

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

July 24, 2012 – 6:30 P.M.

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

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

Planning Commissioners Absent: Brimmer

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Gonzalez, Associate Planner Song, 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 approve the Agenda as amended, considering Item No. 12C following the approval of the Consent Calendar. Motion carried, 8-0 (absent Commissioner Brimmer).
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 Sunny Soltani
 - 8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None.
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9. **NEW BUSINESS DISCUSSION**

A) **Selection of new Planning Commission Chairman and Vice-Chairman**

Loa Pele Faletogo was selected to serve as the Chair for the next twelve months; and Olivia Verrett was selected as the Vice-Chair for the next twelve months.

10. **CONSENT CALENDAR**

A) **Minutes: June 12, 2012 and June 26, 2012**

MOTION:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve the June 12, 2012 and June 26, 2012, Minutes as presented. Motion carried as follows:

- AYES: Diaz, Faletogo, Goolsby, Gordon, Saenz, Schaefer, Verrett, Williams
 - NOES: None
 - ABSTAIN: None
 - ABSENT: Brimmer
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10. **CONSENT CALENDAR**

B) **Extension of Time for Design Overlay Review No. 1399-11 and Conditional Use Permit No. 857-11**

Applicant's Request:

The applicant, Affirmed Housing, is proposing a one-year time extension for Design Overlay Review No. 1399-11 and Conditional Use Permit No. 857-11 (Affirmed Housing) to construct a three-story, 40-unit, and 100 percent affordable housing apartment complex on 1.36 acres in the RM-25-D (Residential, Multi-Family 25 units/acre – Design Overlay) zone. The subject property is located at 21227-21245 South Figueroa Street.

Staff Recommendation:

APPROVE the extension of time for Design Overlay Review No. 1399-11 and Conditional Use Permit No. 857-11 until February 22, 2013; and ADOPT a minute resolution extending the approval to February 22, 2013.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Vice-Chair Verrett, to grant the one-year time extension to February 22, 2013. Motion carried, 8-0 (absent Commissioner Brimmer).

10. CONSENT CALENDAR

C) Modification No. 2 to Design Overlay Review No. 1364-10 and Conditional Use Permit No. 807-10

Applicant's Request:

The applicant, Related, is requesting a sign program for the Via 425 apartment and live-work complex for the property at 425 East Carson Street.

Staff Recommendation:

APPROVE the sign program as proposed; and WAIVE further reading and ADOPT a minute resolution approving Modification No. 2 to Design Overlay Review No. 1364-10 and Conditional Use Permit No. 807-10.

Planning Commission Decision:

Chairman Faleto go moved, seconded by Vice-Chair Verrett, to approve the applicant's request, thus approving the minute resolution. Motion carried, 8-0 (absent Commissioner Brimmer).

11. CONTINUED PUBLIC HEARING

A) Consider amending the truck route system and the Circulation Element of the General Plan

Applicant's Request:

The city of Carson is requesting to open the public hearing, take public testimony, close the public hearing, and direct staff to prepare a resolution regarding the truck route system. The properties involved are citywide.

Staff Recommendation:

Adopt resolution to maintain the existing designated truck routes.

Staff added the following change to Section 3c, "*Limited number of residents testified and suggested* that trucks currently operating on the truck routes..."; and Section 3e, "The city of Carson *has taken* reasonable measures..."

Chairman Faleto go closed the public hearing.

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Chairman Faleto go, to concur with staff recommendation with the following amendments: Section 3c, "*Limited number of residents testified and suggested* that trucks currently operating on the truck routes..."; Section 3e, "The city of Carson *has taken* reasonable measures..."; and moved to adopt Resolution No. 12-2441. Motion carried as follows:

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

11. CONTINUED PUBLIC HEARING

B) Conditional Use Permit No. 831-10

Applicant's Request:

The applicant, Reggie Guinto, is before the Planning Commission to consider revocation of Conditional Use Permit No. 831-10 for an auto repair business on a site located in the ML-D (Manufacturing, Light – Design Overlay) zoning district. The subject property is located at 21012 South Main Street.

Commissioner Saenz noted that a letter from the applicant indicates that watering his minimal landscaping only takes two to three minutes and that he does not feel an irrigation system is necessary.

Commissioner Goolsby noted his concern that businesses are struggling in this poor economy and stated that the City should be more lenient and flexible, suggesting this applicant be given more time to comply.

Senior Planner Signo stated that the applicant will have a year from this evening to complete the requirements.

Reggie Guinto, property owner, stated that he signed the covenant agreement; advised that his tenant uses the canopy for auto use; and asked if they can keep the second restroom on the east side for the use of the workers who typically have grease on them, noting he'd like to keep the main restroom clean as possible.

Commissioner Diaz stated that the bathroom on the east side needs to be removed because it does not comply with code; and noted his concern with the applicant not meeting the deadlines for compliance. He advised that he received the applicant's letter and noted that he does not agree with everything the applicant wrote.

Senior Planner Signo noted for Commissioner Goolsby that the tenant is allowed to use the canopy for auto related purposes.

Mr. Guinto stated that the full bath is for use by the caretaker of the property.

Commissioner Schaefer stated that she also received the letters from the applicant and stated that from what he has written, she questions his sincerity in his intent to comply. She stated that both staff and this Commission have worked with the applicant, yet the applicant has continued to write another letter.

Mr. Guinto stated that he plans on complying and that he only voiced his opinions in his letters.

Senior Planner Signo stated that this property has historically been used as a residence/caretaker unit, as mentioned by the applicant this evening; and stated that staff does not want it converted back to a residence.

Commissioner Williams pointed out the need for an applicant to seek professional advice when dealing with code compliance issues they do not understand.

Chairman Faletogo closed the public hearing. Chairman Faletogo reopened the public hearing.

Chairman Faletogo asked the applicant if the direction is clear on what he needs to do to be in compliance.

Mr. Guinto stated that yes, he does now understand.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to approve Modification No. 1 to Conditional Use Permit No. 831-10, amending Resolution No. 11-2412 to allow the applicant more time to complete the performance standards. Motion carried as follows:

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

12. PUBLIC HEARING

**A) Design Overlay Review No. 1454-12 and
Conditional Use Permit Nos. 907-12**

Applicant's Request:

The applicant, WIN Hyundai, is requesting to construct a new WIN Hyundai Automotive dealership building and remove an existing freeway pylon sign to be replaced with an electronic message center sign located in the CA (Commercial, Automotive) zoning district. The property is located at 2201 East 223rd Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 12-2442, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1454-12 and Conditional Use Permit No. 907-12 for a new Win Hyundai automotive dealership and a new electronic message center pylon sign to be located at 2201 East 223rd Street." He highlighted the following changes to the Conditions of Approval: delete Condition Nos. 26, 29, 43, 44, 47; amend Condition No. 45, "The owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (*annexation procedure is approximately 12 months*) Contact LACDPW Traffic Lighting Joaquin Herrera (626) 300-4770. *If Certificate of Occupancy is requested prior to the completion of the annexation procedure, the City may issue a Temporary Certificate of Occupancy (Typically good for six months). A final Certificate of Occupancy will be issued when the annexation procedure is completed*"; and amend Condition No. 49, "Paint curbs red a minimum of 20 feet east of the existing driveway along 223rd Street. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval."

Planning Officer Repp stated that this sign is higher from the freeway than the other auto dealerships, 30 feet above the freeway; and advised that one sign is being requested for WIN and one sign for Hyundai, noting that Hyundai wants their own sign.

Chairman Faletego opened the public hearing.

John Peterson, applicant, stated that this project is over 24,000 square feet; pointed out that this is in a blighted area; and expressed his belief the new showroom will increase revenues not only for his business but also tax revenues for the City; and stated that the Hyundai dealership will be a flagship dealership in the U.S., pointing out that Hyundai wants their own stand-alone sign. He stated that he has already reduced the size of his proposed sign by 10 percent and noted he will be refurbishing the existing structure. He stated that the larger sign will help block the view of the oil refinery from the freeway and stated that the reader board will be high definition.

Larry Tidball, project architect, stated there is not a lot of traffic on this part of 223rd Street, which is not an attractive part of this roadway; noted the need for the signs to be able to draw traffic from the freeway to these dealerships; and noted the necessity for the driveway to be wider than 30 feet.

Rod Wilson, EMI, highlighted his support for these LED signs that fit within the existing architectural structure, noting the sign has already been reduced down to 33 feet wide. He expressed his belief the sign will increase sales; he stated that the sign will be lit from 5:00 a.m. to midnight; and advised that its frames change every 8 seconds.

Following a brief discussion about the size of the reader board, Commissioner Diaz stated that it shall not exceed 512 square feet, as addressed in Condition No. 17.

Mr. Tidball asked that the existing signs stay in place until the new signs are ready for display.

Mr. Peterson advised that all factory signage has to be General Motors; and stated that these improvements should bring approximately 35-40 new jobs.

Mr. Wilson stated that the signs are manufactured in Logan, Utah.

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

Planning Commission Decision:

Vice-Chair Verrett moved, seconded by Commissioner Schaefer, to approve the applicant's request with the following modifications: delete Condition Nos. 14, 26, 29, 43, 44, 47, renumbering accordingly; delete the reference to removing the signage within 90 days of project approval on Condition Nos. 13, 15; amend Condition No. 42, allowing the maximum driveway approach width to go up to 40 feet; amend Condition No. 45, "The owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (*annexation procedure is approximately 12 months*) Contact LACDPW Traffic Lighting Joaquin Herrera (626) 300-4770. *If Certificate of Occupancy is requested prior to the completion of the annexation*

procedure, the City may issue a Temporary Certificate of Occupancy (typically good for six months). A final Certificate of Occupancy will be issued when the annexation procedure is completed"; and amend Condition No. 49, "Paint curbs red a minimum of 20 feet east of the existing driveway along 223rd Street. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval"; and moved to adopt Resolution No. 12-2442. Motion carried, 8-0 (absent Commissioner Brimmer).

12. PUBLIC HEARING

B) Design Overlay Review No. 1455-12 and Conditional Use Permit Nos. 906-12

Applicant's Request:

The applicant, WIN Chevrolet, is requesting to remodel existing building facades and construct a new digital LED pylon sign located in the CA (Commercial, Automotive) zoned district. The property is located at 2201 East 223rd Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 12-2443, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1455-12, Conditional Use Permit No. 906-12 for WIN Chevrolet automotive dealership building façade remodel and new digital LED pylon sign to be located at 2201 East 223rd Street." He noted that the same conditions would apply, including the size of the reader board.

Chairman Faletogo opened the public hearing.

Mr. Tidball, project architect, advised that the Chevrolet remodel is driven by General Motors, noting each dealership is required to remodel periodically.

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

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Commissioner Saenz, to approve the applicant's request with the following modifications: delete Condition Nos. 14, 26, 29, 43, 44, 47, renumbering accordingly; delete the reference to removing the signage within 90 days of project approval on Condition Nos. 13, 15; amend Condition No. 42, allowing the maximum driveway approach width to go up to 40 feet; amend Condition No. 45, "The owner shall annex the area to the L.A. County Lighting Maintenance District for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (*annexation procedure is approximately 12 months*) Contact LACDPW Traffic Lighting Joaquin Herrera (626) 300-4770. *If Certificate of Occupancy is requested prior to the completion of the annexation procedure, the City may issue a Temporary Certificate of Occupancy (Typically good for six months). A final Certificate of Occupancy will be issued when the annexation*

procedure is completed"; and amend Condition No. 49, "Paint curbs red a minimum of 20 feet east of the driveway along 223rd Street or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval"; and moved to adopt Resolution No. 12-2442. Motion carried, 8-0 (absent Commissioner Brimmer).

12. PUBLIC HEARING

C) Conditional Use Permit No. 905-12

Applicant's Request:

The applicant, Benny Natanzi, is requesting to permit beer and wine sales at an existing convenience/snack store on a site located in the CR-D (Commercial, Regional – Design Overlay) zone. The subject property is located at 655 East Carson Street.

Staff Report and Recommendation:

Associate Planner Song presented staff report and the recommendation to APPROVE the proposed project subject to the conditions of approval attached as Exhibit "B" to the Resolutions; and WAIVE further reading and ADOPT Resolution No. 12-2440, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 905-12 for beer and wine sales within an existing convenience market located at 655 East Carson Street."

Chairman Faleto go opened the public hearing.

Mauvia Refoua, applicant, noted his concurrence with the conditions of approval.

Chairman Faleto go closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Schaefer, to approve the applicant's request, thus adopting Resolution No. 12-2440. Motion carried, 8-0 (absent Commissioner Brimmer).

13. WRITTEN COMMUNICATIONS

- Annual Planning Commission Attendance Chart - 2011/2012
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14. MANAGER'S REPORT

- Appeal of Planning Commission approval of Conditional Use Permit No. 898-12 for a second dwelling unit located at 2712 and 2714 East Adams Street

Planning Officer Repp advised that City Council voted 3-2 to overturn the Planning Commission's decision, allowing the applicant to convert the storage room to living quarters; and stated that because staff is not able to derive appropriate findings to support that decision, staff will be working with the City Attorney.

15. COMMISSIONERS' REPORTS

Commissioner Williams encouraged more project oversight.

Commissioner Diaz stated that he missed the past couple of Planning Commission meetings due to being in contract negotiations with his work.

Chairman Faletofo thanked everyone for their efforts; reminded the Commission that the last meeting in August has been cancelled; and announced that the Samoan Federation of America is entering into a lawsuit with the federal government over immigration issues of concern, such as those U.S. nationals being born in American Samoa not being able to vote in national elections and are precluded from certain jobs that requires U.S. citizenship.

Chairman Faletofo reminded the community that the Hope Community Church Youth Ministry is volunteering their time to work on the homes of low-income senior citizens, noting they will do light painting around the house, mow lawns, etc.; and stated that anyone seeking help may contact him at 310-210-7301 to put them in contact with this group. He confirmed for Commissioner Verrett that the clients must be low-income seniors.

16. ADJOURNMENT

At 9:50 P.M., the meeting was formally adjourned to Tuesday, August 14, 2012, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary