

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 11, 2012 – 6:30 P.M.

1. **CALL TO ORDER**

Chairman Faletogo called the meeting to order at 6:35 P.M.
2. **PLEDGE OF ALLEGIANCE**

Chairman Faletogo asked for a moment of silence in honor of the tragic events that took place this day in 2001.

Chairman Faletogo led the Salute to the Flag.
3. **ROLL CALL**

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

Planning Commissioners Absent: Williams

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Gonzalez, Assistant Planner Castillo, 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 submitted. Motion carried, 8-0 (absent Commissioner Williams).
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.

Ronald Shimokaji, resident, stated that he attended last weekend's Carson Master Plan of Bikeways workshop; noted he was impressed with the workshop and its attendance of those involved; noted his hopes that it can be incorporated into the Carson Street revitalization plans; and stated he is looking forward to further community bike plan workshops.

 - 9. **CONSENT CALENDAR**
 - A) Minutes: July 10, 2012 (none presented)
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9. **CONSENT CALENDAR**

B) Modification No. 2 to Design Overlay Review No. 1370-10

Applicant's Request:

The applicant, Clyde Kim, is requesting modification to an approved development plan to modify conditions requiring a trellis over the truck loading area. The subject property is located at 441 West Victoria Boulevard.

Staff Recommendation:

WAIVE further reading and ADOPT a minute resolution approving Modification No. 2 to Design Overlay Review No. 1370-10; and AMEND Resolution No. 10-2335 by deleting Condition of Approval No. 27, which requires the construction of a trellis to cover the truck loading area well along the south building face.

Planning Commission Decision:

Chairman Faleto go moved, seconded by Commissioner Saenz, to concur with staff recommendation. Motion carried, 8-0 (absent Commissioner Williams).

9. **CONSENT CALENDAR**

C) Modification No. 1 to Design Overlay Review No. 1399-11 and Conditional Use Permit No. 857-11

Applicant's Request:

The applicant, Affirmed Housing Group, is requesting modification to an approved development plan to allow incentives and concessions permitted pursuant to Section 9407 and 9409 of the Carson Municipal Code for building height and storage areas. The subject property is located at 21227 South Figueroa Street.

Staff Recommendation:

WAIVE further reading and ADOPT a minute resolution approving Modification No. 1 to Design Overlay Review No. 1399-11 and Conditional Use Permit No. 857-11.

Planning Commission Decision:

Chairman Faleto go moved, seconded by Commissioner Saenz, to concur with staff recommendation. Motion carried, 8-0 (absent Commissioner Williams).

9. CONSENT CALENDAR

D) Modification No. 1 to Design Overlay Review No. 1365-10

Applicant's Request:

The applicant, BP West Coast Products, LLC, is requesting modification to an approved development plan to modify conditions requiring landscaping along the Poly One Access Road. The subject property is located at 2350 East 223rd Street.

Staff Recommendation:

WAIVE further reading and ADOPT a minute resolution approving Modification No. 1 to Design Overlay Review No. 1365-10; and AMEND Resolution No. 10-2354 to modify Condition Nos. 13, 15, and 16 to defer landscaping and irrigation requirements until the adjacent properties along Poly One Access Road are developed.

Planning Commission Decision:

Chairman Faleto go moved, seconded by Commissioner Saenz, to concur with staff recommendation. Motion carried, 8-0 (absent Commissioner Williams).

10. CONTINUED PUBLIC HEARING

A) Modification No. 3 to Special Use Permit No. 106-74

Applicant's Request:

The applicant, Nader Qoborsi, is requesting Modification No. 3 to Special Use Permit No. 106-74 to grant a one-year time extension for permitting an additional 21 mobile home spaces to an existing 404-unit mobile home park (Colony Cove Mobile Estates). The subject property is located at 17700 South Avalon Boulevard.

Staff Recommendation:

Continue to October 9, 2012.

Planning Commission Decision:

Without objection, Chairman Faleto go ordered this matter continued to the October 9, 2012, Planning Commission meeting.

