

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 23, 2013 – 6:30 P.M.

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:39 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Vice-Chair Verrett.
3. **ROLL CALL**

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

*(Commissioners Brimmer and Gordon arrived just after roll call)

Planning Commissioners Departed Early: None

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Gonzalez, Associate Planner Naaseh, Assistant Planner Castillo, HEAL Project Manager Grabowski, Recording Secretary Bothe

Alternate Planning Commissioners Present: Cannon
4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Commissioner Diaz moved, seconded by Vice-Chair Verrett, to approve the Agenda as submitted. Motion unanimously carried.
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 Soltani
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None

9. **CONSENT CALENDAR**

- A) **Minutes:** June 11, 2013; June 25, 2013

Commissioner Diaz moved, seconded by Vice-Chair Verrett, to approve the June 11, 2013 and June 25, 2013, Minutes as presented. Motion carried, 8-0 (absent Commissioner Diaz).

10. **NEW BUSINESS DISCUSSION**

- A) **Selection of New Planning Commission Chair and Vice-Chair**

Chairman Faletogo and Vice-Chair Verrett were selected to remain in position for another year.

10. **NEW BUSINESS DISCUSSION:**

- B) **Modification No. 3 to Conditional Use Permit No. 529-02**

Applicant's Request:

The applicant, Kinder Morgan Energy Partners, L.P., is requesting modification to landscape conditions along street frontages and preparation of an agreement for right-of-way landscaping improvements for the property located at 2000 East Sepulveda Boulevard.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation to APPROVE Modification No. 3 to Conditional Use Permit No. 529-02, subject to the conditions attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2484, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 3 to Conditional Use Permit No. 529-02 regarding landscaping requirements for the property located at 2000 East Sepulveda Boulevard." In response to the Commission's inquiry, Senior Planner Signo clarified that the landscaping improvements will be offsite along the median.

Commissioner Brimmer questioned why licensed landscape plans are not required for this project.

Staff explained that the improvements are offsite and are at the discretion of City Council; that it does not require licensed landscape plans because this is for a public right-of-way; and noted a licensed contractor will perform the work.

Allan Campbell, applicant's representative, noted his concurrence with the conditions of approval.

Commissioner Diaz urged staff to consider placing this improvement on the east side of Carson Street in/near a residential area.

Planning Officer Repp stated they will consider the closest proximity to that part of town in a residential area that has medians.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Gordon, to concur with staff recommendation; moved that staff consider putting the landscaping on the east side of the city along Carson Street closer to a residential area; and moved to adopt Resolution No. 13-2484. Motion carried, 9-0.

10. NEW BUSINESS DISCUSSION:

C) Active Transportation Plan, Healthy Eating Active Living (HEAL) Community Advisory Board

Applicant's Request:

The applicant, city of Carson, is requesting to obtain input on the Planning Commission's level of interest to be involved in the HEAL Community Advisory Board for preparation of the Active Transportation Plan.

Staff Report and Recommendation:

HEAL Project Manager Grabowski presented staff report and the recommendation to appoint one member of the Planning Commission.

Commissioner Diaz volunteered to serve on the HEAL Community Advisory Board for preparation of the Active Transportation Plan. Commissioner Brimmer stated she would be available as backup.

Planning Commission Decision:

Commissioner Diaz volunteered to serve on the HEAL Community Advisory Board for preparation of the Active Transportation Plan. Commissioner Brimmer offered to be backup when Commissioner Diaz would not be able to attend the meetings.

11. CONTINUED PUBLIC HEARING None

12. PUBLIC HEARING

A) Conditional Use Permit No. 932-13

Applicant's Request:

The applicant, Brent James Hammes, is requesting to approve a CUP for an existing second dwelling unit located within the RS (Residential, Single-Family) zoning district. The subject property is located at 2700 East Jackson Street.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to APPROVE Conditional Use Permit No. 932-13 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2485, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 932-13 for an existing second dwelling unit located at 2700 East Jackson Street."

The Commission questioned whether all the required improvements can be accomplished within a 60-day period of time.

Chairman Faletogo opened the public hearing.

Brent James Hammes, applicant, stated that the improvements will be done in 60 days, noting he is anxious to close escrow on this house; and he noted his concurrence with the conditions of approval.

Planning Officer Repp pointed out that Condition No. 9 allows for a 90-day extension if one is needed.

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

Planning Commission Decision:

Commissioner Brimmer moved, seconded by Commissioner Schaefer, to concur with staff recommendation, thus adopting Resolution No. 13-2485. Motion carried, 9-0.

12. PUBLIC HEARING

B) Vesting Tentative Parcel Map No. 72086 and Conditional Use Permit No. 941-13

Applicant's Request:

The applicant, Richard Gould, is requesting a condominium conversion of three existing detached rental units on a 0.46-acre property located in the RM-8-D (Residential, Multifamily – 8 units per acre – Design Overlay) zoned district. The subject property is located at 545, 547, 549 East 213th Street.

Staff Report and Recommendation:

Associate Planner Naaseh presented staff report and the recommendation to APPROVE Conditional Use Permit No. 941-13 and Vesting Tentative Parcel Map No. 72086 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2486, "A Resolution of the Planning Commission of the city of Carson approving Vesting Tentative Parcel Map No. 72086 and Conditional Use Permit No. 941-13 for a residential condominium conversion of three (3) detached units located at 545, 547, and 549 East 213th Street, APN 7337-002-003 and -004."

Chairman Faletogo opened the public hearing.

Richard Gould, applicant's representative, asked that Condition No. 67 be deleted, allowing for the option of erecting a 42-inch high fence in the front setback should one be desired.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Brimmer, to concur with staff recommendation; moved to delete Condition No. 67, thus adopting Resolution No. 13-2486. Motion carried, 9-0.

12. PUBLIC HEARING

**C) Zone Change Case No. 169-13 and
General Plan Amendment No. 93-13**

Applicant's Request:

The applicant, Glasswerks, is requesting to change the zone from RS (Residential, Single-Family) to ML-D (Manufacturing, Light – Design Overlay) zone and to change General Plan land use designation from Low Density Residential to Light Industrial. The subject property is located at 716 East Alondra Boulevard.

Staff Recommendation:

Continue to August 13, 2013

Planning Commission Decision:

Without objection, Chairman Faletogo ordered this item continued to the August 13, 2013, Planning Commission meeting.

12. PUBLIC HEARING

D) Conditional Use Permit No. 1494-13

Applicant's Request:

The applicant, Buffalo Wild Wings Restaurant, is requesting to construct a new 6,000-square-foot restaurant building with a 1,189-square-foot outdoor dining area on a Sears parcel at the South Bay Pavilion shopping center. The subject property is located at 736 East Del Amo Boulevard.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation APPROVE of Modification No. 1 to Design Overlay Review No. 1428-11 subject to the conditions attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-1487, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 1 to Design Overlay Review No. 1428-11 for the design and development of a new restaurant building at the SouthBay Pavilion located at 736 East Del Amo Boulevard."

Planning Officer Repp noted for Commissioner Goolsby that staff is evaluating this area for the Carson Transit service.

Addressing the Commission's concern with safety/security, Associate Planner Gonzalez explained that security will be provided during those hours/days where most necessary; and stated that the Sheriff's department believes there will be sufficient coverage, which includes linked cameras to the Sheriff's department. He added there is roving mall security and on-going monitoring.

Associate Planner Gonzalez noted for Chairman Faleto go that they plan to hire over 100 people for this establishment, utilizing local hiring practices.

Commissioner Brimmer stated that LEED type lighting should be used.

Commissioner Diaz noted his support of local hiring practices; stated that he prefers the design of the Cerritos facility over what is proposed for Carson; and he noted the need for improved lighting for security purposes. He stated that more trees are needed in this area.

Assistant City Attorney added the following condition: Condition No. 78 - "The applicant shall execute an agreement to comply with the CC&R's approved by the City Attorney's Office and owner of the shopping center."

Chairman Faleto go opened the public hearing.

Tom Ventura, applicant's representative, explained that the design for this facility is more of an industrial approach, different from the Cerritos facility; he asked that Condition No. 16 be deleted, noting the downspouts are part of the architectural design; with regard to Condition No. 19, he stated they want to get away from the checkerboard valence design, asking that it only be a ribbon checkerboard along the base and that the

remainder be black; and requested that Condition No. 43 for a trash enclosure be deleted. He pointed out that their lighting is as efficient as possible.

Rick Hallenbeck, project architect, acting project manager, addressed his concerns with what the landlord should be responsible for providing versus what they feel the applicant should be responsible for providing, such as offsite improvements (handicap ramp, for example); asked that Condition Nos. 59 and 60 be moved under the timeline requirements for "Certificate of Occupancy"; and commented on his concerns with the two separate bonds - one for offsite, one for onsite. He noted for Assistant City Attorney Soltani that he has not read any CC&R's for this property.

Ryan Miller, Buffalo Wild Wings restaurant manager, explained that security will be provided for two weeks to get an idea of what type of security this establishment will be needing, noting that extra security can be provided on certain days of the week or for longer periods of time if determined it is necessary. He stated that approximately 120 to 140 people will be hired for this establishment and that they will focus first on hiring qualified Carson residents.

Jerry Garner, representing the mall owner, stated that this entire site has already been built to code, noting that all utilities, sewer laterals, grease interceptor, and easements have been adequately addressed and are already in place. He stated that the mall ownership will take care of the sidewalk improvements along Del Amo Boulevard, including that handicapped ramp; stated they will erect barrier fences along the shrubs where needed to keep people from unsafely crossing the roadway; and advised that they have already improved the lighting on site. He stated that Condition Nos. 40, 49, 56, 65 should be corrected to clarify whether the applicant or property owner is responsible for various issues. He advised that CC&R's are already included in the lease.

Commissioner Brimmer expressed her belief the applicant does not understand the full scope of what is being required, suggesting that more discussion take place between all parties. She added that she is not in favor of this industrial design, preferring the look of the Cerritos facility. She urged the company to employ veterans.

Commissioner Diaz expressed his belief that following various clarifications this evening, all parties are on the same page at this point and that he is ready to vote on this matter.

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

Planning Commission Decision:

Chairman Faletogo moved, seconded by Commissioner Diaz, to concur with staff recommendation and to add the following changes to the conditions:

Delete Condition No. 16 and renumber accordingly;

Condition No. 19: "The applicant/owner shall provide a valance utilizing a checkerboard pattern" on the top edge...";

Condition No. 40: “The applicant/~~owner~~ shall provide a handicapped...” Amend the second sentence in that paragraph as follows: “The applicant/~~owner~~ shall also provide such handicapped ramp on the east of Del Amo Boulevard...”;

Condition No. 43: Trash enclosure design shall incorporate a decorative trellis;

Condition No. 56: The ~~developer~~ applicant shall comply...”;

Move Condition Nos. 59 and 60 under “Certificate of Occupancy”;

Condition No. 65: The ~~developer~~ applicant shall construct...”;

Add to Condition No. 77: Payment may occur at a later time as deemed necessary for the fair share funding formula to be approved by the City Council. Upon final approval by the city Council, payments shall be made in a timely manner and in full compliance with applicable requirements to be established in the fair share agreement;

Add Condition No. 78: The applicant shall execute an agreement to comply with the CC&R’s approved by the City Attorney’s Office and owner of the shopping center.

The public hearing was reopened.

Mr. Hallenbeck noted his concurrence with the revised conditions of approval and stated that he is clear on what is being required.

The public hearing was closed.

Motion carried 8-1, adopting Resolution No. 13-1487 (Commissioner Brimmer abstained).

12. PUBLIC HEARING

E) Modification No. 1 to Conditional use Permit No. 232-83

Applicant’s Request:

The applicant, Chuck E. Cheese Entertainment, Inc., is requesting the relocation of the Chuck E. Cheese’s restaurant which was approved for a conditional use permit for arcade use and sale of alcoholic beverages on February 23, 1983. The subject property is located at 20700 South Avalon Boulevard.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the recommendation APPROVE of Modification No. 1 to Conditional Use Permit No. 232-83 subject to the conditions attached as Exhibit “B” to the Resolution; and WAIVE further reading and ADOPT Resolution No. 13-2488, entitled, “A Resolution of the Planning Commission of the city of Carson approving Modification No. 1 to Conditional Use Permit No. 232-83 for the Chuck E. Cheese’s restaurant and arcade at the SouthBay Pavilion located at 20700 South Avalon Boulevard.”

Chairman Faletogo opened the public hearing.

Deborah Shannon, applicant’s representative, stated that this establishment has been at this site for 30 years; and she commented on their security program. She asked that Condition No. 31 be deleted.

Senior Planner Signo noted that Condition No. 31 does not apply and that it will be deleted; and noted that the fair share and CC&R’s conditions will be added to the conditions of approval.

Ms. Shannon stated that their security system is internet based and that they don’t have access to the Sheriff’s department; stated they have 28 cameras located throughout, including near the restrooms and exits; and that they maintain footage for 60 days.

Planning Officer Repp asked if the mall security system can pick up on the doorways from the mall security system, suggesting the applicant work with the mall management.

Jerry Garner stated the mall owner will provide camera surveillance at the area of the exterior doors and tie it into the mall’s security system.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Diaz moved, seconded by Commissioner Brimmer, to approve staff recommendation; to delete Condition No. 31, renumber accordingly; to amend Condition No. 50, requiring the applicant and mall owner to provide camera surveillance at the area of the exterior doors with remote internet access by the L.A. County Sheriff’s Office; Condition No. 51, add “Payment may occur at a later time as deemed necessary for the fair share funding formula to be approved by the City Council. Upon final approval by the City Council, payments shall be made in a timely manner and in full compliance with applicable requirements to be established in the fair share agreement; and moved to adopt Resolution No. 13-2488. Motion carried, 9-0.

13. WRITTEN COMMUNICATIONS None

14. MANAGER'S REPORT

- Cancellation of the August 27, 2013 Planning Commission meeting

Planning Officer Repp advised that the August 27, 2013 Planning Commission meeting will be cancelled.

- County of Los Angeles to regulate activities associated with an adult business proposed to operate at 1957 East Del Amo Boulevard, Rancho Dominguez

Planning Officer Repp advised that on July 18, 2013, Carson City Council adopted a resolution encouraging the County of Los Angeles to take appropriate steps to strictly regulate the new adult-oriented business in Rancho Dominguez, Vivid Cabaret.

- Master Plan of Bikeways

Planning Officer Repp advised that this plan will be considered by City Council on August 6, 2013; and commented on the strong possibility of the City receiving a couple grants to put this plan in motion.

- Carousel community meeting

Planning Officer Repp advised that additional environmental concerns have prompted City Council to consider adopting a resolution establishing a local emergency in regard to the Carousel environmental investigation.

15. COMMISSIONERS' REPORTS

Commissioner Goolsby commented on the current and future plight of unions.

Commissioner Schaefer stated she attended the community meeting regarding the Carousel matter, noting the new information is alarming.

Commissioner Brimmer advised of the Veterans Career and Resource Job Fair on Thursday, July 25, 2013, from 9:00 A.M. to 1:00 P.M. at the Community Center.

Chairman Faletogo thanked the Commission for being allowed to serve as Chairman of this Commission for another year; he cautioned this body to wait for all testimony to be given before they make comments regarding their decisions; and he thanked all for their efforts this evening.

16. ADJOURNMENT

At 10:48 P.M., the meeting was formally adjourned to Tuesday, August 13, 2013, 6:30 P.M., City Council Chambers.

Chairman

Attest By:

Secretary