to APPROVE Conditional Use Permit No. 803-10; Conditional Use Permit No. 804-10; Conditional Use Permit No. 811-10; Conditional Use Permit No. 812-10; Conditional Use Permit No. 814-10; Conditional Use Permit No. 815-10; Conditional Use Permit No. 816-10; Conditional Use Permit No. 817-10; Conditional Use Permit No. 818-10; Conditional Use Permit No. 828-10; WAIVE further reading and ADOPT Resolution No. 11-2402, entitled, “A Resolution of the Planning Commission of the city of Carson reversing the action of Planning Commission Resolution No. 11-2380, and approving Conditional Use Permit Request Nos. 803-10, 804-10, 811-10, 812-10, 814-10, 815-10, 816-10, 817-10, 818-10, 828-10 for ten (10) existing auto repair facilities located at 336-348 East Carson Street.” He advised that the condition numbers cited in Condition No. 14 and 15 should reflect Condition No. 13, not 6 or 7.

Chairman Faletogo stated he is pleased with the improvements and those planned for the near future and highlighted the new commitment of the property owner to make the necessary improvements to this site.

Associate Planner Newberg stated there is a phased development plan for making the improvements on this site. He noted for Commissioner Saenz that the proposed landscaping will not negatively impact ingress/egress and that review for compliance of the conditions of approval and reconsideration of the CUP's will come before the Planning Commission within 18 months from the date of approval.

Commissioner Williams stated upon a recent visit to this site, he was not able to easily circulate his vehicle through the pathway and stated that there needs to be consistent behavioral modifications by all that do business on this site.

Associate Planner Newberg stated that the recent fire on this site was due to a faulty transformer, noting that SCE will be the responsible party to fix the damaged property.

Chairman Faletogo opened the public hearing.

Adir Botach, son of the property owner, stated that many people would be negatively impacted if these businesses were closed; and noted the property owner's commitment to fixing the problems at this site. He stated that some of the improvements will be costly and that they will need some time to make all the improvements; and noted the financial importance of obtaining the 10 conditional use permits and full occupancy.

Nathan Freeman, FMG Consulting, advised that the property owner's son, Adir, will be the onsite manager; that he will be on site three to four times each week; and that the owners will make themselves more available to the businesses in this center. He stated that the property owner and his son are committed to making all the improvements to this center.

Dante Charleston, FMG Consulting, advised that the improvements are already visible on site and noted that they have a long way to go to make all the needed improvements, but stated they are committed to rectifying the issues of concern.

Commissioner Williams expressed his belief the property owners are committed to seeing through all the improvements and that everyone is moving in the right direction.

Commissioner Schaefer stated she is pleased with the progress and stated these businesses in the center provide a needed service to the community; and she highlighted the importance of revisiting this matter in 18 months.

Chairman Faletogo stated that the applicants have made their case and that he is willing to give them one last chance to become compliant.

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

Planning Commission Decision:

Commissioner Schaefer moved, seconded by Commissioner Saenz, to approve staff's recommendation, amending Condition Nos. 14 and 15 to refer to Condition No. 13 instead of 6 and 7; and moved to adopt Resolution No. 11-2402. Motion carried, 8-0 (absent Commissioner Diaz.)

12. NEW BUSINESS DISCUSSION

A) Design Overlay Review No. 1419-11

Applicant's Request:

The applicant, Benny Natanzi, is requesting to permit the sale of diesel fuel at a service station located within the CR-D (Commercial, Regional – Design Overlay Review) zone. The subject site is located at 655 East Carson Street.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to APPROVE Design Overlay Review No. 1419-11; and WAIVE further reading and ADOPT Resolution No. 11-2404, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1419-11 to permit the sale of diesel fuel at an existing service station located at 655 East Carson Street." He explained that this site will be the last diesel sales business that will not be required to obtain a conditional use permit, pointing out this same agenda has an ordinance amendment that includes modifying requirements for diesel sales to now require a conditional use permit.

Commissioner Williams stated that the empty tree well near the bus bench poses a safety issue.

Senior Planner Signo explained that it was later deemed there was not enough space for a tree; and stated that a condition can be added to close the tree well.

Planning Commission Decision:

Chairman Faletoogo moved, seconded by Commissioner Williams, to approve staff's recommendation; to add a condition that requires the tree well next to the bus bench be closed off if it cannot accommodate a tree; and moved to adopt Resolution No. 11-2404. Motion carried, 8-0 (absent Commissioner Diaz.)

