

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

MARCH 26, 2013 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:33 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Commissioner Gordon.
3. **ROLL CALL**

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

*(Commissioner Brimmer arrived at
6:39 P.M.)

Planning Commissioners Departed
Early: None

Planning Staff Present: Planning
Officer Repp, Senior Planner Signo,
Assistant City Attorney Soltani,
Associate Planner Naaseh, Associate
Planner Song, Assistant Planner
Castillo, Planning Technician
Alexander, Recording Secretary
Bothe, Senior Clerk Benitez
4. **AGENDA POSTING
CERTIFICATION** Senior Clerk Benitez indicated that all
posting requirements had been met.
5. **AGENDA APPROVAL**

Commissioner Saenz moved to
approve the Agenda as submitted.
(This motion died.)

Commissioner Gordon moved,
seconded by Vice-Chair Verrett, to
consider Agenda Item No. 12B as the
first order of business. Motion
carried, 7-0 (Commissioner Brimmer
had not yet arrived.)
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, distributed an article to the Commission regarding community and school vegetable gardens, noting his hope this City will find some areas for this endeavor for its residents to utilize; and asked that this be placed on a future Commission agenda.
9. **CONSENT CALENDAR**
- A) Minutes: March 12, 2013

MOTION:

Chairman Faletogo moved, seconded by Commissioner Diaz, to approve the March 12, 2013, Minutes as presented. Motion carried, 7-0 (Commissioner Brimmer had not yet arrived).

10. CONTINUED PUBLIC HEARING

A) Zone Text Amendment No. 14-13

Applicant's Request:

The applicant, 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). The properties involved would be citywide.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to WAIVE further reading and RECOMMEND APPROVAL of Resolution No. 13-2463, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval to the City Council of an Ordinance Amendment to add Section 9182.29, continuation of legal, non-conforming walls located within an industrial zone, of the Carson Municipal Code to allow retention of up to 50 percent of an existing legal, nonconforming block wall pursuant to Section 9172.23 (site plan and design review)."

Commissioner Brimmer stated she would prefer the ordinance require an applicant to submit a landscape maintenance plan and also see that language in the conditions of approval.

Commissioner Diaz expressed his belief the conditions of approval are adequate enough to address routine landscaping maintenance.

Chairman Faletogo suggested the condition of approval language be specific, questioning on-going enforcement of property maintenance.

Associate Planner Naaseh stated that a landscaping maintenance plan could be added as a condition of approval for each project.

Commissioner Gordon stated the word “unsightly” can be subjective, asking what threshold would be applied.

Assistant City Attorney Soltani explained there is broad discretion, noting a property would have to be unsightly enough to detract from the rest of the properties in the area; she noted that the courts defer to land use; and that a court could consider whether a city has abused its legislative discretion.

Commissioner Schaefer asked if this ordinance has been enforced on any one property.

Staff indicated they are not aware of any properties that have gone before City Council for not maintaining proper landscaping. Planning Officer Repp explained there are other codes that can expedite a solution to general property maintenance problems, noting that if the landscaping is in poor condition, there are likely other things that need to be addressed on site.

Vice-Chair Verrett expressed some concern with the language “attractive appearance,” pointing out the requirement is subjective; and stated that the 30-day remedy period should be lengthened, noting some people may not be in town when being cited.

Paul Shifino, Carson businessman, suggested there be clear and distinct thresholds for enforcement.

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

Planning Commission Decision:

Commissioner Brimmer moved, seconded by Vice-Chair Verrett, to concur with staff’s recommendation; moved to Add (J) to Section 3 of Resolution No. 13-2463 as follows: “A landscape maintenance plan is required to be considered as a condition of any development plan approval pursuant to this Ordinance Amendment and Carson Municipal Code Section 9172.23 (Site Plan and Design Review); add No. 6 to Section 9182.29.B of Exhibit A (draft Ordinance) to Resolution No. 13-2463 as follows: “A landscape maintenance plan will be considered as a condition of any development plan approval pursuant to this Ordinance Amendment and Carson Municipal Code Section 9172.23 (Site Plan and Design Review)””; and moved to adopt Resolution No. 13-2463. Motion carried, 8-0.

11. PUBLIC HEARING

A) Conditional Use Permit No. 900-12 and Design Overlay Review No. 1478-13

Applicant's Request:

The applicant, Mr. Angel Trujillo, is requesting to approve a new two-story, detached structure with a first-floor four-car garage and workshop and a second-floor accessory living quarter in the RM-12-D (Residential, Multi-family – 12 units per acre; Design Overlay) zone. The property is located at 22029 Dolores Street.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to APPROVE Conditional Use Permit No. 900-12 and Design Overlay Review No. 1478-13 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2464, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 900-12 and Design Overlay Review No. 1478-13 for a new two-story, detached structure with a 1,191-square-foot, first floor four-car garage and workshop, and a 700-square-foot, second floor accessory living quarter with a 285-square-foot deck totaling 2,176 square feet on a property located at 22029 Dolores Street."

Chairman Faletogo opened the public hearing.

Thomas Tun, applicant's representative, 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 Gordon, to concur with staff's recommendation, thus adopting Resolution No. 13-2464. Motion carried, 8-0.

11. PUBLIC HEARING

B Variance No. 529-12

Applicant's Request:

The applicant, Gary Maxwell, is requesting to approve modifying the height of an existing non-conforming 65-foot pole sign to a 40-foot pole sign which exceeds the 30-foot maximum allowable height within the CG (Commercial, General) zoning district. The subject property is located at 1200 East 220th Street.

Staff Report and Recommendation:

Planning Technician Alexander presented staff report and the recommendation to APPROVE Variance No. 529-12 subject to the conditions of approval attached as

Exhibit "B" to the Resolution; WAIVE further reading and ADOPT Resolution No. 13-2465, entitled, "A Resolution of the Planning Commission of the city of Carson approving Variance No. 529-12 to exceed the maximum height limit for a pole sign within the CG (Commercial, General) zoning district for a property located at 1200 East 220th Street."

Vice-Chair Verrett questioned if lowering the sign gives the applicant adequate visibility and asked if this illuminated sign will negatively impact the residential area.

Planning Technician Alexander stated there is still adequate visibility of the applicant's property; she explained that she had personally visited the neighbor at the back who is most impacted by this sign; advised that the property owner/resident was pleased with the removal of the old sign; that she explained to the resident what was being proposed, noting the resident indicated his support for with the proposal; and she advised that the illumination will be adjusted so as not to be a nuisance to that neighbor(s). She noted for Commissioner Brimmer that notice was given to the neighborhood, that the typical posting and notice requirements had been met.

Chairman Faletogo opened the public hearing.

Gary Maxell, project architect, noted his concurrence with the conditions of approval.

Xochitl Cobarruvias, applicant's representative, noted her 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 Schaefer, to concur with staff's recommendation, thus adopting Resolution No. 13-2465. Motion carried, 8-0.

12. NEW BUSINESS DISCUSSION

A) Variance No. 541-13 and Modification No. 1 to Design Overlay Review No. 958-06

Applicant's Request:

The applicant, Hamid Pournamdari, is requesting to approve an existing equipment room in the required side yard area of a commercial lot and to modify the conditions of approval of Design Overlay Review No. 958-06 for a perimeter wall, fountain feature and stone veneer finish. The subject property is located at 23601 South Avalon Boulevard.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to APPROVE Variance No. 529-12 subject to the conditions of approval attached as Exhibit "B" to the Resolution; WAIVE further reading and ADOPT Resolution No. 13-2466, entitled, "A Resolution of the Planning Commission of the city of Carson approving Variance No. 529-12 to exceed the maximum height limit for a pole sign within the CG (Commercial, General) zoning district for a property located at 1200 East 220th Street."

Chairman Faletogo read into the record written comments from two residents (Sandra Bourelle and Luis Alvarez) urging the perimeter wall to remain as is to help curb graffiti and additional crime at this corner.

Commissioner Gordon asked what the purpose is for removing the wall.

Assistant Planner Castillo indicated that the wall is a magnet for graffiti and that there will be greater visibility of the building.

Commissioner Gordon expressed his opinion that if the wall is removed allowing uninhibited access to the building, there will be a larger problem with the building getting tagged with graffiti.

Assistant Planner Castillo explained that increasing the landscaping close to the building should help with tagging.

Planning Officer Repp stated that landscaping should help, such as planting bougainvillea bushes/climbers, making it more difficult to get close to the building. She added that any graffiti should be removed as soon as possible; and explained that what is being recommended is removal of a portion of the wall nearest the corner, not the entire wall.

Commissioner Gordon noted his concern that the proposed corner monument sign will also be tagged, especially if the wall is removed.

Commissioner Verrett expressed her belief that removing the wall will add to the graffiti problem.

Commissioner Saenz stated this is a high crime area and noted his preference to maintain the wall as is.

Assistant Planner Castillo added that wrought iron gates will close off the building at that area where the wall is removed.

Chairman Faletogo stated that the wall acts as a small barrier to the taggers, that removing it will increase the graffiti on the property.

Commissioner Goolsby noted his concurrence with staff's recommendation to add more landscaping and remove the wall.

Commissioner Diaz noted his concurrence with staff's recommendation to remove a portion of the wall, noting it will be a more attractive property; and expressed his belief that graffiti will continue in this neighborhood.

Hamid Pournamdari, property owner, stated he put the wall up to protect his property from graffiti, noting his concern that if the wall is removed, the building will be tagged. He stated he is losing tenants because there is no signage; stated that the wall will not block his proposed sign; and that the proposed sign location is acceptable.

Commissioner Brimmer expressed her belief the wall needs to stay.

Commissioner Schaefer asked if the proposed monument sign is the only sign for the tenants.

Planning Officer Repp advised that the second floor tenants would be on the monument sign, noting there is space on the lower walls for individual first-level tenants. She added that a variance would be required for any proposal to exceed the 10-foot maximum height of the monument sign.

Mr. Pournamdari stated he believes the 10-foot sign will be adequate.

Ronald Shimokaji, resident, stated there are graffiti-resistant building materials, such as tile, on the market that can be used at this site; and stated that climbing wall vines can also help to protect the building from being tagged.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Schaefer, to approve the variance for an existing equipment room in the required side yard of a commercial lot; to allow the perimeter wall to remain as is; to allow a 10-foot monument sign at the corner; and to adopt Resolution No. 13-2466. (This motion ultimately carried.)

Vice-Chair Verrett stated that the applicant should be required to make sure the wall remains free of graffiti.

Mr. Pournamdari noted his intent to have any graffiti removed within a day, stating it will be covered in a manner that hides any graffiti.

Commissioner Diaz noted his support for staff's recommendation to remove the wall, stating the suggested addition of landscaping will hinder graffiti on the building.

The motion carried, 6-2, as follows:

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

12. NEW BUSINESS DISCUSSION

B) Update on Bicycle Master Plan

Associate Planner Song presented staff report. She commented on the community meetings/workshops that have taken place thus far; and highlighted some of the results of the surveys received to date, noting that more comprehensive survey results will be available following the Bike Festival event scheduled for April 13th. She mentioned that the current surveys show 92 percent of those responses indicate a barrier to riding their bikes in the city is lack of safe streets for bicyclists; and she highlighted the areas on the bike path map provided in staff report.

Associate Planner Song encouraged everyone to take the online bike survey and to also RSVP their attendance at the April 13th Bike Festival, noting that volunteers are still

needed for that event; and advised of a children's health fair at this event. She noted that festival updates are available on the City's Facebook bike page.

Associate Planner Song advised that the next steps in the Bike Master Plan is to compile the results of the surveys/input from the workshops and to present that draft Bike Master Plan to the Planning Commission in May and then onto the City Council for final approval in June.

Commissioner Diaz expressed his support of this effort, hoping the City can make this effort a priority and find the funding necessary to implement the planned projects.

Associate Planner Song explained that some projects are currently being implemented as part of the Capital Improvement Plan projects and also using some Community Development Block Grant funds for various street improvement projects, such as stripping bike lanes. She added that many of the proposed projects may need outside funding to complete.

Commissioner Brimmer commended Associate Planner Song on her efforts with the Master Bike Plan process; and asked if the Youth Commission and schools have been invited to be a part of this process.

Associate Planner Song indicated that all have been invited to participate in this process and that there is a lot of interest and involvement with the school district.

13. WRITTEN COMMUNICATIONS None

14. MANAGER'S REPORT

- 2012 Carson Housing Element Progress Report
- Proposed funding of commercial façade improvement project at 621 W. Carson Street
- Appeal of Rick's Lube and Tune, Conditional Use Permit No. 825-10

Planning Officer Repp advised that the Housing Element is on its way to HCD; that City Council authorized the funding for a construction contract for a commercial façade improvement project at 621 West Carson Street; and that City Council overturned the Planning Commission's decision for Rick's Lube and Tune, requiring a monument sign for that site.

- Status report on signage at South Bay Pavilion

Senior Planner Signo explained that the South Bay Pavilion is in conformance with conditions of approval for signage. He stated there will soon be some changes to this mall and that at the next Planning Commission meeting, a subdivision application will be presented for the second restaurant pad near the Sears location.

- Status report on Ken Porter Auctions and A.W. Collision

Planning Officer Repp advised that Ken Porter Auctions is in conformance with their conditions of approval; and that A.W. Collision has hired a landscaping company to do regular maintenance on this site.

15. COMMISSIONERS' REPORTS

Commissioner Diaz asked for an excused absence from the Commission's May 14th meeting, noting he will be away on business. He advised that the Olson Company will be making a presentation before the Dominguez Homeowner's Association on April 3rd to address their new project at Dominguez and Prospect.

Planning Officer Repp stated that the Olson Company will do community outreach to advise of their new market rate, single-unit housing proposal for that area; and stated there will be 13 homes built.

Commissioner Gordon expressed his belief the Commission did not allow any auction cars to be visible on a full-time basis at the Ken Porter Auctions site.

Planning Officer Repp stated that they are in compliance, pointing out it was never intended to leave the front of this property vacant.

Commissioner Schaefer stated she attended the Block Captains meeting wherein the Sheriff's Department discussed the Buy Gold businesses and their intent to require these establishments to hold the purchased gold pieces for 30 days as is done with pawn shops, questioning if this isn't already a requirement.

Senior Planner Signo mentioned that as far as he is aware, that is already a requirement, per the attorney who spoke at that Planning Commission meeting wherein this issue was previously discussed.

Commissioner Brimmer thanked Planning Officer Repp for responding to her written inquiries; and she encouraged the Commission to contact staff with such inquiries.

Chairman Faletogo thanked everyone for their efforts this evening.

16. ADJOURNMENT

At 9:37 P.M., the meeting was formally adjourned to Tuesday, April 9, 2013, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary