

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 22, 2012 – 6:30 P.M.

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

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

*Commissioner Brimmer arrived at
6:41 P.M.; Williams arrived at 6:43
P.M.

Planning Commissioners Absent:
Faletogo, Verrett (both excused)

Planning Commissioners Departed
Early: None

Planning Staff Present: Senior
Planner Signo, Assistant City
Attorney Soltani, Associate Planner
Gonzalez, 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. Motion carried, 5-0 (Commissioners Brimmer and Williams had not yet arrived; absent Commissioners Faletogo and Verrett).
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** Assistant City Attorney Sunny Soltani

8. ORAL COMMUNICATIONS

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

9. CONSENT CALENDAR

A) Minutes: March 13, 2012

MOTION:

Commissioner Diaz moved, seconded by Commissioner Schaefer, to approve the March 13, 2012, Minutes as presented. Motion carried, 5-0 (Commissioners Brimmer and Williams had not yet arrived; absent Commissioners Faletogo and Verrett).

9. NEW BUSINESS CONSENT

B) Modification No. 1 to Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05

Applicant's Request:

The applicant, Sprint PCS, is requesting to approve the replacement of six panel antennas and minor equipment upgrades for an existing 60-foot high unmanned wireless 'monopine' facility in the ML-D (Manufacturing, Light – Design Overlay) zone. The subject property is located at 20850 South Alameda Street.

Staff Recommendation:

Senior Planner Signo reviewed staff report and the recommendation to APPROVE Modification No. 1 to Design Overlay Review No. 881-04 and Conditional Use Permit No. 595-05; and ADOPT a Minute Resolution and instruct staff to make necessary changes to Resolution No. 05-2043.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Schaefer, to approve the applicant's request. Motion carried, 5-0 (Commissioners Brimmer and Williams had not yet arrived; absent Commissioners Faletogo and Verrett).

10. CONTINUED PUBLIC HEARING

A) Conditional Use Permit No. 892-11

Applicant's Request:

The applicant, Carol Kim, is requesting operation of an acupuncture and massage therapy use in a multi-tenant commercial building located in the CG-D (Commercial, General; Design Overlay) zone. The subject property is located at 1822 East Carson Street.

Staff Recommendation:

Continue indefinitely.

Planning Commission Decision:

Without objection, Vice-Chairman Gordon continued this matter indefinitely.

11. PUBLIC HEARING

A) Conditional Use Permit No. 898-12

Applicant's Request:

The applicant, Lloyd Anastasi, is requesting approval of a conditional use permit for a second dwelling located within the RS (Residential, Single-Family) zoning district. The subject property is located at 2712 and 2714 East Adams Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to APPROVE the Categorical Exemption; APPROVE Conditional Use Permit No. 898-12 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 12-2434, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 898-12 for a second dwelling unit located at 2712 and 2714 East Adams Street."

Vice-Chairman Gordon opened the public hearing.

Jim Marquez, applicant's representative, stated that he does not concur with the conditions of approval, noting that the storage room/guest room has a permit and is permitted under Section 9122.1, Accessory Living Quarters, because it has no separate kitchen and bath and is not rented as a 'separate' dwelling unit. He stated that the density is consistent with the General Plan; and urged the Commission to allow this to remain as is. He stated that the owner is willing to record a covenant so that when the property is sold, this proposed change could be made at the time of sale.

Commissioner Schaefer noted some difficulty with monitoring the proper use of this storage room.

Mr. Marquez explained that this is a nice room and is safe for sleeping, and stated that the covenant will guide its proper use -- not rented as a separate unit.

Associate Planner Gonzalez stated that the property owner does not live on site; explained that a legal second dwelling unit must comply with development standards; and stated that the restrictive covenant being recommended would only allow this use for storage. Associate Planner Gonzalez stated that accessory allows for living quarters but not when there is a second dwelling unit already on site; advised that there will be a lot merger and, therefore, an accessory living structure is not permitted; and stated that in order to allow this situation, a text amendment would be necessary, which staff would not likely support.

Senior Planner Signo stated that another issue is the location of the garage, stating it is one foot from the property line; and advised that living quarters cannot be that close to the property line, noting there must be a 5-foot setback for accessory living quarters.

Mr. Marquez stated that these were built many years ago and that it was approved at that time as a storage room and issued a permit; that the building and safety department required the kitchen and bath to be removed at that time, which was done; and that they were permitted to use it for sleeping quarters. He stated that the code is conflicting.

Associate Planner Gonzalez explained that the building permit was never finalized/issued and is therefore deemed incomplete.

Senior Planner Signo confirmed that the permit was not finalized/approved and that the permit expired and was never approved as living quarters.

Associate Planner Gonzalez stated that the kitchen and bath were removed sometime around 1987-1989 due to code enforcement action.

Sandra Palma, resident, stated that she rents this house and that she has her mother-in-law living in this accessory area; and noted that she rents this as a 3-bedroom house, the third bedroom being the subject accessory area.

Vice-Chairman Gordon closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Schaefer, to concur with staff recommendation, thus adopting Resolution No. 12-2434. Motion carried, 7-0 (absent Commissioners Faleto, Verrett).

11. PUBLIC HEARING

B) Conditional Use Permit No. 894-12

Applicant's Request:

The applicant, Brian Bonki Lee, is requesting a conditional use permit to facilitate a massage use on a site located in the MU-CS (Mixed-Use, Carson Street) zoning district. The subject property is located at 500 East Carson Street, Suite 103.

Staff Report and Recommendation:

Associate Planner Gonzalez reviewed staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 2435, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 894-11 for a massage use on property located at 500 East Carson Street, Suite 103."

Associate Planner Gonzalez stated that the conditions of approval require the sheriffs to annually make license inspections and that criminal background checks are done for

those working in massage facilities; and added that the county and state are the regulating/overseeing agencies for this type business.

Commissioner Saenz noted his concern with what he sees is an over-proliferation of massage businesses and urged the city not to allow massage businesses on Carson Street.

Senior Planner Signo stated that the city does not have a code to limit the number of massage businesses.

Associate Planner Gonzalez noted for Commissioner Schaefer that this site does meet parking requirements.

Senior Planner Signo stated that the massage use has been operating as an ancillary use to the adjoining beauty salon and that since they are seeking to be a stand-alone massage business apart from the beauty salon, they are now required to obtain a CUP.

Vice-Chairman Gordon opened the public hearing. There being no applicant present, 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. 12-2435. Motion carried as follows:

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

12. NEW BUSINESS DISCUSSION None

13. WRITTEN COMMUNICATIONS None

14. MANAGER'S REPORT

- **Carson Harbor Village – Rehearing of Tentative Parcel Map No. 27014**

Assistant City Attorney Soltani explained that the City Council recently moved to uphold its prior decision to deny Tentative Parcel Map No. 27014.

15. COMMISSIONERS' REPORTS

Commissioner Williams asked if Oxy Petroleum has to pull permits to drill in Dominguez Hills.

Assistant City Attorney Soltani stated they have to go through the permit process.

Senior Planner Signo advised that planning is currently processing an application for drilling and that an EIR will be presented to the Planning Commission for that project later this year. He advised that Oxy Petroleum is conducting two community meetings, one on May 29th and one on May 30th, related to Oxy's drilling plan.

16. ADJOURNMENT

At 7:47 P.M. the meeting was formally adjourned to Tuesday, June 12, 2012, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary