

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

**December 8, 2009 – 6:30 P.M.**

1. **CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:35 P.M.
2. **PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Chairman Faletogo.
3. **ROLL CALL**

Planning Commissioners Present:  
\*Brimmer, Brown, Faletogo, Gordon,  
\*Graber, Park, Schaefer, Saenz,  
\*Verrett

\*(Commissioners Brimmer, Graber,  
and Verrett arrived after roll call.)

Planning Commissioners Absent:  
None

Planning Staff Present: Senior  
Planner Signo, Assistant City  
Attorney Adrienne Konigar-Macklin,  
Associate Planner Gonzalez,  
Associate Planner Song, Associate  
Planner Newberg, 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-Chairman Saenz moved, seconded by Commissioner Brown, to approve the Agenda as submitted. Motion carried (Commissioners Brimmer, Graber, and Verrett 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.
7. **SWEARING OF WITNESSES** Assistant City Attorney Adrienne Konigar-Macklin
8. **ORAL COMMUNICATIONS** For items **NOT** on the agenda. Speakers are limited to three minutes. None.

**9. CONSENT CALENDAR**

**A) Minutes: November 24, 2009**

Commissioner Park moved, seconded by Vice-Chairman Saenz, to approve the November 24, 2009 Minutes as submitted. Motion carried (Commissioners Brimmer, Graber, and Verrett had not yet arrived).

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**10. CONTINUED PUBLIC HEARING**      None.

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**11. PUBLIC HEARING**

**A) Design Overlay Review No. 1338-09**

Applicant's Request:

The applicant, Albertoni Business Center, LLC, is requesting a façade remodel and other exterior improvements to a Carl's Jr. restaurant on a site zoned CG-D (General Commercial). The property is located at 17450 South Avalon Boulevard.

Staff Report and Recommendation:

Associate Planner Gonzalez presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 09-2278, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1338-09 for exterior improvements to a Carl's Jr. restaurant located at 17450 South Avalon Boulevard."

Senior Planner Signo advised that the star logo will need to be lowered, noting it cannot exceed the height of the parapet.

Chairman Faletogo opened the public hearing.

Jenny Hodges, representing the applicant, advised that a design adjustment will be made with regard to the star logo; and noted her concurrence with the conditions of approval.

Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Vice-Chairman Saenz moved, seconded by Chairman Faletogo, to approve the applicant's request, thus adopting Resolution No. 09-2278. Motion carried, 9-0.

**11. PUBLIC HEARING**

**B) Conditional Use Permit No. 749-09 – Shared Parking (Metropolitan Church of Christ)**

Applicant's Request:

The applicant, Metropolitan Church of Christ, is requesting shared parking for the church in an existing multi-tenant industrial center in the MH (Manufacturing, Heavy) zone and within the Merged and Amended Redevelopment Project area. The subject property is located at 1210-1250 East 223<sup>rd</sup> Street.

Staff Report and Recommendation:

Associate Planner Song presented staff report and the recommendation to APPROVE Conditional Use Permit No. 749-09; and WAIVE further reading and ADOPT Resolution No. 09-2279, entitled, "A Resolution of the Planning Commission of the city of Carson approving Conditional Use Permit No. 749-09 for shared parking at 1210 – 1250 East 223<sup>rd</sup> Street."

Chairman Faleto go opened the public hearing.

Brandy Jones, representing the applicant, noted her concurrence with the conditions of approval; and she explained that during the off hours, a handful of parking spaces will be needed for church staff members and clients receiving marriage counseling at this facility. She confirmed that most of the activities from the churches will take place after the majority of the businesses in this center close.

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

Planning Commission Decision:

Commissioner Brown moved, seconded by Commissioner Schaefer, to approve the applicant's request, thus adopting Resolution No. 09-2279. Motion carried, 9-0.

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**11. PUBLIC HEARING**

**C) Relocation Review No. 3041-09**

Applicant's Request:

The applicant, Paragon Architects, is requesting to construct a 1,440-square-foot modular office structure on an approximate 2.9-acre, Manufacturing, Light – Design Overlay (ML-D) zoned lot within Redevelopment Project Area No. 1. The subject site is located at 18010 South Figueroa Street.

Staff Report and Recommendation:

Associate Planner Newberg presented staff report and the recommendation to WAIVE further reading and ADOPT Resolution No. 09-2280, entitled, "A Resolution of the Planning Commission of the city of Carson approving Relocation Review No. 3041-09

for the construction of a 1,440-square-foot modular office structure located at 18010 South Figueroa Street.”

Commissioner Park questioned why the older, existing structure is not required to be up to current code and undergo a 5-year review process, noting his concern with the security of its foundation.

Associate Planner Newberg explained that the state oversees the safety standards of modular structures; and he stated that Building and Safety does oversee the structural integrity and ADA compliance of these structures.

Chairman Faleto go opened the public hearing.

Leo Choi, representing the applicant, noted his concurrence with the conditions of approval.

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

Planning Commission Decision:

Chairman Faleto go moved, seconded by Vice-Chairman Saenz, to approve the applicant’s request, amending Condition 15 as follows: “~~Prior to submittal for Building and Safety plan check~~, Within 30 days after Planning Commission approval, the site plan shall be revised...”; and moved to adopt Resolution No. 09-2280. Motion carried, 8-1, with Commissioner Park voting no.

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**12. NEW BUSINESS DISCUSSION**

**A) Modification No. 1 to Design Overlay Review No. 972-06, Conditional Use Permit No. 632-06 and Conditional Use Permit No. 633-06**

Applicant’s Request:

The applicant, Lynn Van Aken for Sprint/Nextel, is requesting to collocate onto an existing 58-foot 6-inch high unmanned wireless telecommunications facility stealthed as a pine tree located in the ML (Manufacturing, Light) zone and within the Redevelopment Project Area No. 4. The property is located at 727 East 223<sup>rd</sup> Street.

Staff Report and Recommendation:

Assistant Planner Castillo presented staff report and the recommendation to APPROVE Modification No. 1 to Design Overlay Review No. 972-06, Conditional Use Permit No. 632-06 and Conditional Use Permit No. 633-06 by amending Condition No. 13 to read as follows: “13) An additional pine tree 40 feet in height shall be planted to the east of the telecommunication facility”; and ADOPT a Minute resolution and instruct staff to make necessary changes to Resolution No. 06-2120.

Commissioner Gordon asked who is responsible for enforcing conditions of approval, expressing his belief the conditions should have been met in an appropriate amount of time.

Senior Planner Signo explained that the Building and Safety department takes care of the final process; and stated that in this case, the prior applicant did not return to final the permit. He stated that technically, staff can assume the DOR and building permit have expired.

Commissioner Graber asked why this issue is before the Commission if the applicant has not met the prior conditions of approval.

Senior Planner Signo stated that the City is required to process these applications in a timely fashion.

Commissioner Brimmer asked if staff had notified the original applicant about not meeting all the conditions of approval.

Assistant Planner Castillo indicated that at least one piece of correspondence was sent advising the applicant they were not in compliance with the conditions of approval.

Commissioner Brimmer stated they should be contacted once again.

Addressing the Commission's inquiry, Assistant City Attorney Konigar-Macklin stated this item should be noticed and placed on a future agenda, allowing staff further time to address the outstanding conditions.

Lynn Van-Aken, representing the applicant, questioned how they were able to obtain a Certificate of Occupancy without the conditions being met; stated that the applicant will repair the fencing and plant a live tree; but stated the applicant would like the freedom to plant the tree elsewhere on the property because this location is too narrow for a large tree. He noted his concern that placement of a tree might also negatively impact the parking availability.

It was the consensus of the Commission that the prior conditions be met before this application returns to the Planning Commission for approval; and the Commission voiced concern with follow-through in the completion of condition of approvals on project approvals.

Planning Commission Decision:

Commissioner Brown moved, seconded by Commissioner Brimmer, to place this matter on a future Agenda for public hearing when all prior conditions of approval have been met. No objection was noted.

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**13. WRITTEN COMMUNICATIONS** None

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**14. MANAGER'S REPORT**

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Senior Planner Signo briefly addressed a Redevelopment Agency staff report distributed to the Planning Commission regarding the update/status of the proposed amendment to merge the three Carson Redevelopment Project areas.

Senior Planner Signo noted that on December 10<sup>th</sup>, at 9:30 A.M., the MTA Board will consider the results of the Harbor Subdivision Transit Corridor Alternatives Analysis Study; and mentioned that its Committee voted to adopt a new name for the project -- the South Bay Green Line Extension.

Senior Planner Signo confirmed that the December 22<sup>nd</sup> Planning Commission meeting will be dark. On behalf of Planning staff, he noted his appreciation of the Commissioner's work on the Planning Commission and wished everyone Happy Holidays and New Year.

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## 15. COMMISSIONERS' REPORTS

Commissioner Park wished everyone Happy Holidays and New Year. He invited everyone to attend the I-710 update meeting at the Dominguez Community Center on Thursday, December 10th at 6:30 P.M.

Commissioner Brown wished everyone Happy Holidays; and noted his hope that in 2010, staff can improve upon some of the issues discussed in Item 12A this evening.

Commissioner Graber wished everyone Happy Holidays and New Year and commended staff for their work throughout the year.

Commissioner Brimmer noted her concern with the process for following up on whether conditions of approval have been met after Planning Commission approval.

Commissioner Verrett wished everyone Happy Holidays and New Year; and questioned whether there is any conflict with the Brown Act if the majority of the Planning Commission attends the I-710 meeting this Thursday.

Assistant City Attorney Konigar-Macklin explained that as long as it is an informational meeting and not for Planning Commission business, she believed it would not be a Brown Act violation.

Commissioner Gordon thanked staff for their hard work during the past year and wished everyone Happy Holidays and New Year.

Commissioner Schaefer pointed out that staff's report did acknowledge a potential problem with the prior applicants (Item No. 12A) not having met the conditions of approval; stated that she has enjoyed working with everyone this past year; and wished everyone Happy Holidays and New Year.

Vice-Chairman Saenz mentioned that Code Enforcement does assist with conformance issues concerning conditions of approval; and wished everyone Happy Holidays and New Year.

Chairman Faletogo thanked staff for their efforts this past year; and noted that the Commission depends on staff to provide accurate and complete information so that the Commission can make intelligent decisions. He wished everyone Happy Holidays and New Year; and he thanked staff for not scheduling a Planning Commission meeting for the second part of December.

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**16. ADJOURNMENT**

At 8:30 P.M. the meeting was formally adjourned to January 12, 2010, 6:30 P.M., City Council Chambers.

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*Chairperson*

*Attest By:*

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Secretary