13. UNFINISHED BUSINESS

A) Ordinance No. 11-1475 amending the Carson Municipal Code regarding the calculation for total allowable sign area and extending the display period for banners and other similar displays banners

Staff Report and Recommendation:

Senior Planner Signo explained that a request is being made for the Planning Commission to review and consider revised Ordinance No. 11-1475 providing 120 days of banner display plus an additional 30 days of display for grand openings for properties citywide.

Chairman Faletogo noted that because of the poor economy, he would support allowing 120 days of banner display plus an additional 30 days of display for grand openings for properties citywide.

Vice-Chairman Gordon expressed his concern with enforcement of the banners.

Planning Officer Repp explained that staff and code enforcement are committed to increase banner enforcement once this change is in place and commented on the permit process.

Commissioner Schaefer suggested that a procedure be put in place that generates a list on a periodic basis of expired permits.

Commissioner Verrett highlighted the poor economy and urged the City to allow 180 days of banner display plus an additional 30 days of display for grand openings. She added that when the economy improves, this matter can be revisited and revised if necessary.

David Dupetit, owner of 3 Men's Suits for \$129.99, asked why this issue is on the Planning Commission's agenda.

Planning Officer Repp advised that because there has been a proposed change in the length of time for display suggested by City Council, it was appropriate to get the Planning Commission's input on the suggested change.

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Commissioner Saenz, to recommend that City Council revise Ordinance No. 11-1475, providing 120 days of banner display plus an additional 30 days of display for grand openings. This motion ultimately carried.

By way of a substitute motion, Commissioner Verrett moved to allow 180 days plus 30 additional days of banner display for grand openings. This motion died due to the lack of a second.

The original motion for 120 days plus 30 carried as follows:

AYES: Brimmer, Faletogo, Goolsby, Gordon, Saenz, Schaefer, Williams
NOES: Verrett
ABSENT: Diaz

14. WRITTEN COMMUNICATIONS None.

At this point, Chairman Faletogo welcomed new Planning Commissioner Williams.

15. MANAGER'S REPORT

Update on City Council action(s):

- 1) Ordinance No. 11-1475 amending the Carson Municipal Code regarding the calculation for total allowable sign area and extending the display period for banners and other similar display banners
- 2) September 30, 2011 - Long Beach, CA, Long Beach Convention Center. Join elected officials and staff from 88 cities in LA County for this exciting opportunity, Registration at 8:00 A.M. to 5:30 P.M. Parking is \$10. Free bike valet services. Registration on line at <http://la-bike.org/LACountyBikeSummit>. Questions, contact Dan Rosenfeld (drosenfeld@ph.lacounty.gov - 213.351.1901) or Alexis Lantz (alexis@la-bike.org - 213.629.2142).

Planning Officer Repp encouraged the Commission's attendance at the bike summit in Long Beach; and noted she anticipates Carson starting its bike master plan in January.

16. COMMISSIONERS' REPORTS

Commissioner Brimmer commended staff for their presentations and reports this evening.

Commissioner Verrett welcomed Commissioner Williams to the Planning Commission.

Commissioner Schaefer welcomed Commissioner Williams to the Planning Commission; and she commented on her attendance at an excellent ethics workshop at the Community Center.

Commissioner Gordon welcomed Commissioner Williams to the Planning Commission.

Planning Officer Repp noted for Commissioner Saenz that Carson has limited bike routes, but that the city will soon embark on its own bike master plan.

Commissioner Williams thanked everyone for a warm welcome, mentioning that he was on the Planning Commission in the '90s.

Chairman Faletogo thanked the Commissioners and staff for their hard work; and on behalf of the Commission, he wished Planning Officer Repp safe travel to Russia to adopt her son, Igor; and to Assistant City Attorney Soltani on the upcoming birth of her daughter, blessing both these events.

Planning Officer Repp added that this is the last meeting of the year for Assistant City Attorney Soltani, noting that City Attorney Wynder will be filling in during her absence. She advised that Senior Planner Signo will be staffing the Planning Commission meetings during her own absence, noting she is likely to return to the Commission's December meeting.

17. ADJOURNMENT

At 10:12 P.M., the meeting was adjourned to Tuesday, October 11, 2011, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary