

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

January 10, 2012 – 6:30 P.M.

1. **CALL TO ORDER** Vice-Chairman Gordon called the meeting to order at 6:36 P.M.
2. **PLEDGE OF ALLEGIANCE** Commissioner Schaefer led the Salute to the Flag.
3. **ROLL CALL**

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

Planning Commissioners Absent: Chairman Faletogo (excused)

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, City Attorney Wynder, Associate Planner Gonzalez, Associate Planner Song, Associate Planner Newberg, Assistant Planner Castillo, Traffic Engineer Garland, Recording Secretary Bothe
4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL**

Commissioner Saenz moved to consider the Carson Street Improvements item as the first order of business. This motion died due to the lack of a second.

Commissioner Saenz moved, seconded by Commissioner Diaz, to approve the Agenda as presented. Motion carried, 8-0 (absent Chairman Faletogo).
6. **INSTRUCTIONS TO WITNESSES** Vice-Chairman Gordon 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

City Attorney Wynder

8. ORAL COMMUNICATIONS

For items **NOT** on the agenda. Speakers are limited to three minutes. 1) Glenn White, resident, stated that the remaining burned building materials at the Thomas Saffron property across the street from City Hall is a public safety hazard; he asked that the City consider installing a traffic signal at the exit of the adjacent mobilehome park, noting it is very difficult to exit the park; and advised that there have been two recent accidents from people trying to exit this mobilehome park.

9. CONSENT CALENDAR

A) Modification No. 11 to Design Overlay Review No. 831-03

Applicant's Request:

The applicant, Nick Spano, L.A. City Farm, is requesting a change of time for the farmers market at the SouthBay Pavilion, 20700 South Avalon Boulevard.

Staff Recommendation:

APPROVE the change in hours for the farmers market to Thursday mornings from 10:00 a.m. to 3:00 p.m.; and ADOPT a Minute Resolution to Resolution No. 08-2226 indicating those hours of operation on Thursdays.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Schaefer, to approve staff recommendation. Motion carried, 8-0 (absent Chairman Faletogo).

10. UNFINISHED BUSINESS

A) Design Overlay Review No. 1434-11

Applicant's Request:

The applicant, True Value Hardware, is requesting approval of a design overlay review for painting an American flag mural on the south elevation of the True Value Hardware building located at 20840 Leapwood Avenue.

Staff Report and Recommendation:

REVIEW and CONSIDER the process, procedures and standards for the review and approval of private murals and PROVIDE DIRECTION.

Commissioner Schaefer expressed her concern that murals could be considered as another form of advertisement.

Planning Officer Repp stated that ultimately, it will be necessary to establish an ordinance that guides the conditions for mural approvals.

Vice-Chairman Gordon opened the public hearing.

Ron Ursich, applicant, stated that he concurs with the conditions of approval.

Rob Daniels, representing El Cordova Apartments, stated that while they are not opposed to the request, they believe there was inadequate public notice.

Staff advised that this meeting was properly noticed.

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

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Williams, to approve the applicant's request, thus adopting Resolution No. 12-2416. Motion carried as follows:

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

Commissioner Brimmer expressed her concern with the potential for the proliferation of murals and these being a form of advertisement.

10. UNFINISHED BUSINESS

B) Carson Street Improvements

Applicant's Request:

The applicant, city of Carson and Carson Redevelopment Agency, is requesting the Planning Commission approve the Carson Street Improvement Project, from the Carson Street right-of-way between the I-405 and I-110 Freeways.

Staff Recommendation:

APPROVE the Carson Street improvement plans; and WAIVE further reading and ADOPT Resolution No. 12-2417, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval by the Carson City Council the Carson Street Improvement Project for the segment between the I-110 and I-405 Freeways."

Planning Officer Repp commented on the great effort that has been undertaken to bring this project to this point, but highlighted the fact that the state has won its right to eliminate redevelopment agencies across the state, noting this will have a huge impact on this project and others slated for redevelopment monies. She noted that because

Carson is currently under contract to complete the plans, staff will send those forward; but noted that if this project is to go forward in its implementation, the City will need to find the funding elsewhere. She thanked and commended Senior Planner Naaseh for all the work he put in on this project.

Traffic Engineer Garland advised that staff is not proposing any median closing for Park Avalon Estates.

Senior Planner Naaseh noted for Vice-Chairman Gordon that staff is maintaining its recommendation to close the median on Carson Street into the Ralph's shopping center.

Planning Officer Repp stated that the new signalized intersection for the CityView project will serve as the entry into the new project and will also serve as a U-turn for those getting into the Ralph's shopping center from Carson Street; and stated that the CityView proposal could be amended to allow for a longer queuing line, allowing a left turn into the Ralphs easement but not allowing a left turn out of the shopping center.

Traffic Engineer Garland stated that currently, the median inlet to the Ralph's shopping center on Carson Street is not an issue; and explained that the problem arises when the new traffic signal is installed less than 100 feet away from the current median opening, which creates a safety problem because motorists traveling from the east on Carson Street do not expect for cars to come shooting out through the midpoint location of a left-turn pocket. With the aid of slides, he highlighted the CityView alternative to keep that same design with the traffic signal location but to have an opening in the median at the point where cars can make a left turn directly into the Ralph's driveway, which is similar to what currently exists.

Commissioner Verrett expressed her concerns that closing the median on Carson Street will put more cars turning into the shopping center from Avalon Boulevard and stated this may create traffic problems on Avalon Boulevard.

Traffic Engineer Garland pointed out that Ralph's will still have two entrances/driveways.

Steve Roberts, representing CityView, noted his support for the alternative plan to maintain a left turn into the easement driveway, noting they will share access with Ralphs as well as the signalized intersection that will serve as the primary entrance into the new development. He explained that the alternative plan will accommodate both properties by adding a diverter which would require any traffic leaving Ralphs on Carson Street to turn right, thereby eliminating the left turn out; and secondly, they suggest increasing the length of the throat of the driveway to control movement. The following is the revised median alignment plan/proposal:

- Provide a 205-foot left-turn pocket, significantly exceeding the 150-foot distance that staff has requested as well as the storage needed to accommodate peak-hour vehicle queues;
- Include a traffic signal at the new entry drive with protected and permitted left-hand turns into the 616 East Carson Street mixed use community;
- Maintain left-turn ingress from westbound Carson Street to the easement driveway via a median opening; and
- Eliminate left-turn egress from the easement driveway to westbound Carson Street, thus reducing vehicle movements at this driveway.

Brad Pearl, co-owner of the Ralphs shopping center, noted his concern with preserving the access into this shopping center; advised that Ralphs can back out of their lease if

they lose any access points; and stated that all the businesses in this center are struggling to survive. He stated their own traffic consultant has indicated that a left-turn access from the median on Carson Street would be an acceptable movement and that they would like to keep this access open from Carson Street. He asked that they maintain the current configuration as is until the site across the street is developed or until such time that a signal is put in on Avalon Boulevard for this shopping center, noting that it is not practical to expect their customers to pass this shopping center on Carson Street, make a U-turn at the CityView signal and come back around. He noted his opposition to implementing any business owners assessment district in the future for the maintenance of the median strip.

Yoshko Prebanda, representing Ralphs Grocery Company, urged the City not to close the Carson Street median access to their shopping center, stating this will result in loss of business for Ralphs; and advised that this is not a profitable grocery store. He stated that they could do away with the left turn out of this driveway, but not the access onto the property; and stated it would be helpful to have a signal into their shopping center on Avalon Boulevard, believing this would help the flow coming to and from this shopping center.

Minli Chang, property owner for Lucky China, expressed her concern with the City's plan to close the median opening into her property, stating this will be very hard on their client's business; advised that there have never been any accidents with any vehicle using this median opening, noting her father owned and operated this business for many years; and that there is rarely, if ever, more than two cars waiting at the same time to make a left turn into this parking lot. She stated that sales are down in this economy. She added that it was difficult for her to make a U-turn at Orrick Avenue, which is being proposed by staff, noting that she did not feel safe making that maneuver at that narrow location; and expressed her belief that potential customers will feel the same and go elsewhere to eat.

Jenny Fu, owner of Lucky China, expressed her belief that cars needing to make a U-turn off Orrick will create a traffic problem; stated there have not been any accidents with this median opening into her parking lot; and she urged the Commission to leave the median opening as is. She stated her business is struggling to survive and that she needs easy access into her business.

Ronald Shimokaji, resident, commented on the public art component of the streetscaping, noting he would like to see a public art program developed for the current configuration of the Carson Street corridor. He stated there are areas where the mural banners can be posted; and he stated that he can provide staff with more information on a low-cost program that can assist with creating these art banners.

