

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

FEBRUARY 12, 2013 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:30 P.M.
2. **PLEDGE OF ALLEGIANCE** Commissioner Diaz led the Salute to the Flag.
3. **ROLL CALL**

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

Planning Commissioners Absent: Brimmer (excused)

Planning Staff Present: Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Gonzalez, Associate Planner Naaseh, 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 Gordon, to approve the Agenda as presented. Motion carried, 7-0 (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.
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: January 22, 2013

MOTION:

Chairman Faletogo moved, seconded by Commissioner Schaefer, to approve the January 22, 2013, Minutes as presented. Motion carried, 7-0 (absent Commissioner Brimmer).

10. CONTINUED PUBLIC HEARING None

11. NEW BUSINESS DISCUSSION

A) Conditional Use Permit No. 825-10

Applicant's Request:

The applicant, Rick's Lube and Tune & Brakes, is requesting a modification of Conditional Use Permit No. 825-10 to change the Commission's decision of an approved monument sign to allow installation of a 17-foot pole sign at an existing auto repair use on a site located in the CG (Commercial, General) zoning district and within 100 feet of a residential use. The subject property is located at 1209 East Carson Street.

Staff's Recommendation:

Planning Technician Alexander presented staff report and the recommendation to DENY Modification No. 1 to Conditional Use Permit No. 825-10; and ADOPT a minute resolution and instruct staff to make necessary changes to Resolution No. 10-2333.

Chairman Faletogo noted his recollection that these signage matters are to be considered on a case-by-case basis, considering special circumstances.

Planning Technician Alexander indicated that yes, they can be considered on a case-by-case basis; explained that generally, approval for pole signs would be a consideration if the business needed freeway oriented signage or it was a large commercial development, noting there are certain triggers that would support approval.

Chairman Faletogo noted that staff's power point presentation this evening of existing signage was of those businesses located on main streets.

Commissioner Schaefer asked whether the comment about large commercial developments versus small business properties and their use of pylon signs versus pole signs is in the municipal code.

Planning Technician Alexander explained it is a policy decision that the City has implemented over the past 25 years, but not something written in the municipal code. She added that the pylon signs have been allowed for some businesses adjacent to the freeways.

Senior Planner Signo explained that the MU-CS zone was put in place in 2007; and that those businesses along the Carson Street Corridor were sent letters at that time giving them five years to remove all pole signs from their properties if their lots were smaller than two acres. He mentioned that the MU-CS zone extends from the 405 Freeway along Carson Street to the 110 Freeway.

Commissioner Gordon asked what the size is of this applicant's lot.

Planning Technician Alexander indicated it is approximately 15,000 square feet.

Rick Nickel, applicant, explained that he needs a sign to not only attract his former clients to this new site, but also new clients; and advised that some of his former customers have indicated they have driven past his business trying to find his new location and that it needs a sign. He explained that because the building is set back a distance from the street, former customers and potential customers drive past without seeing his business location.

Commissioner Goolsby complimented the applicant on the improvements he has made to this site and noted his support of signage to attract more business.

Commissioner Diaz pointed out that when this project was first approved, Mr. Nickel agreed to the placement of a monument sign.

Mr. Nickel addressed his concerns with low signage and the ease of attracting graffiti. He distributed photographs of low signage throughout Carson and the graffiti on these signs. He stated that it becomes expensive to remove graffiti and stated that if his sign is up 17 feet high, that will keep the sign from getting graffiti; and he pointed out that the paint used to cover graffiti rarely matches the original signage. He pointed out that the nearby following businesses have pole signs: Econo Lodge, 76 gas station, and Kenworth, which is located directly across the street from his business.

Commissioner Diaz stated that while Mr. Nickel has a valid concern with graffiti, he is not supportive of deviating from the City's 25-year policy of replacing pole signs with monument signs.

Mr. Nickel pointed out that current code allows his business to display up to a 35-foot high sign.

Chairman Faletogo asked Mr. Nickel if his proposed sign will look like the Econo Lodge pole sign.

Mr. Nickel indicated yes.

Senior Planner Signo explained for the Commission that the pole signs were allowed for Pep Boys and Just Tires because Dominguez Street along the south portion of the mall near IKEA is off the main path of traffic flow.

Chairman Faletogo expressed his belief the policy for monument signs creates inconsistencies and is not fair to small business.

Senior Planner Signo added that the pole signs for Pep Boys and Just Tires were pre-existing pole signs.

Mr. Nickel reiterated that his former and potential new clients have told him they did not easily see his place of business because it is set back and that they had to turn around and drive back a couple more times before they spotted his site.

Commissioner Gordon expressed his belief that if Mr. Nickel had erected the monument sign as he had previously agreed to, his customers would have an easier time identifying his site. He pointed out that it is not fair to the businesses along Carson Street that have received letters to take down their existing pole signs, yet allow Mr. Nickel to erect a new pole sign.

Mr. Nickel pointed out he is not located in the MU-CS zone wherein businesses are required to take down their existing pole signs. He added that Sizzler is also a business establishment that continues to have a pole sign.

Commissioner Gordon noted the need to be consistent with the City's policy to require monument signs.

Mr. Nickel stated that the property directly across the street from him, Kenworth, is displaying a new pole sign and reiterated that businesses directly east and west of him are displaying pole signs.

Commissioner Gordon reiterated that Mr. Nickel agreed to erect a monument sign when his project was approved.

Mr. Nickel stated that while his site plan showed a monument sign, he reiterated that he is allowed by code to put up a 30-foot pole sign; that it was only the artist's rendering of a monument sign on the site plan; and stated that he has gone without signage for nine months.

Commissioner Gordon pointed out that the applicant has already received approval for signage, a monument sign, and that it has been his choice not to display signage.

Commissioner Goolsby expressed his belief that the City and this Commission is making it hard for the small businesses to survive, pointing out that the large businesses seem to easily get the signage they request.

Commissioner Saenz expressed his belief there is selective enforcement of the City's codes.

Senior Planner Signo stated that pole signs are permitted, but explained that it has been a policy decision for the past 25 years to encourage pole signs to be removed and to erect monument signs when they come before the City for discretionary permits.

Assistant City Attorney Soltani explained that the Planning Division has the discretion to approve pole signs over monument signs, but stated that the City has been trying to be consistent in applying this monument sign policy for the past 25 years.

Commissioner Saenz stated the City should make the policy a code requirement, thereby preventing this type of problem.

Commissioner Schaefer stated that she also did not see the applicant's building until she drove past; and asked if the 17-foot pole sign could be seen from the freeway.

Mr. Nickel indicated no.

Commissioner Schaefer expressed her belief a monument sign makes for better visibility from a vehicle driving on the street.

Commissioner Diaz noted his appreciation of the improvements made to this site; stated that he cannot find any special circumstances to support approving a pole sign; and stated that it is important to be consistent and follow policy. Addressing Commissioner Goolsby's prior comment, he expressed his opinion this Commission is very business friendly.

Sharon Guidry, resident, stated that she lives adjacent to this property and that her home overlooks this site; noted her opposition to deviating from policy; and pointed out

that this applicant repeatedly violates the municipal code by working on vehicles in prohibited areas outside and that he has illegal structures on site. She pointed out that Planning Technician Alexander stated that while there is a tall pole sign across the street, the new operator was advised that it needs to be altered to conform to code, that it was changed without approval. She pointed out that the City has an obligation to address not only the business interests, but also the interests of the residents.

Mariam Vazquez, resident, expressed her belief this City has too many rules and regulations that hurt businesses; and she stated that the Commission should support the applicant's request for a 17-foot pole sign, especially given these hard economic times.

Planning Commission Decision:

Commissioner Gordon moved, seconded by Commissioner Diaz, to deny the applicant's request. (This motion was superseded by the substitute motion.)

Commissioner Schaefer asked if the Econo Lodge and the 76 gas station have received letters requiring them to take their pole signs down.

Senior Planner Signo stated that those establishments are permitted to keep their pre-existing pole signs up because they are not located in the MU-CS zone.

Planning Technician Alexander stated that the Kenworth sign will need to be changed to conform to what has been approved for that site, noting they have submitted plans to change the sign structure.

Assistant City Attorney Soltani explained that removal of the pole signs outside of the MU-CS zone is a 25-year-old policy and that those businesses along the MU-CS zone are required to remove their pole signs that have been in existence for years.

Commissioner Gordon pointed out that there were many discussions with regard to the Pep Boys and Just Tires pole signs, noting the decision to allow those to remain was not an arbitrary one; and expressed his belief this Commission has been consistent with its decisions after much discussion. He added that this Commission considered this applicant's project and all agreed on a monument sign, including the applicant; and while he appreciates the applicant's efforts and comments, he cannot find any special circumstance to support a pole sign.

Commissioner Verrett stated there was adequate deliberation when this project first came before this Commission to go with a monument sign, expressing her belief that it will be visible enough to attract those driving by; and stated that this applicant should erect a monument sign, noting that if it does not work out, that he may come back with a request for the pole sign. She concurred that there is no special circumstance at this time to support a pole sign and that she believes the Commission should be consistent in its decisions.

Commissioner Goolsby expressed his belief there are special circumstances to support the pole sign, such as the building being set back from the street and that it's outside of the MU-CS zone. He stated that the applicant has indicated the artist's rendering with the monument sign was misleading to the applicant when this project first came before the Commission.

Chairman Faletogo expressed his belief that the City has made a lot of exceptions to this 25-year-old sign policy, noting there are still plenty of pole signs in the City; stated that the policy makes room for case-by-case consideration; and expressed his belief that because of graffiti concerns, the building being set back from the street, and because he is located outside of the MU-CS zone, he would support a 17-foot pole sign at this site.

By way of a substitute motion, Commissioner Goolsby moved, seconded by Chairman Faletogo, to approve the applicant's request for a 17-foot pole sign. This motion carried as follows:

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

12. PUBLIC HEARING

A) Conditional Use Permit No. 882-11

Applicant's Request:

The applicant, Gabriel Varela, is requesting to approve a CUP for a second dwelling located within the RS (Residential, Single-Family) zoning district and located at 2729 and 2731 East Van Buren Street.

Staff's Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to APPROVE the Categorical Exemption; APPROVE Conditional Use Permit No. 882-11 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2457, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 882-11 for a second dwelling unit located at 2729 and 2731 East Van Buren Street."

Chairman Faletogo opened the public hearing.

Gabriel Varela, applicant, stated that he purchased the house as is and noted his concurrence with the conditions of approval.

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

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Saenz, to concur with staff's recommendation, thus adopting Resolution No. 13-2457. Motion carried, 7-0 (absent Commissioner Brimmer).

12. PUBLIC HEARING

B) Design Overlay Review No. 1469-12

Applicant's Request:

The applicant, Glasswerks, is requesting to construct a new glass warehouse to be located in the ML-D (Manufacturing, Light – Design Overlay) zoning district. The subject property is located at 716 East Alondra Boulevard.

Staff's Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 13-2458, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1469-12 for a new warehouse building located at 716 East Alondra Boulevard."

Chairman Faletogo opened the public hearing.

Donn Stout, applicant, noted for Chairman Faletogo that they will not be hiring additional employees; and noted his concurrence with the conditions of approval.

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

Planning Commission Decision:

Commissioner Saenz moved, seconded by Commissioner Schaefer, to concur with staff's recommendation, thus adopting Resolution No. 13-2458. Motion carried, 7-0 (absent Commissioner Brimmer).

11. NEW BUSINESS DISCUSSION (Continued)

B) 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 for the property located at 23601 South Avalon Boulevard.

Staff's Recommendation:

Senior Planner Signo advised that staff needs additional time to get in contact with the applicant and that this matter is being continued to March 12, 2013.

Planning Commission Decision:

Without objection, Chairman Faletogo ordered this matter continued to the March 12, 2013, Planning Commission meeting (absent Commissioner Brimmer).

11. NEW BUSINESS DISCUSSION

C) Workshop to discuss Flexible Zoning Standards, East Carson Street Case Study

Associate Planner Naaseh presented staff report.

Commissioner Diaz stated that the east side of Carson has been overlooked long enough and stated he is happy to see some consideration being given to this area; and he questioned that with the elimination of redevelopment funds, what assistance, if any, will be available to the small businesses to beautify this area and address safety issues.

Associate Planner Naaseh explained that they will try to use Community Development Block Grant funding, pointing out this money is also limited due to the poor economy; and noted his hope that use of some bond funds may become available for public improvements in the public right-of-ways.

Commissioner Diaz urged staff to exhaust whatever funds become available for this area, stating that improvements are badly needed.

Associate Planner Naaseh mentioned that the Healthy Eating Active Living (HEAL) Grant that Carson has recently been awarded will help to devise an active transportation plan by studying 15 to 16 neighborhoods throughout the City in an effort to create healthier communities, noting that this may also benefit this part of the City. He addressed safer after-school programs.

Chairman Faletogo agreed with Commissioner Diaz that the east part of Carson has long been neglected.

Michael Lim, owner of Dela Liquor, stated that his parents have operated this store for 20 years; that since they have been at this location, he is not aware of any accidents that have taken place at the entrance/exit to their property; he stated that the poor economy has negatively impacted their business; and noted his concerns that it will be difficult to fund various site improvements.

Chairman Faletogo asked that staff and the business owners continue their dialogue about implementing various improvements in this area of Carson.

Mr. Lim stated that his parents are open to suggestions for improvements. He noted for Chairman Faletogo that the expanded area houses their storage room and office space, noting they need this area to operate efficiently.

Commissioner Diaz stated it is incumbent on these businesses to make improvements to their properties; and noted that traffic and pedestrian safety needs to be improved in this area.

Commissioner Verrett noted her hope that work will commence in this area and stated that consideration of each business's needs should be taken on a case-by-case basis.

Associate Planner Naaseh stated there have been accidents along this corridor and noted the need to have a lot of cooperation by all involved in this area of town, noting staff will continue to work with the businesses.

13. WRITTEN COMMUNICATIONS None

14. MANAGER'S REPORT None

15. COMMISSIONERS' REPORTS

Commissioner Diaz stated he expects to be working with staff and the residents of the Dominguez area now that he is the new president of their homeowners association, stating he is available to speak with the residents and the business community about issues that concern this east part of Carson.

Chairman Faletogo asked for, and received, input on who to contact regarding some unsafe electrical wiring near the front porch of a resident's home. He thanked staff and the Commission for their efforts this evening.

16. ADJOURNMENT

At 9:09 P.M., the meeting was formally adjourned to Tuesday, February 26, 2013, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary