

**MINUTES**  
**CITY OF CARSON**  
**PLANNING COMMISSION REGULAR MEETING**  
**CITY COUNCIL CHAMBERS**  
701 East Carson Street, 2<sup>nd</sup> Floor  
Carson, CA 90745

*February 10, 2009 – 6:30 P.M.*

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:40 P.M.
2. **PLEDGE OF ALLEGIANCE** Commissioner Brown led the Salute to the Flag.
3. **ROLL CALL**  
Planning Commissioners Present: Cannon, Brown, Faletogo, Gordon, Graber, Saenz, Verrett  
Planning Commissioners Absent: Brimmer  
Planning Staff Present: Planning Manager Repp, Assistant City Attorney Galante, Senior Planner Signo, Associate Planner Newberg, Associate Planner Gonzalez, Assistant Planner Castillo, Recording Secretary Bothe
4. **AGENDA POSTING CERTIFICATION** Recording Secretary Bothe indicated that all posting requirements had been met.
5. **AGENDA APPROVAL** Vice-Chair Saenz moved, seconded by Commissioner Brown, to approve the Agenda as submitted. Motion carried (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 Galante
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None.
9. **CONSENT CALENDAR**

A) **Minutes: January 27, 2009**

**MOTION:** Commissioner Cannon moved, seconded by Commissioner Brown, to approve the January 27, 2009, Minutes as presented. Motion carried (absent Commissioner Brimmer).

**9. CONSENT CALENDAR**

**B) Minor Modification to Design Overlay Review No. 1290-08**

Applicant’s Request:

The applicant, Daniel Lopez, is requesting to permit construction of a 526-square-foot single car garage addition to an existing 1,215-square-foot, single-story, single-family residence on a 63-foot wide lot in the RM-8-D (Residential, Multi-family – 8 units/acre) zone and within Redevelopment Project Area No. 4. The subject property is located at 334 West 214<sup>th</sup> Street.

Staff Recommendation:

WAIVE further reading and ADOPT Resolution No.\_\_\_\_\_, entitled, “A Resolution of the Planning Commission of the city of Carson approving a Modification to Design Overlay Review No. 1290-08 to add a 526-square-foot, one-car garage to an existing 1,215-square-foot residence on a property located at 334 West 214<sup>th</sup> Street.”

Commissioner Graber expressed his concern with the size of the garage and the potential for it to become an illegal second unit.

Planning Commission Decision:

Commissioner Cannon moved, seconded by Commissioner Saenz, to approve the applicant’s request, thus adopting Resolution No. 09-2251. Motion carried as follows:

- AYES: Brown, Cannon, Faletogo, Gordon, Saenz, Verrett
  - NOES: Graber
  - ABSTAIN: None
  - ABSENT: Brimmer
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**9. NEW BUSINESS CONSENT**

**C) Modification No. 1 to Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07**

Applicant’s Request:

The applicant, Thomas Safran & Associates, is requesting a modification to an approved development plan to enlarge the commercial area for storage purposes and reduce the number of parking by 19 spaces. The subject property is located at 708-724 East Carson Street and 21720-21814 South Avalon Boulevard.

Staff Report and Recommendation:

APPROVE Modification No. 1 to Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07, subject to the conditions of approval attached as Exhibit “B” to the Resolution; and WAIVE further reading and ADOPT Resolution No.\_\_\_\_\_, entitled, “A Resolution of the Planning Commission of the city of Carson approving Modification No. 1 to Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07 for the

modification of commercial tenant spaces and reduction in the total number of parking spaces for the mixed-use development located at 708-724 East Carson Street and 21720-21814 South Avalon Boulevard.”

Planning Commission Decision:

Vice-Chair Saenz moved, seconded by Commissioner Graber, to approve the applicant’s request, thus adopting Resolution No. 09-2252. Motion carried (absent Commissioner Brimmer).

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**10. CONTINUED PUBLIC HEARING**

**A) Ordinance Amendments to the Carson Municipal Code relating to Section 9131.1 and 9138.17, Permitted Uses in the Mixed Use – Carson Street Zone**

Applicant’s Request:

The applicant, city of Carson – Economic Development Group, is requesting consideration of a comprehensive update to the zoning code regarding commercial properties, all properties zoned MU-CS (Mixed-Use – Carson Street).

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to OPEN the Public Hearing; TAKE public testimony; CLOSE the Public Hearing.

In response to Commissioner Cannon’s inquiry, Associate Planner Newberg stated it would take approximately six months to one year to complete the update process.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Vice-Chair Saenz moved, seconded by Commissioner Brown, to direct staff to prepare a comprehensive update to the Municipal Code and present that to the Commission upon completion.

Commissioner Verrett offered a friendly amendment asking that staff determine how many residents are living in this zone on Carson Street.

Commissioner Brown offered a friendly amendment, that staff provide information concerning mixed use projects in Carson.

The makers of the motion accepted the friendly amendments. Motion carried (absent Commissioner Brimmer).

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**11. PUBLIC HEARING**

**A) Conditional Use Permit No. 711-08 and Design Overlay Review No. 1293-08**

Applicant's Request:

The applicant, Richard Nickel, is requesting to consider the relocation of a minor auto repair use to an existing 1,560-square-foot building in the CR-D (Commercial, Regional; Design Review) Zone and within Redevelopment Project Area 1. The subject property is 21316 South Avalon Boulevard.

Staff Report and Recommendation:

Assistant Planner Castillo 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 Conditional Use Permit No. 711-08 for the interior and exterior remodel of an existing building for a property located at 21316 South Avalon Boulevard."

Vice-Chairman Saenz expressed his belief this corner should have a better use and that allowing an auto repair business to operate at this site for the next five years is too long, that three years would be more appropriate.

Commissioner Cannon asked if the post office is interested in utilizing this property for its purposes.

Planning Manager Repp advised that the postal service is not interested in this property due to economics. She added that this site is contaminated and that it will be very expensive to remediate.

Commissioner Verrett expressed her belief that allowing this use to operate for 10 years would be more equitable for this applicant given the circumstances for his move.

Assistant Planner Castillo noted that the applicant can request an extension at the end of the first five years.

Commissioner Graber stated this business has a clean record and that he does not believe five years is adequate.

Chairman Faleto go opened the public hearing.

Richard Nickel, applicant, stated he agrees with the conditions of approval; and noted he would like to do business at this site for as long as possible.

Betty Nickel, applicant's mother, stated her son has run a responsible and clean operation; and urged the Commission to allow this use at this site for as long as possible.

Vera Robles-Dewitt stated that she is in escrow to purchase this property; noted that she had intended to build a cottage-style office building at this location, but due to the economy, those plans will have to wait; and stated that the applicant operates a good business and that this is a win-win situation for all. She stated she is not opposed to lengthening the number of years for the proposed use, and added that the terms of the lease is a private arrangement between her and the tenant.

Miguel Mesa, resident, stated that this business has a good reputation and that its employees are very knowledgeable.

Chairman Faleto go closed the public hearing.

Planning Commission Decision:

Commissioner Brown moved, seconded by Commissioner Graber, to approve the resolution, with the amendment of allowing a 7-year period for the expiration of the CUP; and to add the following to the end of Condition No. 2, "The expiration of such 7-year period shall occur automatically without the requirement for the City to provide notice or a hearing of such expiration. Activities approved under this Conditional Use Permit No. 711-08 shall cease immediately upon the termination of such 7-year period"; and moved to adopt Resolution No. 09-2249. Motion carried (absent Commissioner Brimmer).

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**11. PUBLIC HEARING**

**B) Design Overlay Review No. 959-06, Conditional Use Permit No. 631-06, and Vesting Tentative Tract Map No. 67934**

Applicant's Request:

The applicant, Terracina Investment, LLC, is requesting a subdivision of one parcel for the conversion of an existing eight-unit apartment complex into an eight-unit condominium project. The subject property is located within the RM-25-D (Residential, Multifamily – Design Overlay District) zone and has a General Plan designation of High Density. The subject property is located at 157 West 223<sup>rd</sup> Street.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to APPROVE the Categorical Exemption; APPROVE Conditional Use Permit No. 631-06 and Tentative Tract Map No. 67934 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and WAIVE further reading and ADOPT Resolution No. \_\_\_, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 631-06 and Tentative Tract Map No. 67934 for the residential condominium conversion of eight (8) units located at 157 West 223<sup>rd</sup> Street." He deleted Condition Nos. 52 and 64; and he noted that the current tenants will have the first right of refusal when the units become available for purchase.

Chairman Faletogo opened the public hearing.

Mike Bihn, representing the applicant, stated that the applicant concurs with all the conditions of approval with the exception of No. 45, "Replace all windows with dual pane energy efficient windows," stating this will add 3-\$4,000 per unit. He added that all tenants have received notice of this conversion.

Planning Manager Repp stated that staff would strongly recommend the upgrade of the windows at this time.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Cannon moved, seconded by Vice-Chairman Saenz, to approve the applicant's request; moved to delete Condition Nos. 52 and 64, renumbering the conditions accordingly; and adopted Resolution No. 09-2250. Motion carried (absent Commissioner Brimmer).

**12. NEW BUSINESS DISCUSSION**

**A) Modification No. 2 to Conditional Use Permit No. 529-02**

Applicant's Request:

The applicant, Kinder Morgan Energy Partners, L.P., is requesting the construction of one 60,000-barrel ethanol storage tank and associated piping and ancillary equipment at an existing petroleum tank farm. The subject property is located at 2000 East Sepulveda Boulevard.

Staff Recommendation:

Open the public hearing and continue to February 24, 2009.

Planning Commission Decision:

Chairman Faletogo moved, seconded by Vice-Chairman Saenz, to open the public hearing and continue this matter to February 24, 2009. Motion carried (absent Commissioner Brimmer).

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**13. WRITTEN COMMUNICATIONS** None.

**14. MANAGER'S REPORT**

Planning Manager Repp encouraged the Planning Commissioners to attend the Community Housing Element Workshop/Forum at the Community Center's Dominguez Room on Wednesday, February 25<sup>th</sup>, 6:00 P.M.

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**15. COMMISSIONERS' REPORTS**

Commissioner Brown urged the Commission to fulfill their Local Ethics Training Requirements (AB 1234) if they have not already done so.

Responding to Commissioner Graber's inquiry regarding the ethics training, Assistant City Attorney Galante stated the Commissioners would only need to fulfill that obligation once during their tenure.

Chairman Faletogo thanked Vice-Chairman Saenz and Commissioner Verrett for leading the two meetings in which he was absent.

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**16. ADJOURNMENT**

At 9:05 P.M. the meeting was formally adjourned to Tuesday, February 24, 2009, 6:30 P.M., City Council Chambers.

\_\_\_\_\_  
*Chairperson*

Attest By:

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Secretary