Zeke Vidaurri, businessman, noted he is opposed to closing any median opening into the northwest shopping center at Carson and Avalon; advised that a lot of seniors use the pharmacy in this center; and expressed his belief that closing this opening will cause traffic congestion.

Vice-Chairman Gordon closed the hearing.

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Verrett, to recommend approval of the master plan, but to allow the medians to remain open for Ralphs and Lucky China; to recommend approval of the revised median alignment plan proposed by Community Dynamics; and moved to adopt Resolution No. 12-2417. (This motion ultimately carried.)

By way of a substitute motion, Commissioner Goolsby moved to adopt staff recommendation as presented in staff report. This motion died due to the lack of a second.

The original motion carried as follows:

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

11. CONTINUED PUBLIC HEARING

A) Conditional Use Permit No. 797-10

Applicant's Request:

The applicant, Joseph Gan, is requesting conditional use permit approval to facilitate continued auto repair use for a business on a dual-zoned lot in the ML-D/RS (Manufacturing, Light – Design Overlay/ Residential, Single-Family) zoning district and within the Carson Consolidated Redevelopment Project Area. The subject property is located at 20836 South Main Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 12-2418, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 797-10 for a continued auto repair use located at 20840 South Main Street."

Vice-Chairman Gordon opened the public hearing.

Joseph Gan, applicant, stated that he concurs with the conditions of approval.

Commissioner Williams noted there are a lot of materials on this lot, questioning if any of it can be sold.

Mr. Gan stated that he is already selling some of the items on site.

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

In response to the Commission's inquiry, Planning Officer Repp advised that the applicant can ask for more time if needed, but if staff sees that the applicant is not making any effort to meet the standard timeline, his CUP can be revoked.

Associate Planner Newberg mentioned that the lot line adjustment will have the largest impact.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Saenz, to concur with staff recommendation, thus adopting Resolution No. 12-2418. Motion carried, 8-0 (absent Chairman Faletogo).

12. PUBLIC HEARING

A) Design Overlay Review No. 1421-11

Applicant's Request:

The applicant, Edgar Rios, is requesting to construct additions to an existing single-family dwelling and build two new single-family dwellings on a residential lot located in the RM-12-D (Residential, Single-Family; 12 units per acre; Design Overlay) zone. The subject property is located at 214 East 220th Street.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to APPROVE Design Overlay Review No. 1421-11; and WAIVE further reading and ADOPT Resolution No. 12-2419, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1421-11 to construct new additions to an existing single-family dwelling and build two new single-family dwellings on a residential lot located at 214 East 220th Street."

Commissioner Schaefer asked why the utility meters are located in the front yard.

Vice-Chairman Gordon opened the public hearing.

Sergio Perez, property owner, noted that he agrees with the conditions of approval.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Brimmer, to concur with staff recommendation, thus adopting Resolution No. 12-2419. This motion ultimately carried.

Commissioner Verrett questioned whether a condition should be added to remove any meters that might be located in the public right-of-way.

Planning Officer Repp stated that if the meters are in the public right-of-way and are clearly associated with the residential use, they should be moved onto the private property as long as there is no unusual reason why they had to be placed in the public right-of-way and suggested adding the following condition: "The applicant shall submit a plan to the Engineering Services Division to determine the adequate location of the meters currently located within the public right-of-way and shall move the meters to an appropriate location as determined by the Engineering Services Department."

The makers of the motion agreed to add this condition. The motion carried, 8-0 (absent Chairman Faletogo).

12. PUBLIC HEARING

B) Design Overlay Review No. 1437-11; Conditional Use Permit Nos. 872-11 and 887-11; Variance Nos. 525-11 and 526-11

Applicant's Request:

The applicant, Garrett Harper, is requesting to construct a self-service carwash and a 1,233-square-foot convenience store with beer and wine sales located in the ML-D (Manufacturing, Light – Design Overlay) zoning district. The subject property is located at 21212 South Alameda Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 12-2420, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1437-11, Conditional Use Permit Nos. 872-11 and 887-11 and Variance Nos. 525-11 and 526-11 for a self-service automobile laundry and a convenience market with beer and wine sales to be located at 21212 South Alameda Street."

Vice-Chairman Gordon opened the public hearing.

Garrett Harper, applicant, asked that they be able to stretch the hours of operation for the mini-market, believing it will deter vandalism and that it will make it more convenient for the neighbors.

Vice-Chairman Gordon closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Verrett, to concur with staff recommendation, thus adopting Resolution No. 12-2420. Motion carried, 8-0 (absent Chairman Faletogo).

13. NEW BUSINESS DISCUSSION

A) Conditional Use Permit No. 823-10

Request:

Staff is requesting the Planning Commission instruct staff to initiate revocation proceedings pursuant to Section 9172.28 of the Carson Municipal Code for the business owner, Jacqueline Adame, at 20922 South Main Street. The property owners are Dave Drorbaugh and George R. Jimenez, Sr.

Associate Planner Song advised that the property owners were not able to attend this evening's meeting, but indicated they will support staff's decision due to limited finances on their part. She noted for Commissioner Saenz that the applicant did pull a demolition permit but stated that they have not met the provisions of the performance standards.

Commissioner Goolsby asked why this is before the Commission given this business owner still has remaining months to comply with the performance schedule.

Associate Planner Song stated that the conditions of approval are being presented again this evening as an information item, and noted her hope this applicant will find the money necessary to comply before having to undergo a revocation hearing. In addition, the performance schedule requires that all requirements be completed within a 12-month period, however, there are several deadlines within the 12-month period the applicant is responsible for meeting.

Commissioner Verrett noted her concern with decisions that ultimately put people out of business.

Jacqueline Adame, business owner, stated that the green canopy was removed; noted that because she does not own this property, she is not able to submit plans to remove the lift; and added that it is her understanding she would have 12 months to get the work done.

Vice-Chairman Gordon reminded the applicant that the performance schedule sets in motion when the work is to be done so that it is all completed within a 12-month period; and he questioned if the applicant is making steady/consistent progress in making the improvements.

Ms. Adame stated that while she removed one of the canopies, the owner would be responsible for removing the lift, noting that the owner has yet to submit those plans.

Planning Officer Repp advised that the owners have indicated they do not have the funds to make a significant investment on this property and stated that either the owner of the property or the business owner must make these improvements if this business is to remain.

Ms. Adame reiterated that because she is not the property owner, she does not have the legal right to remove the lift; and stated that one of the property owners noted at the prior meeting that he would help her out, but advised that neither property owner has provided any help.

City Attorney Wynder asked Ms. Adame if she's not able to make the corrections, how much time will she need to relocate this business.

Ms. Adame stated it would take her 8 to 10 months to find a new location, but stated that she would like to stay at this location.

Planning Officer Repp stated that the structure is not safe and that 60 days is typically the time period to allow for its removal. She noted that this applicant would still be able to repair carburetors, but that they would not be able to use the lift and structure.

City Attorney Wynder stated if neither party is willing or able to bring this site into compliance, it would be his recommendation for the Commission to direct staff to negotiate an executed closure agreement.

Zeke Vidaurri, businessman, asked that this applicant be given the full 12 months to make the improvements before putting in motion a closure agreement. He expressed his belief this applicant was depending on the property owner's comment that he would help her.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Vice-Chairman Gordon, to direct staff to initiate revocation proceedings and a facility closure agreement. Motion carried, 8-0 (absent Chairman Faletogo).

14. WRITTEN COMMUNICATIONS None

15. MANAGER'S REPORT

- Supreme Court ruling on Redevelopment Agencies

Planning Officer Repp commented on the ramifications in Carson resulting from the loss of the redevelopment agency starting February 1st, noting the agency's affairs will need to wind down through a successor agency; advised that there are emergency bills being proposed in an effort to extend the February 1st deadline for the agency to go out of business in a more orderly fashion and/or to allow some way to resurrect, if possible, agency continuation. She advised that Carson intends to continue the housing functions of the former RDA through its new Housing Authority division; and added that the City's general fund will also be impacted and that some layoffs and reorganization are likely.

16. COMMISSIONERS' REPORTS

Commissioner Brimmer expressed her concern with these properties along Main Street and the need to make major improvements to every property, questioning if these recent efforts are in the best interest of updating that area.

17. ADJOURNMENT

At 10:52 P.M., the meeting was formally adjourned to Tuesday, January 24, 2012, 6:30 P.M.

Chairman

Attest By:

Secretary