

**MINUTES**  
**CITY OF CARSON**  
**PLANNING COMMISSION REGULAR MEETING**  
**CITY COUNCIL CHAMBERS**  
**CARSON, CALIFORNIA 90745**

**September 23, 2008 – 6:30 P.M.**

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:38 P.M.
  2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Commissioner Verrett.
  3. **ROLL CALL**  
Planning Commissioners Present: Cannon, Faletogo, Graber, Saenz, Verrett  
  
Planning Commissioners Absent: None  
  
Staff Present: Planning Manager Repp, City Attorney William Wynder, Assistant City Attorney Galante, Senior Planner Signo, Associate Planner Newberg, Associate Planner Gonzalez, Associate Planner Song, Assistant Planner Castillo, Recording Secretary Boceta.
  4. **AGENDA POSTING CERTIFICATION** Recording Secretary Boceta noted that all posting requirements had been met.
  5. **AGENDA APPROVAL** Vice-Chair Saenz moved, seconded by Commissioner Cannon, 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.
  7. **SWEARING OF WITNESSES** Assistant City Attorney Galante
  8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None.
  9. **CONSENT CALENDAR**  
A) **Minutes:** None
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**9. NEW BUSINESS CONSENT**

**B) Extension of time for Design Overlay Review No. 958-06 and Variance No. 485-06**

Applicant's Request:

The applicant, Hamid Pournamdari, is requesting a one-year time extension for Design Overlay Review No. 958-06 and Variance No. 485-06. The subject property is located at 23601 South Avalon Boulevard.

Staff Recommendation:

Approve the one-year extension for the property located at 23601 South Avalon Boulevard.

Planning Commission Decision:

Vice-Chair Saenz moved, seconded by Commissioner Verrett, to approve the one-year extension to September 2009. Motion unanimously carried.

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**9. NEW BUSINESS CONSENT**

**C) Modification No. 3 to Design Overlay Review No. 848-04**

Applicant's Request:

The applicant, Carson Toyota, is requesting a modification to the approved site plan to accommodate an above-ground fuel storage tank and to modify Condition No. 91 of Exhibit "B" of Redevelopment Agency Resolution No. 05-17 regarding a required right-of-way dedication along Lucerne Street.

Staff Recommendation:

ADOPT Resolution No. \_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 3 to Design Overlay Review No. 848-04 for the construction of a 12,500-square-foot above-ground storage tank and modifying Condition No. 91 of Exhibit B of Redevelopment Agency Resolution No. 05-17 for a property located at 1333 East 223<sup>rd</sup> Street."

Planning Commission Decision:

Commissioner Graber moved, seconded by Vice-Chair Saenz, to approve the modification to the approved site plan, thus adopting Resolution No. 08-2227. Motion unanimously carried.

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**9. NEW BUSINESS CONSENT**

**D) Modification No. 2 to Special Use Permit No. 160-77**

Applicant's Request:

The applicant, Joe Hasson of ActiveRV, is requesting to authorize used vehicle sales as an accessory use to the new RV sales use currently on the subject property at 1202 East Carson Street.

Staff Recommendation:

Approve and Adopt Resolution No.\_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson approving Modification No. 2 to Special Use Permit No. 160-77 to authorize a two-year period to sell used automobiles as an accessory use to the existing RV sales and service use located at 1202 East Carson Street."

Planning Commission Decision:

Commissioner Verrett moved, seconded by Commissioner Cannon, to approve the applicant's request, thus adopting Resolution No. 08-2228. Motion unanimously carried.

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**10. CONTINUED PUBLIC HEARING** None.

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**11. PUBLIC HEARING**

**A) Design Overlay Review No. 03-10-835; Conditional Use Permit No. 03-10-559; Variance 471-05; Tentative Parcel Map No. 60311**

Applicant's Request:

The applicant, Juan Lagmay, Jr., is requesting an extension of time for Design Overlay Review No. 03-10-835, Conditional Use Permit No. 03-10-559, Variance 471-05, and Tentative Parcel Map No. 60311 to August 9, 2009.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to Approve the extension of time until August 9, 2009 for Design Overlay Review No. 03-10-835, Conditional Use Permit No. 03-10-559, Variance 471-05, and Tentative Parcel Map No. 60311; and Adopt a Minute Resolution extending the approval of Design Overlay Review No. 03-10-835, Conditional Use Permit No. 03-10-559, Variance 471-05, and Tentative Parcel Map No. 60311 to August 9, 2009.

Chairman Faleto go opened the public hearing.

Juan Lagmay, Jr., applicant, noted his concurrence with the conditions of approval.

Chairman Faleto go closed the public hearing.

Planning Commission Decision:

Commissioner Cannon moved, seconded by Vice-Chair Saenz, to approve the extension of time to August 9, 2009. Motion unanimously carried.

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## 11. PUBLIC HEARING

### B) Variance No. 500-08

#### Applicant's Request:

The applicant, Tetra Tech, Inc., is requesting a Variance from the Noise Ordinance for construction noise at The Boulevards at South Bay.

#### Staff Recommendation:

Planning Manager Repp presented staff report and the recommendation to Waive further reading and Adopt Resolution No.\_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson approving Variance No. 500-08 allowing the construction noise from The Boulevards at South Bay to exceed Section 5500, et al. (LA County Code Section 12.08.40B1 b) of the Noise Ordinance located at 20400 Main Street (The Boulevards at South Bay)."

Chairman Faletogo opened the public hearing.

Deba Dayman, representing Tetra Tech, responded to Commissioner Cannon's question regarding potential health impacts as a result of this project, stated that if any resident brings a complaint to the developer regarding their health as a result of this project, they will fully evaluate that claim and appropriately deal with that claim.

Dr. Rita Boggs stated that if any of the construction activity disturbs the leveling of the mobile home coaches, the developer should be financially responsible for re-leveling those affected coaches; she advised that DTSC had agreed to invite the community action group to each one of its meetings pertaining to this site, but stated that DTSC has yet to contact anyone on that list; and she stated it is time for the public to be included in everything that goes on with this project.

Planning Manager Repp advised that the City has been proactive in its approach to keeping the public informed of this project, noting that another community meeting will take place in October at the Community Center. She added that the City has put forth constant opportunities for the public to understand the project, noting those opportunities will continue.

Lela Crotinger, resident, noted her concern with how the vibration and pounding will affect the foundation of her home and the homes of her neighbors; and she added that the residents living near this project are concerned with the stability of their homes upon the completion of this project.

Planning Manager Repp stated that the vibration levels and the pile driving will have to adhere to the approved levels reflected in the EIR, noting there are maximum levels that

must not be exceeded for construction and remediation activities. She added that the activities will be monitored to make sure these activities are within the acceptable range.

Carlito Beto, resident, stated that the compacting vibrations are already creating stress on his family; and noted his wife works from home 3 days a week and that the construction activities are creating a nuisance for her.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Graber moved, seconded by Vice-Chair Saenz, to approve a Variance from the Noise Ordinance, but to amend Condition No. 8, allowing work to take place no later than 7:00 P.M., with no work to be done on Sundays or holidays; and moved to adopt Resolution No. 2233. Motion unanimously carried.

It was the desire of the Commission that outreach be expanded throughout the community, but more importantly to the adjoining residents who live in the adjacent mobile home park; and further, that there be adequate safeguards in place for the residents to easily utilize when and if they experience any problem as a result of the activities at this site.

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**11. PUBLIC HEARING**

**C) Design Overlay Review No. 1286-08**

Applicant's Request:

The applicant, Miguel Garcia, requests to construct a 1,205-square-foot two-story addition to an existing 826-square-foot single-story single-family residence on a 40-foot wide lot in the RS (Residential, Single-family) zone and within Redevelopment Project Area No. 4. The subject property is located at 20713 Jamison Avenue.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to Waive further reading and Adopt Resolution No.\_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1286-08 to construct a 1,205-square-foot addition to an existing 826-square-foot residence on a property located at 20713 Jamison Avenue."

Chairman Faletogo opened the public hearing.

Ronald Mothershead, property owner, noted his concurrence with the conditions of approval; and stated he does not need the 2-car garage at this time, that there is plenty of parking available for his family.

Miguel Garcia, project architect, stated that the applicant is not required by code to put in a 2-car garage at this time and that for financial reasons, the applicant is not interested in building one.

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

Planning Commission Decision:

Commissioner Graber moved, seconded by Commissioner Verrett, to approve the applicant's request, allowing a 1-car garage at this time. This motion was ultimately amended and passed.

By way of a substitute motion, Commissioner Cannon moved, seconded by Chairman Faletogo, to concur with staff that a 2-car garage be included in this remodel. This motion failed as follows:

AYES: Cannon, Faletogo  
NOES: Graber, Saenz, Verrett  
ABSTAIN: None  
ABSENT: None

Planning Manager Repp suggested the following addition to the conditions of approval: "No further building permits shall be authorized in the future to expand the square footage of the subject property unless a 2-car garage is constructed."

The makers of the original motion amended their motion to include a condition that "No further building permits shall be authorized in the future to expand the square footage of the subject property unless a 2-car garage is constructed"; and moved to adopt Resolution No. 08-2228. This motion unanimously carried.

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Chairman Faletogo recessed the meeting at 7:37 P.M. and reconvened the meeting at 7:18 P.M.

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**11. PUBLIC HEARING**

**D) Design Overlay Review No. 1285-08**

Applicant's Request:

The applicant, Jack in the Box, Inc., is requesting to remodel an existing Jack in the Box restaurant on a property located in the CR-D (Commercial, Regional – Design Overlay Review) zone. The subject property is located at 20423 South Avalon Boulevard.

Staff Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to Waive further reading and adopt Resolution No.\_\_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of Design Overlay Review No. 1285-08 to the Carson Redevelopment Agency."

Chairman Faletogo opened the public hearing.

Sabrina Wright, representing the applicant, noted her concurrence with the conditions of approval, but mentioned that the landscaped/paved area at the front is necessary to

accommodate those vehicles waiting for their food. She pointed out this waiting/pickup area is necessary to keep the drive-through running efficiently.

Associate Planner Gonzalez stated this area can still be landscaped, yet allow for a waiting/pickup area.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Vice-Chair Saenz moved, seconded by Commissioner Cannon, to approve the applicant's request, adding that the applicant shall provide 10 feet of landscaping along the front elevation to the satisfaction of the Planning Division; and moved to adopt Resolution No. 2231. Motion unanimously carried.

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**11. PUBLIC HEARING**

**E) Relocation Review No. 3038.08**

Applicant's Request:

The applicant, Tesoro Corporation, is requesting to construct a 720-square-foot modular office building within the Tesoro oil refinery plant located at 2160 East Sepulveda Boulevard.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to Approve construction and WAIVE further reading and ADOPT Resolution No. \_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of Relocation Review No. 3038.08 and Design Overlay Review No. 1020-07."

Chairman Faletogo opened the public hearing.

Mark Berger, representing the applicant, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Cannon moved, seconded by Commissioner Graber, to approve the recommendation, thus adopting Resolution No. 08-2232. Motion unanimously carried.

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**11. PUBLIC HEARING**

**F) Design Overlay Review No. 1271-08**

Applicant's Request:

The applicant, Watson Land Company, is requesting to demolish an existing 16,600-square-foot office building and construct a new 25,500-square-foot two-story office building with a 12,000-square-foot single-level subterranean parking garage located in the Manufacturing Light (ML) zoning district, located at 22010 South Wilmington Avenue.

Staff Report and Recommendation:

Associate Planner Song presented staff report and the recommendation to Approve and WAIVE further reading and ADOPT Resolution No. \_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of Design Overlay Review No. 1271-08."

Chairman Faletogo opened the public hearing.

Pilar Hoyos, representing Watson Land Company, noted their interest in making this possibly a platinum LEED certified building, but stated that at a minimum, it will have a gold LEED certification. She requested that the certificate of occupancy not be delayed, stating they are willing to post a bond to insure that all required work will be completed.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Verrett moved, seconded by Vice-Chair Saenz, to approve the applicant's request, thus adopting Resolution No. 08-2233. Motion unanimously carried.

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**11. PUBLIC HEARING**

**G) Design Overlay Review 1277-08**

Applicant's Request:

The applicant, MacFarlane Costa Housing Partners, is requesting to remodel the exterior of an existing building located in the ML-D (Manufacturing, Light; Design Overlay) zoning district and within Redevelopment Project Area No. 1. The subject property is located at 330 West Victoria Street.

Staff Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to Approve and Waive further reading and Adopt Resolution No. \_\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson recommending approval of Design Overlay Review No. 1277-08."

Chairman Faletogo opened the public hearing.

Michael Costa, applicant, noted his concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Cannon moved, seconded by Commissioner Graber, to concur with staff's recommendation, thus adopting Resolution No. 08-2234. Motion unanimously carried.

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**11. PUBLIC HEARING**

**H) Ordinance No. 08-1413**

Applicant's Request:

The applicant, city of Carson – Planning Division, requests approval of Ordinance No. 08-1413 to establish residence and loitering restrictions for sex offenders within the city of Carson.

Staff Report and Recommendation:

Associate Planner Song presented staff report and the recommendation to Waive further reading and recommend Approval of Resolution No. 08-\_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson recommending to City Council the approval of an ordinance to amend Article IX by adding Chapter 9122.9, Section 9138.72 and Section 9182.31 and amending Article IV by adding Chapter 14 to the Carson Municipal Code regarding residence and loitering restrictions for sex offenders."

Staff provided information concerning Jessica's Law, residency restrictions, separation requirements from sensitive uses, over-concentration issues, occupancy restrictions, local regulatory control of land use issues, and state parole placements.

Commissioner Verrett stated that residents should be alerted when a sex offender moves into their neighborhoods.

City Attorney Wynder pointed out that people can check on the internet whether there are any sex offenders living in their neighborhoods, noting that libraries and schools have computers that can access the internet.

Mrs. Davis, resident, pointed out there are many children living and playing around the East Harrison Street area, stating these sex offenders should not be permitted to live that close to children.

Donna Meisenholder, property owner, stated there needs to be more in place to protect the safety of the property owners and their families and noted her concern that these facilities negatively impact the property values.

William Davis, resident, stated that more government intervention needs to take place to protect the residents living near these sex offenders.

Planning Commission Decision:

Commissioner Graber moved, seconded by Vice-Chair Saenz, to approve Ordinance No. 08-1413, thus adopting Resolution No. 08-2235. Motion unanimously carried.

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**12. NEW BUSINESS DISCUSSION** None

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**13. WRITTEN COMMUNICATIONS** None

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**14. MANAGER'S REPORT**

Senior Planner Signo mentioned that some of the planners are attending the APA conference this week.

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**15. COMMISSIONERS' REPORTS**

Commissioner Cannon stated that he would be out of town and unable to attend the first Planning Commission meeting in December. Brief discussion ensued regarding the possibility of cancelling both December Planning Commission meetings.

Commissioner Verrett informed the Commission that Mrs. Yvonne Alpert, a long time resident of the city of Carson, recently passed away and asked that the meeting be adjourned in her memory.

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**16. ADJOURNMENT**

At 10:13 P.M. the meeting was formally adjourned to Tuesday, October 14, 2008, 6:30 P.M., City Council Chambers.

*~ The meeting was formally adjourned  
in honor of Mrs. Yvonne Alpert ~*

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Chairperson

Attest By:

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Secretary