11. PUBLIC HEARING

A) Conditional Use Permit No. 884-11

Applicant's Request:

The applicant, Advanced Cleanup Technologies, Inc., is requesting to approve an application for a truck yard operation on a site located in the MH-D (Manufacturing Heavy-Design Overlay) zoning district. The subject property is located at 20928 South Lambertson Avenue.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 12-2444, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 884-11 for a truck yard use located at 20928 Lambertson Avenue." He stated that Condition No. 15 will be deleted.

Chairman Faleto go opened the public hearing.

Dave See, Transportation Manager, stated there is no storage of industrial materials on site; and noted that there is a 24-hour dispatch service.

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

Planning Commission Decision:

Chairman Faleto go moved, seconded by Commissioner Schaefer, to delete Condition No. 15 and renumber accordingly; to approve staff recommendation; and to adopt Resolution No. 12-2444. Motion carried, 8-0 (absent Commissioner Williams).

11. PUBLIC HEARING

B) Conditional Use Permit No. 911-12

Applicant's Request:

The applicant, Ji Kun Lim, K-Trans, is requesting approval of a design overlay review application and a conditional use permit for a truck yard operation on a site located in the MH (Manufacturing Heavy) zoning district. The property is located at 18026 South Broadway Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 12-2445 entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 911-12 for a truck yard use located at 18026 South Broadway."

Commissioner Schaefer noted the additional truck traffic and asked what routes these trucks will be taking.

Associate Planner Gonzalez noted that the existing truck routes will be used along Broadway, Victoria, and using the 91 Freeway; and stated that the traffic engineer had no comments/concerns regarding this proposal.

Commissioner Brimmer stated that she would have liked to have seen a traffic report or the traffic engineer present this evening, noting that she wants to see the proof of the traffic engineer's consideration of this proposal.

Associate Planner Gonzalez stated that the traffic engineer did not provide a report.

Chairman Faletogo opened the public hearing.

Mark Persico, applicant's representative, advised that this business serves the port area; that the containers do not stay on site for more than 24 hours; that the 45 trucks operate over an 18-hour period; and noted that they are sensitive to the residents in the area and along the truck route. He added that they avoid the residential areas to the greatest extent possible; and noted his concurrence with the conditions of approval. He noted that the bulk of their activity happens during the daytime. He noted for Chairman Faletogo that there are 39 cabs.

Mr. Persico noted for Commissioner Saenz that their drivers are employees, not independent truck drivers.

Associate Planner Gonzalez added the following condition: "A traffic circulation plan shall be submitted designating the truck routes to be utilized as a means of minimizing impacts to residential areas. The plan shall be approved by the City's traffic engineer. The owner/applicant will establish a driver education program to provide compliance with the approved plan."

Commissioner Brimmer stated this item should be continued so that a traffic report can be produced, noting her concern for the residents and the community.

Mr. Persico noted his concurrence with the added condition.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Goolsby moved, seconded by Commissioner Schaefer, to amend Condition No. 30: "...public right of way along 223rd Broadway Street abutting..."; to add a condition, "A traffic circulation plan shall be submitted designating the truck routes to be utilized as a means of minimizing impacts to residential areas. The plan shall be approved by the City's traffic engineer. The owner/applicant will establish a driver education program to provide compliance with the approved plan"; and moved to adopt Resolution No. 12-2445.

Commissioner Brimmer moved to continue this matter. (This motion died due to the lack of a second.)

The motion carried, 6-2, as follows:

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

11. PUBLIC HEARING

C) Development Agreement between CBS Outdoor, Inc., and the City of Carson

Applicant's Request:

The applicant, CBS Outdoor, Inc., is requesting to consider a Development Agreement between the City of Carson and CBS Outdoor to remove an existing double-sided static outdoor advertising sign (billboard) and replace it with a 75-foot high digital outdoor advertising sign (digital billboard) located along the northbound I-405. The property involved is northbound I-405 at Alameda Street (APN 7316-024-824).

Staff Recommendation:

Continue to October 9, 2012

Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Without objection, Chairman Faletogo ordered this matter continued to the October 9, 2012, Planning Commission meeting.

11. PUBLIC HEARING

D) Development Agreement No. 6-11 between Clear Channel Outdoor, Inc., and the city of Carson

Applicant's Request:

The applicant, Clear Channel Outdoor, Inc., is requesting to consider a Development Agreement (DA) between the city of Carson and Clear Channel Outdoor to remove an existing double-sided static outdoor advertising sign (billboard) and replace it with a 75-foot high digital outdoor advertising sign (digital billboard) located along the southbound I-405. The property involved is southbound I-405 at Alameda Street (APN 7315-012-817).

Staff Recommendation:

Continue to October 9, 2012

Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Without objection, Chairman Faletogo ordered this matter continued to the October 9, 2012, Planning Commission meeting.

11. PUBLIC HEARING

E) Zone Text Amendment No. 13-12 to Modify Regulations Pertaining to Outdoor Advertising Signs

Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission consider a city-initiated and citywide zone text amendment amending Section 9146.7.A., Outdoor Advertising Signs and deleting Section 9167.6, Tobacco and Alcoholic Beverage Outdoor Billboard Advertisements. Properties involved are citywide.

Staff Recommendation:

Continue to October 9, 2012.

Chairman Faletogo opened the public hearing.

Planning Commission Decision:

Without objection, Chairman Faletogo ordered this matter continued to the October 9, 2012, Planning Commission meeting.

12. NEW BUSINESS DISCUSSION

A) Modification No. 1 to Design Overlay Review No. 958-06

Applicant's Request:

The applicant, Hamid Pournamdari, is requesting to modify the conditions of approval of Design Overlay Review No. 958-06 for a perimeter wall fountain feature and stone veneer finish. The property involved is 23601 South Avalon Boulevard.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to DENY Modification No. 1 to Design Overlay Review No. 958-06; and ADOPT a minute resolution and instruct staff to make necessary changes to Resolution No. 07-2171.

Chairman Faletogo asked for further input on the security issues with this building.

Assistant Planner Castillo stated that there are no code enforcement reports related to this building, but advised that there has been some graffiti during the construction phase. He noted for Chairman Faletogo that this building is not fully occupied.

Chairman Faletogo asked what other commercial developments have been required to put up stone veneer.

Planning Officer Repp advised that there is limited development in this area and stated that it is unusual to have a plain stucco building, noting the building needs some type of veneer. She noted for Commissioner Goolsby that the applicant is not seeking to install a fountain.

Chairman Faletogo opened the public hearing.

Hamid Pournamdari, applicant, stated that he has had a lot of problems with some of the Scottsdale residents, noting there has been graffiti, break-ins, bullets through the building, and that he has had to call the police many times; and stated that is why he erected the perimeter wall. He stated that he has spent an additional \$25,000 to secure this building and noted that he is having a rough time getting the building fully occupied. He stated that he wants to keep the perimeter wall for security purposes. He noted for Chairman Faletogo that he currently has four or five tenants.

Commissioner Schaefer questioned how this short wall helps to provide security, noting her skepticism that it provides security or protects the businesses.

Mr. Pournamdari stated that since the wall has been up, there has been no graffiti.

Planning Officer Repp stated it is staff's opinion that the wall provides a hiding place and invites graffiti and that it would block landscaping; and added that people can easily jump the low wall. She stated that placing veneer on the building wall would help curb graffiti.

Commissioner Saenz noted his support for keeping the perimeter wall.

Commissioner Gordon asked what the solution is, then, to help this applicant with the problems he is experiencing at this site.

Planning Officer Repp stated it is staff's recommendation for the perimeter wall to be removed, to add veneer to the building wall, install security cameras, and add adequate locks and an alarm system.

Commissioner Schaefer noted that the veneer would improve the appearance of this plain building.

Mr. Pournamdari stated that when the landscaping is installed, it will enhance the aesthetics of this site; and noted that when he gets more funds, he would put up some veneer. He noted for Commissioner Brimmer that his cameras are not hooked up with the Sheriff's Department but that they are monitored and archived on video.

Vice-Chair Verrett asked the applicant how long it would take him to get the additional funding needed to make these improvements.

Mr. Pournamdari stated he'd need another nine months.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Brimmer, to allow the perimeter wall to remain. (Commissioner Brimmer ultimately withdrew her second.)

Commissioner Brimmer offered a friendly amendment for the wall to be removed within a 9-month period.

Commissioner Saenz did not support the friendly amendment.

Commissioner Brimmer's second on the motion was withdrawn.

Chairman Faletogo moved that the applicant be allowed to keep the wall and to replace the fountain area with landscaping. (This motion died due to the lack of a second.)

Commissioner Diaz moved to concur with staff recommendation. (This motion died due to the lack of a second.)

Commissioner Goolsby moved, seconded by Commissioner Saenz, to allow the applicant to keep the perimeter wall; to apply some type of veneer to the perimeter wall; and to install landscaping. (This motion was superseded by the substitute motion.)

Chairman Faletogo offered a friendly amendment that the veneer be placed on the perimeter wall facing Avalon Boulevard.

Commissioners Goolsby and Saenz supported Chairman Faletogo's friendly amendment.

Planning Officer Repp suggested that this matter be continued to the next meeting so the applicant can provide the Commission a proposed materials board and plans as to where he will be placing the veneer and landscaping.

By way of a substitute motion, Commissioner Brimmer moved, seconded by Vice-Chair Verrett, to continue this matter to the September 25, 2012, Planning Commission meeting so the applicant can provide the Commission a proposed materials board and plans as to where he will be placing the veneer and the landscaping. The motion carried as follows:

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

13. WRITTEN COMMUNICATIONS None

14. MANAGER'S REPORT

- Second reading of Ordinance No. 12-1493 approving Zone Change Case No. 166-12 to establish a Design Overlay District for certain properties formerly in a Redevelopment Project Area

Planning Officer Repp stated that City Council supported the Commission's decision, noting the issue regarding a valuation threshold will be coming to the Planning Commission for consideration in the near future.

- Carson Master Plan of Bikeways

Planning Officer Repp advised that the workshop was well attended with residents and those who bike to work in Carson; and stated that a joint Planning Commission and Parks and Recreation Commission meeting will take place on September 25th to discuss this issue.

- Porsche EIR

Planning Officer Repp reminded the Commission of the joint Planning Commission and Parks and Recreation Commission workshop on Monday, September 17, 2012, 6:30 P.M., City Council Chambers.

Assistant City Attorney Soltani commented on the city of Los Angeles' appeal to the California Supreme Court regarding whether the Mello Act and the California Coastal Act apply to the conversion of a mobile home park to resident ownership in a park that is located within the coastal zone and whether the limits imposed by Government Code Section 66427.5 on the scope of an application for conversion of such a mobile home park to resident ownership prohibit the local authority from requiring compliance with the Mello Act and the California Coastal Act when the mobile home park is located within the coastal zone. She explained that the Supreme Court's ruling appears to be leaning toward the argument that the rule is not as restrictive as the park owners indicate, noting she will keep the Commission apprised of this issue.

15. COMMISSIONERS' REPORTS

Commissioner Brimmer asked for input on the AW Collision dealership site improvements; and she asked for a workshop on massage establishments. She stated that El Camino College in Compton is seeking more support from Carson for their accreditation, noting they will be making a presentation before City Council.

Planning Officer Repp advised that staff is currently in the process of contacting the automobile collision applicant to gain compliance with their conditions of approval.

Commissioner Saenz asked if there is a color code for commercial buildings.

Planning Officer Repp advised that there is none, but that the Planning Commission is able to address color schemes during the design review process.

Commissioner Schaefer commended Commissioner Diaz on a well-run, well-attended Labor Day rally at Banning Park, noting she was in attendance.

Commissioner Diaz thanked Commissioner Schaefer for her compliments and her attendance at this event; stated that the event celebrated its 33rd Labor Day event; noted there were approximately 5,000 people who participated in the event; and stated he is proud to have chaired this event for the past six years. He thanked Carson for its support of this event, noting that Mayor Dear, Councilman Gipson, and Councilwoman Ruiz-Raber were in attendance.

Chairman Faletogo thanked everyone for their efforts this evening.

16. ADJOURNMENT

Chairman Faletogo adjourned the meeting to Monday, September 17, 2012, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary