

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 26, 2013 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:31P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Commissioner Brimmer.
3. **ROLL CALL**

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

Planning Commissioners Absent:
Gordon

Planning Commissioners Departed
Early: Goolsby (7:05 P.M.)

Planning Staff Present: Planning
Officer Repp, 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 Diaz, to approve the Agenda as presented. Motion carried, 7-0 (absent Commissioner Gordon).
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** Planning Officer Repp
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None

9. CONSENT CALENDAR

- A) Minutes: February 12, 2013

MOTION:

Chairman Faletogo moved, seconded by Commissioner Schaefer, to approve the February 12, 2013, Minutes as presented. Motion carried, 7-0 (absent Commissioner Gordon).

9. NEW BUSINESS CONSENT

- A) **Extension of Time for Design Overlay Review No. 1385-10**

Applicant's Request:

The applicant, Juanita Myles, is requesting a one-year time extension. The subject property is located at 333-341 West Carson Street.

Staff Recommendation:

APPROVE the extension of time until February 26, 2014, for Design Overlay Review No. 1385-10; and ADOPT a minute resolution extending the approval of Design Overlay Review No. 1385-10 to February 26, 2014.

Planning Commission Decision:

There being no objection, Chairman Faletogo approved the applicant's request for an extension to February 26, 2014, 7-0 (absent Commissioner Gordon).

10. CONTINUED PUBLIC HEARING None

11. PUBLIC HEARING

- A) **Conditional Use Permit No. 918-12**

Applicant's Request:

The applicants, Daniel and Esther Mendez, are requesting to approve a CUP for a second dwelling, to legalize an existing second dwelling unit. The subject property is located at 2717 Madison Street (APN 7308 016 021).

Staff Report and Recommendation:

APPROVE Conditional Use Permit No. 918-12, subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 1324-59, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 918-12 for an existing second dwelling unit for a property located at 2717 East Madison Street (APN 7308 016 021)."

Commissioner Brimmer stated that she would prefer to see before-and-after pictures on these type cases.

Chairman Faletogo opened the public hearing.

Daniel Mendez, Jr., applicant's representative, noted that the site has been cleaned up; and stated he concurs with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Brimmer, to concur with staff's recommendation, thus adopting Resolution No. 13-2459. Motion carried, 7-0 (absent Commissioner Gordon).

11. PUBLIC HEARING

**B) Design Overlay Review No. 1474-13 and
Conditional Use Permit No. 927-13**

Applicant's Request:

The applicant, Related, is requesting Phase 2 of the Via 425 Apartments consisting of a four-story 40-unit affordable housing community with a podium-level courtyard above an interior parking structure on a 1.07-acre site. The subject site is located at 401-409 (425) East Carson Street.

Staff Report and Recommendation:

APPROVE Design Overlay Review No. 1474-13 and Conditional Use Permit No. 927-13 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2460, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1474-13 and Conditional Use Permit No. 927-13 for construction of Phase 2 to the Via 425 Apartments for property located at 401-409 East Carson Street."

Chairman Faletogo opened the public hearing.

Rick Westberg, applicant's representative, noted his concurrence with the conditions of approval.

Commissioner Saenz asked whether applications are being accepted for the second phase and what the approximate rents are expected to be.

Mr. Westberg explained that residents will be chosen from a lottery; and that they are not yet releasing applications, noting they will be applying for federal funding next week. He highlighted the anticipated monthly rents as follows: one-bedroom units, \$450-\$900; 2-bedroom units, \$530-\$1,090; and 3-bedroom units, \$610-\$1,250.

Commissioner Brimmer expressed her preference to see public art a requirement for this project.

Planning Officer Repp stated that public art is not a requirement, only a suggestion; and noted that the units are too close to the street for public art to easily be placed at the front.

Commissioner Brimmer stated she would prefer that public art be negotiated with proposals of this type; and noted her concern that the live-work lower level units have not been successful with this project. She stated that the community should be educated on affordable housing.

Mr. Westberg commented on the extensive outreach they undertook to get the live-work units occupied, but explained that it has been difficult to find tenants for those units who would qualify for affordable housing; and he pointed out that those lower level units are fully occupied by residents who are not using the bottom level for business.

Lee Irvin, 425 East Carson Street, stated he lives in the Phase 1 housing at this site, noting it is a very nice place; and he highlighted his concerns with cars parked on that portion of Carson Street that block their view of oncoming traffic, asking if a red zone can be painted near the driveway.

Mr. Westberg noted he will talk with City staff to see what can be done.

Gladys Wag, 425 East Carson Street, stated she lives in the Phase 1 housing at this site and noted her concerns with how the construction activities will impact the current residents.

Mr. Westberg stated they will do all they can to keep the noise and dust to acceptable levels.

Planning Officer Repp advised that construction activities are allowed Monday through Saturday, from 7:00 A.M. to 8:00 P.M.

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

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Brimmer, to concur with staff's recommendation, thus adopting Resolution No. 13-2460. Motion carried, 7-0 (absent Commissioner Gordon).

11. PUBLIC HEARING

C) Zone Text Amendment No. 14-13

Applicant's Request:

The city of Carson, Planning Division, is requesting the Planning Commission consider a zone text amendment to Section 9182.41, Nonconformity Requiring Capital Expenditure to Conform, applicable to industrial zoned properties to allow retention of up to 50 percent of an existing legal, nonconforming block wall subject to a determination of compatibility with the existing and anticipated development within the surrounding area pursuant to Section 9172.23 (Site Plan and Design Review). Properties involved are citywide.

Staff Report and Recommendation:

Associate Planner Naaseh presented staff report and the recommendation to waive further reading and recommend approval of Resolution No. , entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of an ordinance to amend Section 9182.41, Nonconformity Requiring Capital Expenditure, of the Carson Municipal Code applicable to industrial zoned properties to allow retention of up to 50 percent of an existing legal, nonconforming block wall subject to a determination of compatibility with the existing and anticipated development within the surrounding area pursuant to Section 9172.23 (site plan and design review)."

Commissioner Schaefer asked if the Planning Division or the Planning Commission would have oversight of these cases.

Associate Planner Naaseh stated it would depend on the cost of the improvements, noting if the site improvements are under \$50,000, it would be done over the Planning Division counter.

Planning Officer Repp noted that a condition could be added that the Planning Commission would review each application.

Commissioner Schaefer stated, echoed by Commissioner Diaz, that she'd like these matters to come before the Planning Commission for review.

Commissioner Brimmer agreed that the Planning Commission should review these matters and stated that a property maintenance plan should also be required of these applicants to ensure they properly maintain their landscaping.

Commissioner Diaz noted his support for requiring a property maintenance plan.

Planning Officer Repp asked the Commission to consider whether these matters should be considered as public hearing items versus for information only. She stated the Planning Commission would have jurisdiction to approve upgrades to the wall, as well as the remaining property, to make sure there is an adequate number of amenities provided either to the landscaping or other site development features so that retention of nonconforming walls does not create any inconsistency or incompatibility with existing developments in the surrounding area.

Commissioner Diaz stated he would prefer these matters as public hearing items, noting it is a good way to make sure the property owners and others are aware of the process.

Planning Officer Repp noted for Commissioner Brimmer that if the discretionary process is brought before the Planning Commission, it would be appropriate at that time for the Commission to add conditions, including a maintenance plan. She added that a requirement is already in the municipal code for properly maintaining landscaping, therefore, it is not necessary to repeat that in this ordinance; and stated that the Commission could require they must maintain routine gardening service, for example.

Commissioner Brimmer accepted staff recommendation and to modify the ordinance that the Planning Commission review each case in compliance with Section 1972.23, adding that a maintenance plan be required.

Planning Officer Repp stated the condition for a maintenance plan could be added to the ordinance if there is consensus of the Commission. She asked for the Commission

to clarify whether they want a maintenance plan to be added to the ordinance or added as a condition of approval.

Chairman Faletogo noted his support of these items coming before the Planning Commission as a public hearing and supported the requirement for a maintenance plan. He asked that staff make the changes and bring this matter back to the next Planning Commission for final consideration.

Commissioner Diaz expressed his belief that staff will make the appropriate changes given clear direction this evening and that this should now be forwarded to City Council for consideration. He noted his support for a public hearing process of these matters.

Vice-Chair Verrett stated she'd like to see the changes staff makes and that this item be brought back to the next Planning Commission meeting.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Brimmer, to direct staff to make the appropriate changes and return this item to the next Planning Commission meeting.

Planning Officer Repp stated the following is staff's understanding of the Commission's changes this evening: that the Planning Commission would be the design review approval authority; that a public hearing would be required; that the approval would be pursuant to Section 9127.23, which is a site plan and design review standard; otherwise, the standard would be as shown in the ordinance with the inclusion of a specific requirement for a maintenance plan to be submitted as part of the development plan application as assurance that the property, including walls, landscaping and other features, would be maintained to acceptable standards.

The motion carried, 6-0 (absent Commissioners Goolsby and Gordon).

12.	NEW BUSINESS DISCUSSION	None
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13.	WRITTEN COMMUNICATIONS	None
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14.	MANAGER'S REPORT	None
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15. COMMISSIONERS' REPORTS

Chairman Faletogo thanked everyone for their efforts this evening.

16. ADJOURNMENT

At 8:00 P.M. the meeting was formally adjourned to Tuesday, March 12, 2013, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary